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## HOUSE FLOOR AMENDMENTS

2025 Regular Session

Amendments proposed by Representative Deshotel to Engrossed House Bill No. 368 by Representative St. Blanc

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### AMENDMENT NO. 1

On page 1, line 3, change "3591.6," to "3591.7,"

### AMENDMENT NO. 2

On page 1, line 7, after "data;" and before "and" insert "to provide for enforcement;"

### AMENDMENT NO. 3

On page 1, line 10, change "3591.6," to "3591.7,"

### AMENDMENT NO. 4

On page 6, between lines 14 and 15, insert the following:

"(8) Advertise, print, display, publish, distribute, broadcast or cause to be advertised, printed, displayed, published, distributed, or broadcasted, in any manner, any statement or representation with regard to the earned wage access services offered by the provider that does either of the following:

(a) Is false, misleading, or deceptive.

(b) Omits material information that is necessary to make the statement or representation not false, misleading, or deceptive."

### AMENDMENT NO. 5

On page 6, line 26, after "Institutions.", delete the remainder of the line and delete lines 27 and 28 in their entirety and insert in lieu thereof the following:

"The report shall pertain to the preceding calendar year and shall be submitted no later than March first of the following year. All reports shall include the following information:

(1) Gross revenue attributable to its earned wage access services.

(2) The total number of transactions in which the provider provided proceeds to consumers.

(3) The total number of unique consumers to whom the provider provided proceeds.

(4) The total dollar amount of proceeds the provider provided to consumers.

(5) The total dollar amount of fees, voluntary tips, gratuities, or other donations the provider received from consumers.

(6) The number and nature of consumer complaints received by the provider and the resolution status of each complaint."

### AMENDMENT NO. 6

On page 7, delete lines 1 through 10 in their entirety and insert in lieu thereof the following:

1           "B. The Office of Financial Institutions shall make this data available to the  
2 public in aggregated form in an annual report assessing the impact of earned wage  
3 access services in the state by July first of each year.

4           C. Submission by providers of the annual report in Subsection A shall not be  
5 deemed an action or transaction subject to the jurisdiction of the Office of Financial  
6 Institutions.

7           §3591.7. Enforcement of this Chapter; penalties

8           A. Providers subject to the provisions of this Chapter shall be subject to  
9 enforcement by the attorney general pursuant to the provisions of the Unfair Trade  
10 Practices and Consumer Protection Law, R.S. 51:1401 et seq.

11           B. Any provider that fails to timely submit the required annual report as  
12 required by R.S. 51:3591.6 shall not be authorized to utilize the provisions of this  
13 Chapter.

14           C. If a provider fails to timely submit the annual report required by R.S.  
15 51:3591.6, any agreement made by that provider with a consumer for  
16 consumer-directed earned wage access services, credit agreements, promissory notes,  
17 or other contracts with a consumer shall be an absolute nullity.

18           Section 2. The first report required by R.S. 51:3591.6 as enacted by Section 1 of this  
19 Act shall be filed with the Office of Financial Institutions no later than March 1, 2027."