

2026 Regular Session

HOUSE BILL NO. 578

BY REPRESENTATIVES MIKE JOHNSON, AMEDEE, BAYHAM, BUTLER,  
CHENEVERT, CREWS, DEWITT, DICKERSON, EDMONSTON, EGAN,  
FARNUM, FIRMENT, HORTON, OWEN, SAWYER, SCHAMERHORN,  
SCHLEGEL, AND WILDER

1 AN ACT

2 To amend and reenact Civil Code Article 14, Code of Civil Procedure Article 5055, Code  
3 of Criminal Procedure Articles 4, 795(C), (D), and (E), 989, 992, 994, 997, 998, and  
4 999.1, Children's Code Articles 106, 720(B)(1), 725, 1217.1(A)(4), and  
5 1239.1(A)(4), R.S. 1:8, R.S. 3:1493(E) and 2074(E), R.S. 4:158.2(A)(2) and 193(B),  
6 R.S. 9:2720(D), R.S. 11:3390 and 3662, R.S. 13:1856(1) and 1857(A)(8)(d)(ii) and  
7 (iii), R.S. 14:107.2(A), R.S. 15:827.3(A)(2)(c)(i), 832(A), 905(F)(13)(b) and  
8 (14)(a)(ii) and (d)(ii), 933(D)(4)(introductory paragraph) and (E)(1)(introductory  
9 paragraph), 934(B)(4), 1110(D)(3), 1204.2(B)(4), and 1228.9(D)(1)(a), R.S.  
10 17:17.5(B)(2), 100.13(G)(2)(f) and (J), 221.3(B)(2)(d), 416(M), 416.21(N)(3)(a) and  
11 (b)(i)(aa) and (bb), 1519.7(C), 1871(A)(3), 1998, 3047.7(B)(2)(a), 3351(B)(2)(b)(ii),  
12 3399.12(5)(i), 3911(B)(1)(i)(introductory paragraph) and (4)(a)(introductory  
13 paragraph), 3991(A)(1)(c)(iv) and (B)(3), and 5067(B)(7), R.S. 22:1204(A)(10)(b),  
14 1504(1), 1545(I)(1)(introductory paragraph) and (J), 1808.2(H), 2161(B),  
15 2187(D)(4), and 2503(9)(b)(introductory paragraph), R.S. 23:2043(B)(1), R.S.  
16 27:46(B), R.S. 32:398.10(A)(2) and 429.3, R.S. 33:130.302(A)(2), 130.882(A)(2),  
17 363(D), 2740.70.3(B)(2), 4071(A)(6), and 4720.301(G)(2), R.S. 36:108(B)(5), R.S.  
18 37:832(A)(2), 914(B)(3), 962(C), 1042(B)(1)(b), 1104(A), 1172(A), 2102(A)(2),  
19 2353(A)(2), 2403(H), 2407(D), 2455(B)(1), 2704(A)(introductory paragraph),  
20 3061(A)(2)(c), 3084(B)(2), 3201(B)(2), 3386.2(C), 3389(C), 3444(A), 3463(B)(1),

1 3554(A)(2), and 3703(B)(3), R.S. 40:31.61, 101(D)(1), 600.151(D)(1)(l)(ii)(hh) and  
 2 (m)(iv), and 2403(H)(1), R.S. 42:2.1(A) and 1132(B)(1)(a) through (c), R.S.  
 3 46:153.3(D)(1), 288.5(1), 460.37(B)(10), 1095(A), and 1941.8(A)(introductory  
 4 paragraph), R.S. 47:337.14(E)(2) and 1702(6), R.S. 48:2134(C)(introductory  
 5 paragraph), R.S. 49:1112(B)(1), R.S. 51:942(A) and 1762(A)(8)(a)(iii), R.S.  
 6 56:108(A) and 1705(C), relative to use of terms; to provide for the Restoring  
 7 Biological Truth Act; to change references from gender to sex; to provide with  
 8 respect to definitions; to provide for the use of gender and number; to provide for  
 9 boards, commissions, and councils; to provide for statistical data collection and  
 10 reporting; to provide for various technical revisions; and to provide for related  
 11 matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Civil Code Article 14 is hereby amended and reenacted to read as follows:

14 Art. 14. Use of ~~gender~~ sex

15 Unless the context indicates otherwise, words used with reference to one  
 16 ~~gender~~ sex apply to the other genders sex.

17 Section 2. R.S. 1:8 is hereby amended and reenacted to read as follows:

18 §8. One ~~gender~~ sex may denote ~~others~~ the other; definition of sex

19 A. Words used in reference to one ~~gender~~ sex apply also to the other ~~genders~~  
 20 sex, except as otherwise clearly indicated by the context.

21 B. "Sex" means an individual's biological sex, either male or female, as  
 22 observed or clinically certified at birth. "Gender identity" and other subjective terms  
 23 shall not be used as synonyms or substitutes for the term "sex".

24 Section 3. R.S. 3:1493(E) and 2074(E) are hereby amended and reenacted to read  
 25 as follows:

26 §1493. Louisiana Industrial Hemp Promotion and Research Advisory Board;  
 27 creation and organization

28 \* \* \*

29 E. Appointments to the board shall be made no later than September 1, 2022.

30 Each appointing authority shall notify the commissioner of the appointment. The

1 board should be representative of the state's population by race and gender sex to  
2 ensure diversity.

3 \* \* \*

4 §2074. Louisiana Equine Promotion and Research Advisory Board; creation and  
5 organization

6 \* \* \*

7 E. An organization authorized to make nominations for appointment to the  
8 board shall submit its list of nominees within thirty days after the commissioner  
9 requests the list. The commissioner shall make all appointments to the board no later  
10 than thirty days after receiving the list of nominees. The board should be  
11 representative of the state's population by race and gender sex to ensure diversity.

12 \* \* \*

13 Section 4. R.S. 4:158.2(A)(2) and 193(B) are hereby amended and reenacted to read  
14 as follows:

15 §158.2. Quarterly reporting of professional services information

16 A. Each association or licensee as defined in R.S. 4:143 shall submit to the  
17 commission, the Senate Committee on Judiciary B, and the House Committee on  
18 Commerce all of the following:

19 \* \* \*

20 (2) A report on the demographic information of the association's or licensee's  
21 workforce, including but not limited to race, gender sex, and Louisiana residency.

22 \* \* \*

23 §193. Categories of persons subject to exclusion and ejection; civil liberties

24 \* \* \*

25 B. No person may be excluded or ejected on account of race, color, creed,  
26 national origin, ancestry, disability, as defined in R.S. 51:2232, or gender sex.

27 \* \* \*

28 Section 5. R.S. 9:2720(D) is hereby amended and reenacted to read as follows:

1 §2720. Enforceability of gestational carrier contract

2 \* \* \*

3 D. No person shall enter into a gestational carrier contract that requires the  
4 gestational carrier to consent to terminate a pregnancy resulting from in utero  
5 embryo transfer for any reason, including a prenatal diagnosis of an actual or  
6 potential disability, impairment, genetic variation, or any other health condition or  
7 a discrimination based on ~~gender~~ sex, or for the purposes of the reduction of multiple  
8 fetuses. Any such provision in a contract executed in the state of Louisiana or any  
9 other state shall be absolutely null and unenforceable in the state of Louisiana as  
10 contrary to public policy.

11 Section 6. R.S. 11:3390 and 3662 are hereby amended and reenacted to read as  
12 follows:

13 §3390. Beneficiaries

14 For the purposes of this Part, whenever reference is made to ~~gender~~ sex, the  
15 masculine shall include the feminine, the feminine shall include the masculine, and  
16 in particular with reference to Sections 3363, 3378, 3379, 3385, and 3388 without  
17 limiting the generality of the above, whenever reference is made to widows of  
18 members of the fire department, it shall also apply to widowers of said members.

19 \* \* \*

20 §3662. One ~~gender~~ sex may denote ~~others~~ the other

21 For the purposes of this Subpart, whenever reference is made to ~~gender~~ sex,  
22 the masculine shall include the feminine, the feminine shall include the masculine,  
23 and in particular with reference to Sections 3631, 3648, 3656, and 3660; without  
24 limiting the generality of the above, whenever reference is made to widows of  
25 members, it shall also apply to widowers of said members.

26 Section 7. R.S. 13:1856(1) and 1857(A)(8)(d)(ii) and (iii) are hereby amended and  
27 reenacted to read as follows:

28 §1856. Contents of petition

29 A petition under this Part shall be verified and include a copy of any existing  
30 child-custody determination, if available. The petition shall specify the risk factors

1 for abduction, including the relevant factors described in R.S. 13:1857. Subject to  
2 the provisions of R.S. 13:1821(E), if reasonably ascertainable, the petition shall  
3 contain:

4 (1) The name, date of birth, and ~~gender~~ sex of the child.

5 \* \* \*

6 §1857. Factors to determine risk of abduction

7 A. In determining whether there is a credible risk of abduction of a child, the  
8 court shall consider all of the following factors and any evidence that the petitioner  
9 or respondent:

10 \* \* \*

11 (8) Is likely to take the child to a country that either:

12 \* \* \*

13 (d) Has laws or practices that would either:

14 \* \* \*

15 (ii) Restrict the petitioner from freely traveling to or exiting from the country  
16 because of the petitioner's ~~gender~~ sex, nationality, marital status, or religion.

17 (iii) Restrict the child's ability legally to leave the country after the child  
18 reaches the age of majority because of a child's ~~gender~~ sex, nationality, or religion.

19 \* \* \*

20 Section 8. R.S. 14:107.2(A) is hereby amended and reenacted to read as follows:

21 §107.2. Hate crimes

22 A. It shall be unlawful for any person to select the victim of the following  
23 offenses against person and property because of actual or perceived race, age, ~~gender~~  
24 sex, religion, color, creed, disability, sexual orientation, national origin, or ancestry  
25 of that person or the owner or occupant of that property or because of actual or  
26 perceived membership or service in, or employment with, an organization, or  
27 because of actual or perceived employment as a law enforcement officer, firefighter,  
28 or emergency medical services personnel: first or second degree murder;  
29 manslaughter; battery; aggravated battery; second degree battery; aggravated assault  
30 with a firearm; terrorizing; menacing; mingling harmful substances; simple or third

1 degree rape, forcible or second degree rape, or aggravated or first degree rape; sexual  
 2 battery; second degree sexual battery; oral sexual battery; carnal knowledge of a  
 3 juvenile; indecent behavior with juveniles; molestation of a juvenile or a person with  
 4 a physical or mental disability; simple, second degree, or aggravated kidnapping;  
 5 simple or aggravated arson; communicating of false information of planned arson;  
 6 simple or aggravated criminal damage to property; contamination of water supplies;  
 7 simple or aggravated burglary; criminal trespass; simple, first degree, or armed  
 8 robbery; purse snatching; extortion; theft; desecration of graves; institutional  
 9 vandalism; or assault by drive-by shooting.

\* \* \*

11 Section 9. R.S. 15:827.3(A)(2)(c)(i), 832(A), 905(F)(13)(b) and (14)(a)(ii) and  
 12 (d)(ii), 933(D)(4)(introductory paragraph) and (E)(1)(introductory paragraph), 934(B)(4),  
 13 1110(D)(3), 1204.2(B)(4), and 1228.9(D)(1)(a) are hereby amended and reenacted to read  
 14 as follows:

15 §827.3. Savings attributable to criminal justice reforms; data collection and  
 16 reporting requirements to the Joint Legislative Committee on the Budget  
 17 A.

\* \* \*

(2) Each fiscal year, the annual savings shall be allocated as follows:

\* \* \*

21 (c) Forty-five percent shall be allocated to the Louisiana Community and  
 22 Technical College System for targeted investments in educational and vocational  
 23 training aimed at recidivism reduction programming for adult and juvenile offenders.  
 24 Such funds shall be utilized in connection with any other available sources of federal  
 25 or state aid or training funds. The Louisiana Community and Technical College  
 26 System shall provide a report to the legislature by December fifteenth of each year  
 27 which shall include but not be limited to the following:

28 (i) A detailed description of the number of people trained categorized by age,  
 29 race, ~~gender~~ sex, and geographic region.

\* \* \*

1 §832. Work by inmates; allowance

2 A. The department shall provide employment opportunities and vocational  
3 training for all inmates, regardless of ~~gender~~ sex, consistent with available resources,  
4 physical custody, and appropriate classification criteria. Insofar as is possible, the  
5 equipment used in such programs, the conditions of employment, the management  
6 practices, and the general operating procedures thereof shall approximate those of  
7 private industry. The provisions of Part IX of Chapter 2 of Title 51 of the Louisiana  
8 Revised Statutes of 1950 with respect to prison-made goods shall be applicable to  
9 goods made, manufactured, or produced by the inmates of all institutions and  
10 facilities, under the jurisdiction of the department.

11 \* \* \*

12 §905. Rules and regulations; education; training and discipline; work opportunities;  
13 vocational training; contracts and agreements; solitary confinement

14 \* \* \*

15 F.

16 \* \* \*

17 (13) Every instance of solitary confinement shall be documented  
18 electronically and in the aggregate. Unidentified data on the frequency and length  
19 of time that the juvenile spends in solitary confinement shall be available upon  
20 request as a public record. Documentation of the solitary confinement shall include  
21 all of the following:

22 \* \* \*

23 (b) The race, ethnicity, age, ~~gender~~ sex, and disability status of the juvenile.

24 \* \* \*

25 (14)(a) The office of juvenile justice shall submit a report on the use of  
26 solitary confinement quarterly to the Juvenile Justice Reform Act Commission. This  
27 report shall include all of the following:

28 \* \* \*

1 (ii) The race, ethnicity, age, ~~gender~~ sex, and disability status of each juvenile  
2 placed in solitary confinement.

3 \* \* \*

4 (d) The office of juvenile justice shall post a report on the use of solitary  
5 confinement on its website quarterly with deidentified aggregate data including but  
6 not limited to all of the following:

7 \* \* \*

8 (ii) Race and ethnicity, age, and ~~gender~~ sex of juveniles placed in solitary  
9 confinement.

10 \* \* \*

11 §933. Office of juvenile justice; statistical data collection; reporting

12 \* \* \*

13 D. Data to be collected and maintained. The data collected and maintained  
14 under this Section shall include but not be limited to the following data points for  
15 each child served:

16 \* \* \*

17 (4) ~~Gender~~ Sex.

18 \* \* \*

19 E. Data to be reported. The reports mandated by the office of juvenile  
20 justice shall include but not be limited to the following data:

21 (1) Disaggregated by race, ethnicity, ~~gender~~ sex, parish of prosecution, and  
22 most serious offense of adjudication, data including:

23 \* \* \*

24 §934. Detention centers

25 \* \* \*

26 B. The data collected and maintained shall include but not be limited to the  
27 following information for each child:

28 \* \* \*

29 (4) ~~Gender~~ Sex.

30 \* \* \*

1 §1110. Purpose and reasons for detention; detention standards; licensing; fees

2 \* \* \*

3 D.

4 \* \* \*

5 (3) A copy of the completed detention screening instrument shall be  
6 provided to the juvenile detention facility for any child who is admitted into its  
7 custody. The juvenile detention facility shall keep a record of the results of the  
8 detention screening instrument and the recommendation made based upon the  
9 instrument to either detain the child, release the child with conditions, or release the  
10 child without conditions. This record shall include the parish in which the child was  
11 taken into custody, the most serious charge for which the child was taken into  
12 custody, and demographic information about the child including but not limited to  
13 race, ethnicity, ~~gender~~ sex, and age. This information shall be aggregated and  
14 submitted quarterly to the Louisiana Commission on Law Enforcement and  
15 Administration of Criminal Justice which shall annually provide such information  
16 to the JDAI Collaborative.

17 \* \* \*

18 §1204.2. Creation of system; functions; powers; duties

19 \* \* \*

20 B. The system, by and through the commission, shall have the following  
21 functions, powers, and duties:

22 \* \* \*

23 (4) To prepare and distribute, to all such persons and agencies, forms to be  
24 used in reporting data to the system. The forms shall provide for information  
25 regarding crimes which are directed against individuals or groups, or their property,  
26 by reason of their actual or perceived race, age, ~~gender~~ sex, religion, color, creed,  
27 disability, sexual orientation, national origin, or ancestry or by reason of their actual  
28 or perceived membership or service in, or employment with, an organization as  
29 defined in R.S. 14:107.2. The forms shall also provide for other items of information

1 needed by federal and state bureaus or departments engaged in the development of  
2 national and state statistics.

3 \* \* \*

4 §1228.9. Impaired Driver Tracking System; purpose; procedure

5 \* \* \*

6 D.(1) Every law enforcement agency in this state, including but not limited  
7 to city police departments, sheriffs' offices, and state police shall submit the  
8 following information to the impaired driver tracking system component of ICJIS,  
9 when a person is arrested for any offense listed in Subsection C of this Section:

10 (a) The law enforcement agency making the arrest shall provide sufficient  
11 information about the arrested person so that other law enforcement agencies, courts,  
12 the Department of Public Safety and Corrections, and other relevant persons or  
13 agencies can identify the person arrested, including but not limited to name, address,  
14 driver's license number, date of birth, and physical characteristics, such as eye color,  
15 hair color, and gender sex.

16 \* \* \*

17 Section 10. R.S. 17:17.5(B)(2), 100.13(G)(2)(f) and (J), 221.3(B)(2)(d), 416(M),  
18 416.21(N)(3)(a) and (b)(i)(aa) and (bb), 1519.7(C), 1871(A)(3), 1998, 3047.7(B)(2)(a),  
19 3351(B)(2)(b)(ii), 3399.12(5)(i), 3911(B)(1)(i)(introductory paragraph) and  
20 (4)(a)(introductory paragraph), 3991(A)(1)(c)(iv) and (B)(3), and 5067(B)(7) are hereby  
21 amended and reenacted to read as follows:

22 §17.5. Physical fitness assessment; statewide expansion program

23 \* \* \*

24 B. For purposes of the expansion program, the Cecil J. Picard Center, in  
25 collaboration with the Department of Education and the Louisiana Department of  
26 Health, shall continue use of the physical fitness assessment instrument used for the  
27 pilot program which shall:

28 \* \* \*

1 (2) Include criterion-referenced standards specific to a student's race, age,  
2 and ~~gender~~ sex and based on the physical fitness level required for good health.

3 \* \* \*

4 §100.13. Expanded academic support

5 \* \* \*

6 G.

7 \* \* \*

8 (2) In approving high-quality tutoring providers, the department shall require  
9 the tutoring providers to:

10 \* \* \*

11 (f) Provide evidence of impact on student outcomes disaggregated by student  
12 groups according to race, ~~gender~~ sex, ethnicity, economically disadvantaged  
13 students, English language learner status, disability status, and geographic location.  
14 Tutoring providers may demonstrate impact through either adherence to the  
15 program's model design by aligning with the components of high-dosage tutoring or  
16 by having evidence of positive and statistically significant gains in student learning  
17 outcomes based on a well-designed randomized controlled trial or  
18 quasi-experimental design that provides the basis for evidence of causal program  
19 impact and which is conducted by an external third-party researcher.

20 \* \* \*

21 J. The department shall create reporting templates, procedures, and  
22 definitions for reporting metrics for city, parish, and other local public school boards  
23 to use in collecting and reporting tutoring-related data to the department including  
24 changes in academic performance of participating students disaggregated by student  
25 groups according to race, ~~gender~~ sex, ethnicity, economically disadvantaged  
26 students, English language learner status, disability status, and geographic location.  
27 To the extent possible, the department shall leverage existing reporting processes and  
28 systems to reduce the reporting burden on local education agencies and public  
29 charter schools.

30 \* \* \*

1 §221.3. Student enrollment notification; required schools and programs; content

2 \* \* \*

3 B.

4 \* \* \*

5 (2) Such notification shall:

6 \* \* \*

7 (d) Be a written notification of enrollment which may be a written request  
8 for a student's transcript if such transcript request occurs after the student has been  
9 accepted for enrollment, with such written request or notification containing at a  
10 minimum the student's legal name, date of birth, ~~gender~~ sex, and race.

11 \* \* \*

12 §416. Discipline of students; suspension; expulsion

13 \* \* \*

14 M. The state Department of Education shall publish annually and publish on  
15 its website data regarding disciplinary removals disaggregated at the state, system,  
16 and school level and also disaggregated and capable of cross-tabulation by the  
17 characteristics of ~~gender~~ sex, race, disability, English language learner status, and  
18 economically disadvantaged status. In reporting such data, the department shall  
19 comply with all federal and state privacy laws and shall strive to ensure that all  
20 relevant state accountability metrics are valid and reliable.

21 \* \* \*

22 §416.21. Behavior of students with exceptionalities; use of seclusion and physical  
23 restraint

24 \* \* \*

25 N.

26 \* \* \*

27 (3)(a) The state Department of Education shall maintain a database of all  
28 reported incidents of seclusion and physical restraint of students with  
29 exceptionalities and shall disaggregate the data for analysis by school; student age,

1 race, ethnicity, and ~~gender~~ sex; student disability, where applicable; and any  
2 involved school employees.

3 (b)(i) Based upon the data collected, the state Department of Education shall  
4 annually compile a comprehensive report regarding the use of seclusion and physical  
5 restraint of students with exceptionalities, which shall at a minimum include the  
6 following:

7 (aa) The number of incidents of physical restraint disaggregated by school  
8 system; student age, race, ethnicity, ~~gender~~ sex, and student disability classification.

9 (bb) The number of incidents of seclusion disaggregated by school system;  
10 student age, race, ethnicity, ~~gender~~ sex, and student disability classification.

11 \* \* \*

12 §1519.7. Hospital advisory committees

13 \* \* \*

14 C. In selecting community advisory committee members, an effort shall be  
15 made to reflect the demographic diversity of the community the hospital serves  
16 including age, ~~gender~~ sex, race, and other relevant factors. The board shall solicit  
17 and accept nominations from the community at large and from organizations  
18 representing community interests, including without limitation health professionals,  
19 religious and community leaders, consumer advocates, and consumers of hospital  
20 services.

21 \* \* \*

22 §1871. Board of Supervisors of Community and Technical Colleges; establishment;  
23 members; qualifications and terms; vacancies; duties

24 A.

25 \* \* \*

26 (3) The board should be representative of the state's population by race and  
27 ~~gender~~ sex to ensure diversity.

28 \* \* \*

1 §1998. Advisory councils

2 The board, upon the recommendation of the directors of postsecondary  
3 vocational-technical schools, shall appoint an advisory council on career education  
4 for each school. The members of all such advisory councils in this state shall serve  
5 without pay. Each such council shall be limited to fifteen members and be  
6 representative of the state's population by race and ~~gender~~ sex to ensure diversity and  
7 shall be representative equally of employee, employer, and educational and public  
8 interests.

9 \* \* \*

10 §3047.7. Reporting system; implementation; requirements; applicability;  
11 participation by eligible institutions

12 \* \* \*

13 B. The information reporting system shall include the following:

14 \* \* \*

15 (2)(a) Demographic information of award recipients, including age, race,  
16 ~~gender~~ sex, and household income.

17 \* \* \*

18 §3351. General powers, duties, and functions of postsecondary education  
19 management boards

20 \* \* \*

21 B. In addition to the powers and duties vested by Subsection A of this  
22 Section and any other applicable laws, each board, as soon as practicable, shall  
23 adopt:

24 \* \* \*

25 (2) Rules and regulations which may provide for:

26 \* \* \*

27 (b)

28 \* \* \*

29 (ii) Such rules and regulations may include the establishment, award, and  
30 continuance of tuition waivers to any student for purposes of ~~gender~~ sex equity who

1 participates in an intercollegiate athletic program and who is pursuing an  
 2 undergraduate degree provided that the student meets the academic standards and  
 3 complies with the rules and regulations of the college or university such student is  
 4 attending relative to requirements for attendance as a full-time student. The tuition  
 5 waivers may be offered at any campus under the jurisdiction of each management  
 6 board; however, no management board shall issue more than an aggregate of fifty  
 7 tuition waivers per campus during an academic year and not more than fifty percent  
 8 of such tuition waivers shall be issued to out-of-state residents.

\* \* \*

§3399.12. Definitions

As used in this Part, the following terms have the following meanings unless the context clearly indicates otherwise:

\* \* \*

(5) "Power-based violence" means any form of interpersonal violence intended to control or intimidate another person through the assertion of power over the person and shall include the following:

\* \* \*

(i) Unwelcome sexual or sex- ~~or gender~~-based conduct that is objectively offensive, has a discriminatory intent, and lacks a bona fide academic purpose.

\* \* \*

§3911. Data collection system; establishment

\* \* \*

B.(1)

\* \* \*

(i) Student discipline information, in total and by unduplicated counts, disaggregated by race, ethnicity, ~~gender~~, sex, English learner status, and students with exceptionalities, excluding gifted and talented, in accordance with data collection conducted pursuant to 20 U.S.C. 3413(c)(1), including but not limited to the following:

\* \* \*

1 (4)(a) The department shall annually collect the following data elements for  
 2 students with an exceptionality by each disability classification, including breakouts  
 3 of each speech or language impairment category and breakouts of each intellectual  
 4 disability category, not including students identified exclusively as gifted and  
 5 talented, for each city, parish, or other local public school board. The following data  
 6 elements shall be reported for each disability classification in total as well as by  
 7 unduplicated counts by race, ~~gender~~, age, and sex:

8 \* \* \*

9 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation;  
 10 board membership

11 A.(1)

12 \* \* \*

13 (c)

14 \* \* \*

15 (iv) Beginning with the 2019-2020 school year, the governing or  
 16 management board of each charter school, other than a Type 2 charter school,  
 17 located in a parish with a population of between three hundred twenty-five thousand  
 18 and three hundred seventy-five thousand persons, based on the most recent federal  
 19 decennial census, shall be representative of the community in which the charter  
 20 school is located by race and ~~gender~~ sex to ensure diversity, and no fewer than sixty  
 21 percent of its members shall reside in the parish in which the school is located.

22 \* \* \*

23 B. Each proposed charter shall contain or make provision for the following:

24 \* \* \*

25 (3) Admission requirements, if any, that are consistent with the school's role,  
 26 scope, and mission may be established pursuant to rules promulgated by the state  
 27 board. Such admission requirements shall be specific and shall include a system for  
 28 admission decisions which precludes exclusion of pupils based on race, religion,  
 29 ~~gender~~ sex, ethnicity, national origin, intelligence level as ascertained by an  
 30 intelligence quotient examination, identification as a student with an exceptionality

1 as defined in R.S. 17:1942(B), or identification as a student who is economically  
 2 disadvantaged. Such admission requirements may include, however, specific  
 3 requirements related to a school's mission such as auditions for schools with a  
 4 performing arts mission or proficiency in a foreign language for schools with a  
 5 language immersion mission. Any school which was chartered prior to July 1, 2012,  
 6 and which incorporated achievement of a certain academic record as part of its  
 7 admission requirements may continue to use such admission requirements. No local  
 8 board shall assign any pupil to attend a charter school, except that a local board in  
 9 a district in which fifty percent or more of the public schools in the district are  
 10 charter schools and that uses a single application and enrollment process adopted by  
 11 the local board for public school enrollment may assign a pupil to a charter school  
 12 based on such enrollment process, the preferences of the pupil's parent or legal  
 13 guardian, the charter school's admission requirements, the charter contract, and the  
 14 local board's policies.

\* \* \*

16 §5067. Program information reporting system; implementation; requirements;  
 17 applicability; participation by eligible institutions and others

\* \* \*

19 B. The Taylor Opportunity Program for Students information reporting  
 20 system shall include but not be limited to the following:

\* \* \*

22 (7) Demographic information of program award recipients, including but not  
 23 limited to race and ~~gender~~ sex.

\* \* \*

25 Section 11. R.S. 22:1204(A)(10)(b), 1504(I), 1545(I)(1)(introductory paragraph) and  
 26 (J), 1808.2(H), 2161(B), 2187(D)(4), and 2503(9)(b)(introductory paragraph) are hereby  
 27 amended and reenacted to read as follows:

28 §1204. Board of directors

29 A. The board of directors shall be composed of the commissioner of  
 30 insurance or his designee, who shall serve as an ex officio, nonvoting member of the

1 board, and twelve members to be selected from the groups and in the manner as  
2 follows:

3 \* \* \*

4 (10)

5 \* \* \*

6 (b) The commissioner shall make all diligent efforts to make selections from  
7 these three groups that will represent a racial, ethnic, and ~~gender~~ sex reflection of the  
8 state for the board of directors.

9 \* \* \*

10 §1504. Use of credit information

11 An insurer authorized to do business in Louisiana that uses credit information  
12 to underwrite or rate risks shall not:

13 (1) Use an insurance score that is calculated using income, ~~gender~~ sex,  
14 address, zip code, ethnic group, religion, marital status, or nationality of the  
15 consumer as a factor.

16 \* \* \*

17 §1545. Examination

18 \* \* \*

19 I.(1) The commissioner of insurance shall prepare, publicly announce, and  
20 publish a report that summarizes statistical information relating to life insurance  
21 producer examinations administered during the preceding calendar year. Each report  
22 shall include the following information for all examinees combined and separately  
23 by ~~gender~~ sex, race or ethnicity, race or ethnicity within ~~gender~~ sex, education level,  
24 and native language:

25 \* \* \*

26 J. The commissioner of insurance may provide to a testing service provider  
27 under contract with the Department of Insurance any demographic information  
28 received by the department on applications relating to examinations taken to qualify  
29 for an insurance producer license if the commissioner requires the provider to review

1 and analyze examination results in conjunction with the education level, ~~gender~~ sex,  
2 native language, race, or ethnicity of examinees.

3 \* \* \*

4 §1808.2. Examination

5 \* \* \*

6 H. The commissioner of insurance may provide to a testing service provider  
7 under contract with the Department of Insurance any demographic information  
8 received by the department on applications relating to examinations taken to qualify  
9 for an insurance consultant license if the commissioner requires the provider to  
10 review and analyze examination results in conjunction with the education level,  
11 ~~gender~~ sex, native language, race, or ethnicity of examinees.

12 \* \* \*

13 §2161. Powers of the commissioner; creation of advisory boards

14 \* \* \*

15 B. The commissioner shall appoint the members of any advisory board  
16 created pursuant to this Section. The commissioner shall ensure that his  
17 appointments demonstrate race, ~~gender~~ sex, ethnic, and geographical diversity. The  
18 commissioner shall promulgate rules and regulations in accordance with the  
19 Administrative Procedure Act providing for the creation, governance, duties, and  
20 termination of any advisory board created pursuant to this Section.

21 \* \* \*

22 §2187. Actuarial reviews of proposed healthcare legislation

23 \* \* \*

24 D. Contractors shall provide all of the following in the report of an actuarial  
25 review performed pursuant to this Section:

26 \* \* \*

27 (4) If available, information concerning who would benefit from any cost  
28 changes and health benefits from the legislative proposal, as identified in Paragraphs  
29 (C)(3) through (8) of this Section, and any disproportionate effects that the

1 legislative proposal would have on state residents, which information, if available,  
2 shall be disaggregated, at a minimum, by race, ethnicity, sex, ~~gender~~ sex, and age.

3 \* \* \*

4 §2503. Definitions

5 As used in this Chapter, the following definitions apply:

6 \* \* \*

7 (9) "Nonpublic information" means electronic information that is not  
8 publicly available information and is any of the following:

9 \* \* \*

10 (b) Any information or data, except age or ~~gender~~ sex, in any form or  
11 medium created by or derived from a healthcare provider or a consumer, that can be  
12 used to identify a particular consumer, and that relates to any of the following:

13 \* \* \*

14 Section 12. R.S. 23:2043(B)(1) is hereby amended and reenacted to read as follows:

15 §2043. Members

16 \* \* \*

17 B.(1) In making the appointments, the governor shall, as nearly as  
18 practicable, appoint members in a manner that is representative of the population of  
19 the regions of the state and shall consider factors including but not limited to race,  
20 color, religion, ~~gender~~ sex, and national origin.

21 \* \* \*

22 Section 13. R.S. 27:46(B) is hereby amended and reenacted to read as follows:

23 §46. Quarterly reporting of professional services and employment information

24 \* \* \*

25 B. In addition to the report required by Subsection A of this Section, each  
26 holder of a license as defined in R.S. 27:44 shall submit to the board, the Senate  
27 Committee on Judiciary B, and the House Committee on the Administration of  
28 Criminal Justice a report of the demographic information of their workforce,  
29 including but not limited to race, ~~gender~~ sex, and Louisiana residency.

30 \* \* \*

1 Section 14. R.S. 32:398.10(A)(2) and 429.3 are hereby amended and reenacted to  
2 read as follows:

3 §398.10. Collection and reporting of statistical information relating to traffic stops

4 A. All law enforcement officers defined as a peace officer in R.S. 40:2402  
5 shall record and retain the following information:

6 \* \* \*

7 (2) Characteristics of race, ~~gender~~ sex, age, and state of residence of such  
8 persons, provided the identification of such characteristics shall be based on the  
9 observation and perception of the law enforcement officer responsible for reporting  
10 the stop and the information shall not be required to be provided by the person  
11 stopped.

12 \* \* \*

13 §429.3. Collection and reporting of statistical information relating to migration of  
14 residents

15 The Department of Public Safety and Corrections, office of motor vehicles,  
16 shall collect statistical information regarding the ~~gender~~ sex and age of residents  
17 moving from parish to parish and residents moving into and out of Louisiana. The  
18 office of motor vehicles shall provide a report of this information, sorted by age, by  
19 ~~gender~~ sex, by parish, and by state, to the governor, the lieutenant governor, and the  
20 secretaries of each state department annually on or before January first of each year.

21 \* \* \*

22 Section 15. R.S. 33:130.302(A)(2), 130.882(A)(2), 363(D), 2740.70.3(B)(2),  
23 4071(A)(6), and 4720.301(G)(2) are hereby amended and reenacted to read as follows:

24 §130.302. Board of commissioners; members; officers; employees

25 A.

26 \* \* \*

27 (2) All commissioners shall be qualified voters and taxpayers within the  
28 limits of the district during their term of office and shall reside in St. Landry Parish  
29 or within an adjoining parish. In making appointments to the commission, the  
30 appointing authorities shall make every effort within the law to provide for racial and

1 ~~gender~~ sex diversity among commissioners and shall make reasonable efforts to  
2 ensure that the racial proportion of the appointees reflects the same racial proportion  
3 of St. Landry Parish.

4 \* \* \*

5 §130.882. Board of commissioners; members; officers; employees

6 A.

7 \* \* \*

8 (2) Each commissioner shall be a qualified voter and taxpayer within the  
9 limits of the district during his term of office and shall reside in St. Martin Parish.  
10 In making appointments to the commission, the appointing authorities shall make  
11 every effort within the law to provide for racial and ~~gender~~ sex diversity among  
12 commissioners and shall make reasonable efforts to ensure that the racial proportion  
13 of the appointees reflects the same racial proportion of St. Martin Parish.

14 \* \* \*

15 §363. Village of Palmetto in St. Landry Parish; authority to provide academic  
16 scholarships

17 \* \* \*

18 D. Such ordinance or resolution shall provide procedures and criteria for  
19 application for and award of such scholarships. Each student to whom a scholarship  
20 is awarded shall be a resident of the village of Palmetto in St. Landry Parish, shall  
21 be accepted to attend or be enrolled as an undergraduate student in a Louisiana  
22 institution of higher education, shall have a cumulative high school or college grade  
23 point average of at least three points when calculated on a four-point basis, and shall  
24 be adjudged needy by standards equivalent to or more stringent than those of  
25 nationally recognized analyses such as those used by the College Scholarship Service  
26 or the American College Testing Service. In the event that no student meets the  
27 residency criterion, a scholarship may be awarded to a student whose parent or legal  
28 guardian is a utility customer of the village in good standing. The village governing  
29 authority may establish additional criteria and procedures as are necessary to  
30 administer the scholarships. In the administration of the program, no student shall

1 be discriminated against on the basis of race, color, ~~gender~~ sex, disability, as defined  
2 in R.S. 51:2232, national origin, or creed.

3 \* \* \*

4 §2740.70.3. Evangeline Economic Development Authority

5 \* \* \*

6 B.

7 \* \* \*

8 (2) The members of the board shall include representatives from the business  
9 community, health care, legal and professional services, small business owners,  
10 financial institutions, manufacturing or service companies, local and regional  
11 educational systems or institutions, and parish and municipal government  
12 organizations. The board shall be representative of the parish's population by age,  
13 race, and ~~gender~~ sex to ensure diversity.

14 \* \* \*

15 §4071. Creation and organization of sewerage and water board

16 A.

17 \* \* \*

18 (6) The appointments to the board shall reflect the racial and ~~gender~~ sex  
19 diversity of the population of the city of New Orleans to the extent practicable.

20 \* \* \*

21 §4720.301. Shreveport Implementation and Redevelopment Authority

22 \* \* \*

23 G.

24 \* \* \*

25 (2) The board shall be representative of the city's population by race and  
26 ~~gender~~ sex to ensure diversity.

27 \* \* \*

28 Section 16. R.S. 36:108(B)(5) is hereby amended and reenacted to read as follows:

29 §108. Offices; purposes and functions

30 \* \* \*



1 §962. Louisiana State Board of Practical Nurse Examiners; method of appointment

2 \* \* \*

3 C. The appointment of members of the board shall be made from a list,  
4 containing twice the number of eligibles to be appointed, submitted to the governor  
5 by the Louisiana State Medical Society where the appointee shall be a licensed  
6 physician, by the Louisiana Federation of Licensed Practical Nurses, Inc., for one of  
7 the practical nurses, by the Licensed Practical Nurses of Louisiana, Inc., for one of  
8 the practical nurses, by the Louisiana Nursing Home Association, for one practical  
9 nurse, by the Louisiana Hospital Association, for one practical nurse, or by the  
10 Louisiana State Nurses Association where the appointee shall be a registered nurse.  
11 The consumer member may apply directly to the office of the governor. The  
12 governor shall ensure that his appointments demonstrate race, ~~gender~~ sex, ethnic, and  
13 geographical diversity.

14 \* \* \*

15 §1042. Louisiana State Board of Optometry Examiners; appointment; terms of  
16 members; protected action and communication

17 \* \* \*

18 B.(1)

19 \* \* \*

20 (b) One licensed optometrist member of the board shall be appointed by the  
21 governor from each of the five board districts in accordance with this Subsection.  
22 The governor shall ensure that his appointments demonstrate race, ~~gender~~ sex,  
23 ethnic, and geographical diversity.

24 \* \* \*

25 §1104. Louisiana Licensed Professional Counselors Board of Examiners

26 A. There is hereby created in the Louisiana Department of Health the  
27 Louisiana Licensed Professional Counselors Board of Examiners, hereafter referred  
28 to as the "board", consisting of eleven members who shall be residents of the state  
29 of Louisiana. Each term shall be for four years. Seven appointments to the board,  
30 including one consumer from the public at large, shall be made by the governor from  
31 a list of qualified candidates submitted by the executive board of the Louisiana

1 Counseling Association. The consumer member may also apply directly to the office  
 2 of the governor. Four appointments to the board shall be made by the governor from  
 3 a list of qualified candidates submitted by the executive board of the Louisiana  
 4 Association for Marriage and Family Therapy. Each appointment by the governor  
 5 shall be submitted to the Senate for confirmation. The governor shall ensure that his  
 6 appointments demonstrate race, gender sex, ethnic, and geographical diversity.

7 \* \* \*

8 §1172. Membership

9 A. The board shall consist of seventeen members appointed by the governor,  
 10 including two licensed pharmacists from each of the pharmacy districts as provided  
 11 in R.S. 37:1173 and one representative of the consumers of Louisiana from the state  
 12 at-large who possess the qualifications specified in R.S. 37:1174. The governor shall  
 13 ensure that his appointments demonstrate race, gender sex, ethnic, and geographical  
 14 diversity.

15 \* \* \*

16 §2102. Board of Examiners; creation; domicile; membership; terms of office

17 A.

18 \* \* \*

19 (2) The governor shall ensure that his appointments demonstrate race, gender  
 20 sex, ethnic, and geographical diversity.

21 \* \* \*

22 §2353. State board of examiners; organization; duties; meetings; fees

23 A.

24 \* \* \*

25 (2) The governor shall appoint members for terms of five years. Each  
 26 appointment by the governor shall be subject to Senate confirmation. A board  
 27 member shall not be eligible to succeed himself. All psychologist appointments shall  
 28 be from a list provided by the Louisiana Psychological Association. The list shall  
 29 report the results of an election in which persons qualified for board membership  
 30 may nominate themselves and in which licensed members of the Louisiana

1 Psychological Association and other persons licensed in accordance with the  
 2 provisions of this Chapter are entitled to one vote for each vacancy on the board.  
 3 The consumer member may apply directly to the office of the governor. The  
 4 governor shall ensure that his appointments demonstrate race, ~~gender~~ sex, ethnic, and  
 5 geographical diversity.

6 \* \* \*

7 §2403. Physical therapy board; composition

8 \* \* \*

9 H. The governor shall ensure that his appointments demonstrate race, ~~gender~~  
 10 sex, ethnic, and geographical diversity.

11 \* \* \*

12 §2407. Practice of physical therapy defined

13 \* \* \*

14 D. Words used in one ~~gender~~ sex apply also to the other, except as otherwise  
 15 clearly indicated by the context.

16 \* \* \*

17 §2455. Louisiana Board for Hearing Aid Dealers; composition; districts

18 \* \* \*

19 B.(1) The board shall be composed of nine members. Seven members shall  
 20 be hearing aid dealers, the eighth member shall be the state health officer or his  
 21 representative, and the ninth member shall be fifty years of age or over and shall  
 22 serve as a representative of the hearing aid consumers of Louisiana. The seven  
 23 hearing aid dealers shall be appointed in the following manner. The Louisiana  
 24 Society of Hearing Aid Specialists, chartered by the state, shall submit to the  
 25 governor names of not less than fourteen qualified hearing aid dealers, who shall be  
 26 actively engaged in the selling and fitting of hearing aids. The governor shall ensure  
 27 that his appointments demonstrate race, ~~gender~~ sex, ethnic, and geographical  
 28 diversity.

29 \* \* \*

1 §2704. Board of Social Work Examiners

2 A. There is hereby created a Louisiana State Board of Social Work  
3 Examiners within the Louisiana Department of Health. The board shall be subject  
4 to the provisions of R.S. 36:803. It shall consist of seven members to include six  
5 social workers and one consumer member. The members shall be appointed by the  
6 governor, subject to Senate confirmation. All appointees shall be selected from one  
7 list compiled by all statewide social work membership organizations that have  
8 written bylaws and meet all state and federal laws, and the Louisiana Chapter of the  
9 National Association of Social Workers shall be responsible for the coordination of  
10 this process. The consumer member may apply directly to the office of the governor.  
11 The governor shall ensure that his appointments demonstrate race, ~~gender~~ sex,  
12 ethnic, and geographical diversity. All appointees shall serve no more than two  
13 consecutive full terms. The completion of an unexpired portion of a full term shall  
14 not constitute a full term for purposes of this Section. The board shall consist of the  
15 following members:

16 \* \* \*

17 §3061. Board of Electrolysis Examiners

18 A.

19 \* \* \*

20 (2)

21 \* \* \*

22 (c) Each appointment by the governor shall be submitted to the Senate for  
23 confirmation. The governor shall ensure that his appointments demonstrate race,  
24 ~~gender~~ sex, ethnic, and geographical diversity.

25 \* \* \*

26 §3084. Louisiana State Board of Examiners in Dietetics and Nutrition; membership,  
27 terms, and vacancies; officers; meetings; quorum; compensation

28 \* \* \*

29 B.

30 \* \* \*

1 (2) The governor shall ensure that his appointments demonstrate race, ~~gender~~  
2 sex, ethnic, and geographical diversity.

3 \* \* \*

4 §3201. Radiologic Technology Board of Examiners; method of appointment;  
5 qualifications of members

6 \* \* \*

7 B.

8 \* \* \*

9 (2) Each appointment by the governor shall be submitted to the Senate for  
10 confirmation. The governor shall ensure that his appointments demonstrate race,  
11 ~~gender~~ sex, ethnic, and geographical diversity.

12 \* \* \*

13 §3386.2. Addictive Disorder Regulatory Authority

14 \* \* \*

15 C. The governor shall ensure that his appointments demonstrate race, ~~gender~~  
16 sex, ethnic, and geographical diversity. Members of the board shall serve three-year  
17 terms. Members appointed to fill vacancies caused by death, resignation, or removal  
18 shall serve the unexpired terms of their predecessors.

19 \* \* \*

20 §3389. Transition; Addictive Disorder Regulatory Authority

21 \* \* \*

22 C. The governor shall ensure that his appointments demonstrate race, ~~gender~~  
23 sex, ethnic, and geographical diversity. Members of the board shall serve three-year  
24 terms. Members appointed to fill vacancies caused by death, resignation, or removal  
25 shall serve the unexpired terms of their predecessors.

26 \* \* \*

27 §3444. Louisiana Licensed Professional Vocational Rehabilitation Counselors  
28 Board of Examiners

29 A. There is hereby created in the Louisiana Department of Health the  
30 Louisiana Licensed Professional Vocational Rehabilitation Counselors Board of  
31 Examiners, referred to hereafter in this Chapter as the "board", consisting of five

1 members who shall be residents of the state of Louisiana. The members shall be  
 2 appointed by the governor from a list of qualified candidates supplied by the  
 3 International Association of Rehabilitation Professionals-Louisiana, as specified in  
 4 this Section. The consumer member may apply directly to the office of the governor.  
 5 Each term shall be for four years. Each appointment by the governor shall be  
 6 submitted to the Senate for confirmation. The governor shall ensure that his  
 7 appointments demonstrate race, ~~gender~~ sex, ethnic, and geographical diversity.

8 \* \* \*

9 §3463. Board; appointments; terms; removal; compensation; officers

10 \* \* \*

11 B.(1) The governor shall appoint, subject to Senate confirmation, members  
 12 to the board from a list containing the names of five persons, submitted by the  
 13 Louisiana Association of Wholesale Drug Distributors and from a list containing the  
 14 names of two persons, submitted by the Pharmaceutical Research and Manufacturers  
 15 of America. The consumer member may apply directly to the office of the governor.  
 16 In the event of the death or resignation of any member of the board, the governor  
 17 shall appoint his successor in the manner of the original appointment for the  
 18 remainder of the unexpired term. The governor shall ensure that his appointments  
 19 demonstrate race, ~~gender~~ sex, ethnic, and geographical diversity.

20 \* \* \*

21 §3554. Louisiana Board of Massage Therapy; creation, membership, qualifications,  
 22 terms, vacancies, officers, meetings, reimbursement, liability

23 A.

24 \* \* \*

25 (2) The governor shall ensure that his appointments demonstrate race, ~~gender~~  
 26 sex, ethnic, and geographical diversity.

27 \* \* \*

28 §3703. Louisiana Behavior Analyst Board

29 \* \* \*

30 B.

31 \* \* \*

1 (3) The governor shall ensure that his appointments demonstrate race, ~~gender~~  
2 sex, ethnic, and geographical diversity. A vacancy in an unexpired term shall be  
3 filled in the manner of the original appointment for the remainder of the unexpired  
4 term.

5 \* \* \*

6 Section 18. R.S. 40:31.61, 101(D)(1), 600.151(D)(1)(i)(ii)(hh) and (m)(iv), and  
7 2403(H)(1) are hereby amended and reenacted to read as follows:

8 §31.61. Legislative intent

9 The Legislature of Louisiana wishes to further efforts by the Parkinson's  
10 community to find a cure for this devastating disease by helping to determine how  
11 many people in the state suffer from Parkinson's and by gathering vital information  
12 from these individuals, such as general age, ethnicity, ~~gender~~ sex, as well as possible  
13 environmental factors that may have played a part in the development of the disease.  
14 Thus, it is the intent of the legislature to establish a system to collect and assess  
15 information and data regarding the incidence of Parkinson's disease in the state.

16 \* \* \*

17 §101. Commemorative certificate of miscarried child; requirements

18 \* \* \*

19 D.(1) The commemorative certificate shall contain the name of the fetus and  
20 the ~~gender~~ sex, if known. If the name is not furnished by the patient, the vital  
21 records registry may complete the commemorative certificate with the name "Baby  
22 Boy" or "Baby Girl" and the last name of the patient. If the ~~gender~~ sex of the fetus  
23 is unknown, the department shall fill in the commemorative certificate with the name  
24 "Baby" and the last name of the patient.

25 \* \* \*

26 §600.151. Louisiana Interagency Council on Homelessness

27 \* \* \*

28 D.(1) The membership of the council shall be reflective of all geographic  
29 regions of the state and shall be comprised of the following members:

30 \* \* \*

1  
2  
3  
4  
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6  
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29

(l)

\* \* \*

(ii) Each person appointed pursuant to this Subparagraph shall have at least five years of academic or professional expertise in housing or services for people experiencing homelessness with a focus in one or more of the following areas:

\* \* \*

(hh) Homelessness as it relates to actual or perceived sexual orientation, ~~gender~~ sex identity, or marital status.

\* \* \*

(m) The executive director of the Louisiana Housing Corporation shall appoint at least two members with lived experience of homelessness. The members shall be appointed from a list of nominations submitted jointly by the governing boards of the continuums of care located in Louisiana. Each member appointed pursuant to this Subparagraph shall represent as many of the following subpopulations as possible:

\* \* \*

(iv) People with differing actual or perceived sexual orientation, ~~gender~~ sex identity, or marital status.

\* \* \*

§2403. Council on Peace Officer Standards and Training

\* \* \*

H.(1) The council may establish and implement curricula and publish training materials to train peace officers to identify, respond to, and report all crimes which are directed against individuals or groups, or their property, by reason of their actual or perceived race, age, ~~gender~~ sex, religion, color, creed, disability, sexual orientation, national origin, or ancestry.

\* \* \*

Section 19. R.S. 42:2.1(A) and 1132(B)(1)(a) through (c) are hereby amended and reenacted to read as follows:

1 §2.1. Boards, commissions, councils, authorities, entities; composition

2 A. In making appointments to any board, commission, council, authority, or  
3 other similar entity that has statewide jurisdiction and is established by law, rule,  
4 executive order, or otherwise, the appointing authority shall give due consideration  
5 to the demographics of the population of the state, including but not limited to  
6 geography, ~~gender~~ sex, and race.

7 \* \* \*

8 §1132. Board of Ethics

9 \* \* \*

10 B. Membership; terms; vacancies; qualifications.

11 (1) The Board of Ethics shall consist of fifteen members to be selected as  
12 follows:

13 (a) The governor shall appoint nine members, who shall be representative  
14 of the state's population as near as practicable and who shall be subject to Senate  
15 confirmation. At least one member shall be appointed from each congressional  
16 district, and the governor shall give due consideration to the demographics of the  
17 population of the state, including without limitation geography, ~~gender~~ sex, and race.  
18 Of those nine, the governor shall appoint at least five members, each of whom shall  
19 have been licensed to practice law in this state for at least eight years at the time of  
20 his appointment.

21 (b) Three members shall be elected by the House of Representatives, who  
22 shall give due consideration to the demographics of the population of the state,  
23 including without limitation geography, ~~gender~~ sex, and race.

24 (c) Three members shall be elected by the Senate, who shall give due  
25 consideration to the demographics of the population of the state, including without  
26 limitation geography, ~~gender~~ sex, and race.

27 \* \* \*

28 Section 20. R.S. 46:153.3(D)(1), 288.5(1), 460.37(B)(10), 1095(A), and  
29 1941.8(A)(introductory paragraph) are hereby amended and reenacted to read as follows:

1 §153.3. Medical vendor reimbursements; allowable restrictions; peer-based  
2 prescribing and dispensing practice patterns; Medicaid Pharmaceutical and  
3 Therapeutics Committee

4 \* \* \*

5 D.(1) The Medicaid Pharmaceutical and Therapeutics Committee,  
6 hereinafter referred to as "the committee", is hereby created within the Louisiana  
7 Department of Health. The committee shall be composed of fifteen members  
8 appointed by the governor and submitted to the Senate for confirmation. The  
9 governor shall ensure that appointments achieve race, ~~gender~~ sex, and geographic  
10 diversity.

11 \* \* \*

12 §288.5. Written court report; filing

13 Within one hundred fifty days after the extended foster care voluntary  
14 placement agreement is signed, the department shall file with the court a written  
15 report that shall contain all of the following:

16 (1) The youth's name, date of birth, race, ~~gender~~ sex, and current address.

17 \* \* \*

18 §460.37. Council on Medicaid Pharmacy Reimbursement; creation; composition,  
19 purpose, and duties of the council

20 \* \* \*

21 B.

22 \* \* \*

23 (10) Two licensed pharmacists appointed by the Louisiana Board of  
24 Pharmacy who are not currently serving on the board. The board shall strive to  
25 ensure its appointments demonstrate race, ~~gender~~ sex, ethnic, and geographical  
26 diversity.

27 \* \* \*

1 §1095. Board of commissioners; membership; appointment; terms; compensation;  
2 removal

3 A. The two areas of the district shall be governed by separate governing  
4 boards. Each area of the district shall be governed by a board of thirteen  
5 commissioners, referred to in this Part as the "commission", who shall be qualified  
6 voters and residents of Orleans Parish and who shall reflect the ethnic, cultural, and  
7 ~~gender~~ sex diversity of the parish.

8 \* \* \*

9 §1941.8. Children and youth services advisory boards; members; duties

10 A. Each planning board shall consist of a minimum of eleven, but not more  
11 than twenty-five members. Special care should be given in the appointments to  
12 ensure that the board is representative of the community in terms of ~~gender~~ sex, age,  
13 ethnicity, and geography, as well as knowledge and expertise. Those appointed shall  
14 include the following, if available and willing to serve, but need not be limited to:

15 \* \* \*

16 Section 20. R.S. 47:337.14(E)(2) and 1702(6) are hereby amended and reenacted  
17 to read as follows:

18 §337.14. Central collection commission

19 \* \* \*

20 E.

21 \* \* \*

22 (2) The central collection commission of the parish of St. Landry shall be  
23 representative of the parish's population by race and ~~gender~~ sex to ensure diversity.

24 \* \* \*

25 §1702. Definitions

26 As used in this Subtitle, the following terms have the meaning ascribed to  
27 them in this Section, unless the context clearly indicates otherwise:

28 \* \* \*

1 (6) "Person" or "persons", "taxpayer" or "taxpayers" includes firms,  
2 companies, associations and corporations; all words importing the masculine ~~gender~~  
3 sex apply to females also, and all words in the plural number apply to single  
4 individuals in all cases in which the spirit and intent of this Chapter require it.

5 \* \* \*

6 Section 22. R.S. 48:2134(C)(introductory paragraph) is hereby amended and  
7 reenacted to read as follows:

8 §2134. Ouachita Expressway Authority; creation; board of commissioners;  
9 meetings; quorum

10 \* \* \*

11 C. The governing body of the authority shall be a board of commissioners  
12 which is hereby created. The board shall have full power to promulgate rules and  
13 regulations for the maintenance and operation of the authority. The Ouachita  
14 Expressway Authority membership shall be representative as near as practicable by  
15 race and ~~gender~~ sex of the Ouachita parish population as of the most recent federal  
16 decennial census. The board shall be composed of fifteen commissioners as follows:

17 \* \* \*

18 Section 23. R.S. 49:1112(B)(1) is hereby amended and reenacted to read as follows:

19 §1112. Commission established; purposes; membership; officers

20 \* \* \*

21 B.(1) The commission shall consist of no fewer than fifteen and no more  
22 than twenty-five voting members. Not more than fifty percent of the commission  
23 membership plus one shall be from the same political party. To the maximum extent  
24 practicable, it shall be balanced according to race, ethnicity, age, disability, and  
25 ~~gender~~ sex characteristics.

26 \* \* \*

27 Section 24. R.S. 51:942(A) and 1762(A)(8)(a)(iii) are hereby amended and reenacted  
28 to read as follows:

1 §942. Small and emerging businesses

2 A. The department shall provide for the increased opportunity for small and  
3 emerging businesses to become competitive in a modern economy without regard to  
4 race or ~~gender~~ sex. This purpose shall be accomplished by providing a program of  
5 assistance and promotion. The following provisions of this Section shall be applied  
6 and interpreted to promote this purpose.

7 \* \* \*

8 §1762. Prohibitions; data collection; targeted advertising

9 A. As used in this Chapter, the following terms have the following  
10 meanings:

11 \* \* \*

12 (8) "Sensitive personal data" means data collected directly from an account  
13 holder online that provides any of the following:

14 (a) Information that reveals any of the following about the account holder:

15 \* \* \*

16 (iii) ~~Gender~~. Sex.

17 \* \* \*

18 Section 25. R.S. 56:108(A) and 1705(C) are hereby amended and reenacted to read  
19 as follows:

20 §108. Deer and turkey harvest records and tagging

21 A. The Wildlife and Fisheries Commission may promulgate and adopt rules  
22 and regulations in accordance with the Administrative Procedure Act in relation to  
23 deer or turkey harvest records and tagging. Such rules and regulations may include  
24 the following: tagging requirements, ~~gender~~ sex, age, antler requirements, take,  
25 possession, limit, and reporting requirements.

26 \* \* \*

27 §1705. Poverty Point Reservoir Development Dedicated Fund Account

28 \* \* \*

1 C. The Poverty Point Reservoir Development District Board membership  
2 shall be representative of the population of the state based on race and ~~gender~~ sex as  
3 near as practicable.

4 Section 26. Code of Civil Procedure Article 5055 is hereby amended and reenacted  
5 to read as follows:

6 Art. 5055. Number; ~~gender~~ sex

7 Unless the context clearly indicates otherwise:

8 (1) Words used in the singular number apply also to the plural; words used  
9 in the plural number include the singular; ~~and~~.

10 (2) Words used in one ~~gender~~ sex apply also to the ~~others~~ other sex.

11 Section 27. Code of Criminal Procedure Articles 4, 795(C), (D), and (E), 989, 992,  
12 994, 997, 998, and 999.1 are hereby amended and reenacted to read as follows:

13 Art. 4. Number; ~~gender~~ sex

14 Unless the context clearly indicates otherwise:

15 (1) Words used in the singular number apply also to the plural; words used  
16 in the plural number include the singular; ~~and~~.

17 (2) Words used in one ~~gender~~ sex apply also to the other.

18 \* \* \*

19 Art. 795. Time for challenges; method; peremptory challenges based on race or  
20 ~~gender~~ sex; restrictions

21 \* \* \*

22 C. No peremptory challenge made by the state or the defendant shall be  
23 motivated in substantial part on the basis of the race or ~~gender~~ sex of the juror. If  
24 an objection is made that a challenge was motivated in substantial part on the basis  
25 of race or ~~gender~~ sex, and a prima facie case supporting that objection is made by the  
26 objecting party, the court shall demand a satisfactory race or ~~gender~~ sex neutral  
27 reason for the exercise of the challenge. Such demand and disclosure shall be made  
28 outside of the hearing of any juror or prospective juror. The court shall then  
29 determine whether the challenge was motivated in substantial part on the basis of  
30 race or ~~gender~~ sex.

1 D. The court shall allow to stand each peremptory challenge exercised for  
 2 a race or ~~gender~~ sex neutral reason either apparent from the examination or disclosed  
 3 by counsel when required by the court. The provisions of Paragraph C of this Article  
 4 and this Paragraph shall not apply when both the state and the defense have exercised  
 5 a challenge against the same juror.

6 E. The court shall allow to stand each peremptory challenge for which a  
 7 satisfactory racially neutral or ~~gender~~ sex neutral reason is given. Those jurors who  
 8 have been peremptorily challenged and for whom no satisfactory racially neutral or  
 9 ~~gender~~ sex neutral reason is apparent or given may be ordered returned to the panel,  
 10 or the court may take such other corrective action as it deems appropriate under the  
 11 circumstances. The court shall make specific findings regarding each such  
 12 challenge.

13 \* \* \*

14 Art. 989. Motion for expungement forms to be used

15 **STATE OF LOUISIANA**

16 **JUDICIAL DISTRICT FOR THE PARISH OF**

17 \_\_\_\_\_

18 No.: \_\_\_\_\_

Division: " \_\_\_\_\_ "

19 **State of Louisiana**

20 vs.

21 \_\_\_\_\_

22 **MOTION FOR EXPUNGEMENT**

23 NOW INTO COURT comes mover, who provides the court with the  
 24 following information in connection with this request:

25 **I. DEFENDANT INFORMATION**

26 NAME: \_\_\_\_\_

27 (Last, First, MI)

28 DOB: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (MM/DD/YYYY)

29 ~~GENDER~~ SEX \_\_\_\_\_ Female \_\_\_\_\_ Male

30 SSN (last 4 digits): XXX-XX-\_\_\_\_\_

1 RACE: \_\_\_\_\_  
 2 DRIVER LIC.# \_\_\_\_\_  
 3 ARRESTING AGENCY: \_\_\_\_\_  
 4 SID# (if available): \_\_\_\_\_  
 5 ARREST NUMBER (ATN): \_\_\_\_\_  
 6 AGENCY ITEM NO. \_\_\_\_\_

7 Mover is entitled to expunge the record of his arrest/conviction pursuant to  
 8 Louisiana Code of Criminal Procedure Article 971 et seq. and states the following  
 9 in support:

10 **II. ARREST INFORMATION**

- 11 1. Mover was arrested on \_\_\_\_/\_\_\_\_/\_\_\_\_ (MM/DD/YYYY)  
 12 2. \_\_\_\_ YES \_\_\_\_ NO A supplemental sheet with arrests and/or  
 13 convictions is attached after page 2 of this  
 14 Motion.  
 15 3. Mover was:  
 16 \_\_\_\_ YES \_\_\_\_ NO Arrested, but it did not result in conviction  
 17 \_\_\_\_ YES \_\_\_\_ NO Convicted of and seeks to expunge a  
 18 misdemeanor  
 19 \_\_\_\_ YES \_\_\_\_ NO Convicted of and seeks to expunge a felony  
 20 \_\_\_\_ YES \_\_\_\_ NO Convicted but determined to be factually  
 21 innocent and entitled to compensation for a  
 22 wrongful conviction pursuant to the  
 23 provisions of R.S. 15:572.8.  
 24 4. Mover was booked and/or charged with the following offenses: (List each  
 25 offense booked and charged separately. Attach a supplemental sheet, if  
 26 necessary.)

27 \_\_\_\_ Yes \_\_\_\_ No **ARRESTS THAT DID NOT RESULT IN CONVICTION**

28 **NO. 1** La. Rev. Stat. Ann. § \_\_\_\_\_ :

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 Name of the offense \_\_\_\_\_

2 ( ) Time expired for prosecution \_\_\_\_\_

3 (MM/DD/YYYY)

4 ( ) Not prosecuted for any offense

5 arising out of this charge.

6 ( ) Pre-trial Diversion Program.

7 ( ) DWI Pre-Trial Diversion Program

8 and 5 years have elapsed since the

9 date of arrest.

10 ( ) Charge dismissed

11 ( ) Found not guilty/judgment of acquittal

12 **NO. 2** La. Rev. Stat. Ann. § \_\_\_\_\_ : \_\_\_\_\_

13 Name of the offense \_\_\_\_\_

14 ( ) Time expired for prosecution \_\_\_\_\_

15 (MM/DD/YYYY)

16 ( ) Not prosecuted for any

17 offense arising out of this charge.

18 ( ) Pre-trial Diversion Program.

19 ( ) Charge dismissed

20 ( ) Found not guilty/judgment of acquittal

21 **NO. 3** La. Rev. Stat. Ann. § \_\_\_\_\_ : \_\_\_\_\_

22 Name of the offense \_\_\_\_\_

23 ( ) Time expired for prosecution \_\_\_\_\_

24 (MM/DD/YYYY)

25 ( ) Not prosecuted for any offense

26 arising out of this charge.

27 ( ) Pre-trial Diversion Program.

28 ( ) Charge dismissed

29 ( ) Found not guilty/judgment of acquittal

30 \_\_\_\_ Yes \_\_\_\_ No **MISDEMEANOR CONVICTIONS**



1 clerk of court a certified copy of the record of the plea, fingerprints  
 2 of the defendant, and proof of the requirements set forth in C.Cr.P.  
 3 Art. 556, which shall include the defendant's date of birth, last four  
 4 digits of social security number, and driver's license number

5 5. Mover has attached to this Motion the following pertinent documents:

- 6  Criminal Background Check from the La. State Police/Parish Sheriff  
 7 dated within the past 60 days (required).
- 8  Bill(s) of Information (if any).
- 9  Minute entry showing final disposition of case (if any).
- 10  Certification Letter from the District Attorney for fee waiver (if  
 11 eligible).
- 12  Certification Letter from the District Attorney verifying that the  
 13 applicant has no convictions or pending applicable criminal charges  
 14 in the requisite time periods.
- 15  Certification Letter from the District Attorney verifying that the  
 16 charges were refused.
- 17  Certification Letter from the District Attorney verifying that the  
 18 applicant did not participate in a pretrial diversion program.
- 19  A copy of a first offender pardon.
- 20  A copy of the order waiving the sex offender registration and  
 21 notification requirements.
- 22  A copy of the court order determination of factual innocence and  
 23 order of compensation for a wrongful conviction pursuant to the  
 24 provisions of R.S. 15:572.8 if applicable.

25 The Mover prays that if there is no objection timely filed by the arresting law  
 26 enforcement agency, the district attorney's office, or the Louisiana Bureau of  
 27 Criminal Identification and Information, that an order be issued herein ordering the  
 28 expungement of the record of arrest and/or conviction set forth above, including all  
 29 photographs, fingerprints, disposition, or any other such information, which record  
 30 shall be confidential and no longer considered a public record, nor be made available

1 to other persons, except a prosecutor, member of a law enforcement agency, or a  
 2 judge who may request such information in writing, certifying that such request is  
 3 for the purpose of prosecuting, investigating, or enforcing the criminal law, for the  
 4 purpose of any other statutorily defined law enforcement or administrative duties,  
 5 or for the purpose of the requirements of sex offender registration and notification  
 6 pursuant to the provisions of R.S. 15:541 et seq. or as an order of this Court to any  
 7 other person for good cause shown, or as otherwise authorized by law.

8 If an "Affidavit of No Opposition" by each agency named herein is attached  
 9 hereto and made a part hereof, Defendant requests that no contradictory hearing be  
 10 required and the Motion be granted ex parte.

11 Respectfully submitted,

12 \_\_\_\_\_  
 13 Signature of Attorney for Mover/Defendant

14 \_\_\_\_\_  
 15 Attorney for Mover/Defendant Name

16 \_\_\_\_\_  
 17 Attorney's Bar Roll No.

18 \_\_\_\_\_  
 19 Address

20 \_\_\_\_\_  
 21 City, State, ZIP Code

22 \_\_\_\_\_  
 23 Telephone Number

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**If not represented by counsel:**

2

\_\_\_\_\_

3

Signature of Mover/Defendant

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Mover/Defendant Name

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Address

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City, State, ZIP Code

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Telephone Number

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\* \* \*

14

Art. 992. Order of expungement form to be used

15

**STATE OF LOUISIANA**

16

**JUDICIAL DISTRICT FOR THE PARISH OF**

17

\_\_\_\_\_

18

No.: \_\_\_\_\_

Division: " \_\_\_\_\_ "

19

**State of Louisiana**

20

**vs.**

21

\_\_\_\_\_

22

**ORDER OF EXPUNGEMENT OF ARREST/CONVICTION RECORD**

23

Considering the Motion for Expungement

24

The hearing conducted and evidence adduced herein, OR

25

Affidavits of No Opposition filed,

1           **IT IS ORDERED, ADJUDGED AND DECREED**

2              **THE MOTION IS DENIED** for No(s). \_\_\_\_\_ for the following  
3 reasons (check all that apply):

4              More than five years have not elapsed since Mover completed the  
5 misdemeanor conviction sentence.

6              More than ten years have not elapsed since Mover completed the felony  
7 conviction sentence.

8              Mover was convicted of one of the following ineligible felony  
9 offenses:

10             A violation of the Uniform Controlled Dangerous Substances Law  
11 which is ineligible to be expunged.

12             An offense currently listed as a sex offense that requires registration  
13 pursuant to R.S. 15:540 et seq., at the time the Motion was filed,  
14 regardless of whether the duty to register was ever imposed.

15             An offense defined or enumerated as a "crime of violence" pursuant  
16 to R.S. 14:2(B) at the time the Motion was filed.

17             The arrest and conviction being sought to have expunged is for  
18 operating a motor vehicle while intoxicated and a copy of the proof  
19 from the Department of Public Safety and Corrections, office of  
20 motor vehicles, is not attached as required by C.Cr.P. Art. 984(A).

21             Mover was convicted of a misdemeanor which arose from  
22 circumstances involving a sex offense as defined in R.S. 15:541.

23             Mover was convicted of misdemeanor offense of domestic abuse  
24 battery which was not dismissed pursuant to C.Cr.P. Art. 894(B).

25             Mover did not complete pretrial diversion.

26             The charges against the mover were not dismissed or refused.

27             Mover's felony conviction was not set aside and dismissed pursuant  
28 to C.Cr.P. Art. 893(E).

29             Mover's felony conviction was not set aside and dismissed pursuant  
30 to C.Cr.P. Art. 894(B).

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

- 1                        Mover completed a DWI pretrial diversion program, but five years
- 2    have not elapsed since the mover's date of arrest.
- 3                        Mover's conviction for felony carnal knowledge of a juvenile is not
- 4    defined as misdemeanor carnal knowledge of a juvenile had the
- 5    mover been convicted on or after August 15, 2001.
- 6                        Mover was not convicted of a crime that would be eligible for
- 7    expungement as required by C.Cr.P. Art. 978(E)(1).
- 8                        Mover has criminal charges pending against him.
- 9                        Mover was convicted of a criminal offense during the ten-year
- 10    period, excluding any noncapital felony during the preceding ten-year
- 11    period that would otherwise be eligible for expungement pursuant to
- 12    C.Cr.P. Art. 978(F).
- 13                        Mover received a first offender pardon but for an ineligible offense.
- 14                        Mover did not receive a first offender pardon.
- 15                        Denial for any other reason provided by law with attached reasons for
- 16    denial.
- 17                        **THE MOTION IS HEREBY GRANTED** for No(s). \_\_\_\_\_
- 18    and all agencies are ordered to expunge the record of arrest/conviction and any
- 19    photographs, fingerprints, or any other such information of any kind maintained in
- 20    connection with the Arrest(s)/Conviction(s) in the above-captioned matter, which
- 21    record shall be confidential and no longer considered a public record, nor be
- 22    available to other persons except a prosecutor, member of a law enforcement agency,
- 23    or a judge who may request such information in writing certifying that such request
- 24    is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the
- 25    purpose of any other statutorily defined law enforcement or administrative duties,
- 26    or for the purpose of the requirements of sex offender registration and notification
- 27    pursuant to the provisions of R.S. 15:541 et seq. or upon an order of this Court to any
- 28    other person for good cause shown, or as otherwise authorized by law.
- 29                        **THE MOTION IS HEREBY GRANTED FOR EXPUNGEMENT**
- 30                    **BY REDACTION** If the record includes more than one individual and the mover

1 is entitled to expungement by redaction pursuant to Code of Criminal Procedure  
 2 Article 985, for No(s). \_\_\_\_\_ and all agencies are ordered to expunge the  
 3 record of arrest/conviction and any photographs, fingerprints, or any other such  
 4 information of any kind maintained in relation to the Arrest(s)/Conviction(s) in the  
 5 above-captioned matter as they relate to the mover only. The record shall be  
 6 confidential and no longer considered a public record, nor be available to other  
 7 persons except a prosecutor, member of a law enforcement agency, or a judge who  
 8 may request such information in writing certifying that such request is for the  
 9 purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose  
 10 of any other statutorily defined law enforcement or administrative duties, or for the  
 11 purpose of the requirements of sex offender registration and notification pursuant to  
 12 the provisions of R.S. 15:541 et seq. or upon an order of this Court to any other  
 13 person for good cause shown, or as otherwise authorized by law.

14 NAME: \_\_\_\_\_

15 (Last, First, MI)

16 DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_ (MM/DD/YY)

17 ~~GENDER~~ SEX: \_\_\_\_ Female \_\_\_\_ Male

18 SSN (last 4 digits): XXX-XX-\_\_\_\_\_

19 RACE: \_\_\_\_\_

20 DRIVER LIC.# \_\_\_\_\_

21 ARRESTING AGENCY: \_\_\_\_\_

22 SID# (if available): \_\_\_\_\_

23 ARREST NUMBER (ATN): \_\_\_\_\_

24 AGENCY ITEM NUMBER: \_\_\_\_\_

25 ARREST DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_ (MM/DD/YY)

26 **THUS ORDERED AND SIGNED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

27 at \_\_\_\_\_, Louisiana.

28 \_\_\_\_\_

29 JUDGE

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**PLEASE SERVE:**

- 1. District Attorney: \_\_\_\_\_
- 2. Arresting Agency: \_\_\_\_\_
- 3. Parish Sheriff: \_\_\_\_\_
- 4. Louisiana Bureau of Criminal Identification and Information \_\_\_\_\_
- 5. Attorney for Defendant (or defendant) \_\_\_\_\_
- 6. Clerk of Court \_\_\_\_\_

\* \* \*

Art. 994. Motion for interim expungement form to be used

**STATE OF LOUISIANA**

**JUDICIAL DISTRICT FOR THE PARISH OF**

\_\_\_\_\_

No.: \_\_\_\_\_

Division: " \_\_\_\_\_ "

**State of Louisiana**

vs.

\_\_\_\_\_

**MOTION FOR INTERIM EXPUNGEMENT**

NOW INTO COURT comes mover, who provides the court with the following information in connection with this request:

**I. DEFENDANT INFORMATION**

NAME: \_\_\_\_\_

*(Last, First, MI)*

DOB: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (MM/DD/YYYY)

~~GENDER~~ SEX \_\_\_\_\_ Female \_\_\_\_\_ Male

SSN (last 4 digits): XXX-XX-\_\_\_\_\_

RACE: \_\_\_\_\_

DRIVER LIC.# \_\_\_\_\_

ARRESTING AGENCY: \_\_\_\_\_

SID# (if available): \_\_\_\_\_

ARREST NUMBER (ATN): \_\_\_\_\_

1 AGENCY ITEM NO. \_\_\_\_\_

2 Mover is entitled to an interim expungement of the entry of the felony  
3 charge(s) of his arrest pursuant to Louisiana Code of Criminal Procedure Article  
4 985.1 and states the following in support:

5 **II. ARREST INFORMATION**

6 1. Mover was arrested on \_\_\_\_/\_\_\_\_/\_\_\_\_ (MM/DD/YYYY)

7 2. \_\_\_\_ YES \_\_\_\_ NO A supplemental sheet with arrests and/or  
8 convictions is attached after page 2 of this  
9 Motion.

10 3. Mover was:

11 \_\_\_\_ YES \_\_\_\_ NO Arrested for a felony offense.

12 \_\_\_\_ YES \_\_\_\_ NO Convicted of a misdemeanor arising out of  
13 that felony offense.

14 4. Mover was booked and/or charged with the following offenses: (List each  
15 offense booked and charged separately. Attach a supplemental sheet, if  
16 necessary.)

17 \_\_\_\_ Yes \_\_\_\_ No **FELONY ARREST THAT RESULTED IN A**  
18 **MISDEMEANOR CONVICTION**

19 **NO. 1** La. Rev. Stat. Ann. § \_\_\_\_\_ : \_\_\_\_\_

20 Name of the offense \_\_\_\_\_

21 \_\_\_\_\_

22 (MM/DD/YYYY)

23 ( ) Felony charge dismissed.

24 ( ) Convicted of misdemeanor offense arising out of  
25 felony arrest.



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**PLEASE SERVE:**

- 1. District Attorney \_\_\_\_\_
- 2. Louisiana Bureau of Criminal Identification and Information \_\_\_\_\_
- 3. Arresting Agency \_\_\_\_\_

\* \* \*

Art. 997. Certification of human trafficking victim status

STATE OF LOUISIANA  
\_\_\_\_\_  
JUDICIAL DISTRICT FOR THE PARISH OF \_\_\_\_\_

NO.: \_\_\_\_\_ DIVISION: \_\_\_\_\_

STATE OF LOUISIANA  
vs.  
\_\_\_\_\_

**CERTIFICATION OF HUMAN TRAFFICKING VICTIM STATUS**

In accordance with the provisions of Louisiana Code of Criminal Procedure Article 983, the Office of the District Attorney has reviewed and determined that one,

\_\_\_\_\_,  
~~RACE / GENDER~~ SEX: \_\_\_\_\_ DOB:  
\_\_\_\_\_, SSN: \_\_\_\_\_, has

established by a preponderance of the evidence proof of status as a victim of human trafficking in accordance with the provisions of R.S. 14:46.2, for the following offense(s), detailed specifically as follows:

*(If more than one offense, each relevant offense must be specifically listed in the following format)*

OFFENSE: \_\_\_\_\_  
DOCKET NO: \_\_\_\_\_  
CHARGE: \_\_\_\_\_  
DATE OF ARREST: \_\_\_\_\_  
ARRESTING AGENCY: \_\_\_\_\_  
CITY/PARISH OF ARREST: \_\_\_\_\_

FURTHER, that the above offense(s) for which this Certification issued was committed, in substantial part, as a result of the above-named being a victim of human trafficking, in accordance with R.S. 14:46.2.

FURTHER, this Certification shall be considered as prima facie evidence of the victim's status in similar eligible crimes committed within other Louisiana jurisdictions during the time period in which the above-named was a victim of human trafficking.

FURTHER, all applicable time delays pertaining to expungement contained in Louisiana Code of Criminal Procedure Articles 977 and 978 shall be waived when presented to the clerk of court with an application for expungement of the above-specified offense(s).

FURTHER, any application for expungement of the above-specified offense(s) shall be at no cost to the above-named victim.

\_\_\_\_\_  
DATE DISTRICT ATTORNEY  
PARISH OF \_\_\_\_\_

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JUDICIAL DISTRICT  
STATE OF LOUISIANA

\* \* \*

Art. 998. Motion for expungement form to be used for certain misdemeanor convictions

**STATE OF LOUISIANA  
JUDICIAL DISTRICT FOR THE PARISH OF**

No.: \_\_\_\_\_ Division: " \_\_\_\_\_ "  
**State of Louisiana**  
vs.

**MOTION FOR EXPUNGEMENT FOR MISDEMEANOR CONVICTION FOR A  
FIRST OFFENSE POSSESSION OF MARIJUANA**

NOW INTO COURT comes mover, who provides the court with the following information in connection with this request:

**I. DEFENDANT INFORMATION**

NAME: \_\_\_\_\_  
(Last, First, MI)  
DOB: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (MM/DD/YYYY)  
~~GENDER~~ SEX \_\_\_\_\_ Female \_\_\_\_\_ Male  
SSN (last 4 digits): XXX-XX-\_\_\_\_\_  
RACE: \_\_\_\_\_  
DRIVER LIC.# \_\_\_\_\_  
ARRESTING AGENCY: \_\_\_\_\_  
SID# (if available): \_\_\_\_\_  
ARREST NUMBER (ATN): \_\_\_\_\_  
AGENCY ITEM NO. \_\_\_\_\_

Mover is entitled to expunge the record of his arrest/conviction pursuant to Louisiana Code of Criminal Procedure Article 971 et seq. and states the following in support:

**II. MISDEMEANOR CONVICTION FOR A FIRST OFFENSE POSSESSION OF MARIJUANA**

1. Mover was convicted on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (MM/DD/YYYY)  
The Mover prays that if there is no objection timely filed by the arresting law enforcement agency, the district attorney's office, or the Louisiana Bureau of Criminal Identification and Information, that an order be issued herein ordering the expungement of the record of arrest and/or conviction set forth above, including all photographs, fingerprints, disposition, or any other such information, which record shall be confidential and no longer considered a public record, nor be made available to other persons, except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing, certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541 et seq. or as an order of this court to any other person for good cause shown, or as otherwise authorized by law.  
If an "Affidavit of No Opposition" by each agency named herein is attached hereto and made a part hereof, defendant requests that no contradictory hearing be required and the motion be granted ex parte.

Respectfully submitted,

\_\_\_\_\_  
Signature of Attorney for Mover/Defendant

\_\_\_\_\_  
Attorney for Mover/Defendant Name

\_\_\_\_\_  
Attorney's Bar Roll No.

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City, State, ZIP Code

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Telephone Number

**If not represented by counsel:**

\_\_\_\_\_  
Signature of Mover/Defendant

\_\_\_\_\_  
Mover/Defendant Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, ZIP Code

\_\_\_\_\_  
Telephone Number

\* \* \*

Art. 999.1. Order form to be used; expedited expungement

**JUDICIAL DISTRICT FOR THE PARISH OF**

No.: \_\_\_\_\_ Division: " \_\_\_\_\_ "

**State of Louisiana**

vs.

\_\_\_\_\_  
**ORDER OF EXPUNGEMENT UNDER  
 CODE OF CRIMINAL PROCEDURE ARTICLE 999**

Pursuant to Code of Criminal Procedure Article 999, wherein all of the following applies,

(1) The defendant was seventeen years of age when the defendant was arrested or charged with any criminal offense as provided in Title 14 or 40 of the Louisiana Revised Statutes of 1950.

(2) The district attorney, for any reason, declined to prosecute all offenses arising out of that arrest, including the reason that the person successfully completed a pretrial diversion program.

(3) Prosecution was instituted and such proceedings have been finally disposed of by dismissal, sustaining of a motion to quash, or acquittal.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the following charges and arrest on the dates provided herein be expunged.

**THUS ORDERED AND SIGNED, ADJUDGED, AND DECREED** this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ at \_\_\_\_\_, Louisiana, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

**DEFENDANT INFORMATION:**

NAME: \_\_\_\_\_  
                     First                    Middle                    Last

DATE OF BIRTH: \_\_\_\_\_

~~GENDER~~ SEX: \_\_\_\_\_

SS# \_\_\_\_\_

RACE \_\_\_\_\_

DRIVER'S LICENSE# \_\_\_\_\_

ARRESTING AGENCY \_\_\_\_\_

SID# \_\_\_\_\_

ARREST NUMBER (ATN) \_\_\_\_\_

AGENCY ITEM NO: \_\_\_\_\_

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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**PLEASE SERVE:**  
1. District Attorney: \_\_\_\_\_  
2. Arresting Agency: \_\_\_\_\_  
3. Parish Sheriff: \_\_\_\_\_  
4. Louisiana Bureau of Criminal Identification and Information  
\_\_\_\_\_  
5. Attorney for Defendant (or defendant) \_\_\_\_\_  
6. Clerk of Court \_\_\_\_\_

\* \* \*

Section 28. Children's Code Article 106, 720(B)(1), 725, 1217.1(A)(4), and 1239.1(A)(4) are hereby amended and reenacted to read as follows:

Art. 106. Number, gender sex

Unless the context clearly indicates otherwise:

(1) Words used in the singular number apply also to the ~~the~~ plural; words used in the plural number include the singular.

(2) Words used in one gender sex apply also to the other.

\* \* \*

Art. 720. Motion for guardianship

\* \* \*

B. The motion, case review report, or case plan shall include all of the following:

(1) The name and gender sex of the child, and the date and place of the child's birth.

\* \* \*

Art. 725. Findings and purpose

The legislature finds that arresting, prosecuting, and incarcerating victimized children serves to re-traumatize them and to increase their feelings of low self-esteem, which only makes the process of recovery more difficult. Both federal and international law recognize that sexually exploited children are the victims of crime and should be treated as such. Therefore, sexually exploited children should not be prosecuted for criminal acts related to prostitution. Instead, sexually exploited children should, where possible, be diverted into services that address the needs of these children outside of the justice system. Sexually exploited children deserve the protection of child welfare services, including diversion, crisis intervention,

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 counseling, and emergency housing services. The purpose of this Chapter is to  
 2 protect a child from further victimization after the child is discovered to be a  
 3 sexually exploited child by ensuring that a child protective response is in place in the  
 4 state. This is to be accomplished by presuming that any child engaged in prostitution,  
 5 prostitution by massage, or crime against nature by solicitation is a victim of sex  
 6 trafficking and providing these children with the appropriate care and services where  
 7 possible. In determining the need for and capacity of services that may be provided,  
 8 the Department of Children and Family Services shall recognize that sexually  
 9 exploited children have separate and distinct service needs according to ~~gender~~ sex,  
 10 and every effort should be made to ensure these children are not prosecuted or  
 11 treated as juvenile delinquents, but instead are given the appropriate social services.

\* \* \*

Art. 1217.1. Reporting requirement; statistical availability

14 A. For each adopted child, the court shall ensure that the department receives  
 15 all of the following information:

\* \* \*

(4) The ~~gender~~ sex of the child.

\* \* \*

Art. 1239.1. Reporting requirement; statistical availability

20 A. For each adopted child, the court shall ensure that the department receives  
 21 all of the following information:

\* \* \*

(4) The ~~gender~~ sex of the child.

\* \* \*

1           Section 29. The Louisiana State Law Institute is hereby authorized and directed to  
2 change all references in law from gender to sex as it pertains to personally identifiable  
3 information of an individual.

4           Section 30. This Act shall be known as the "Restoring Biological Truth Act".

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_