
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 549
by Representative Tucker

1 AMENDMENT NO. 1

2 On page 1, line 3, after "(4)," and before "and (G)(1)," change "and (5)," to "(5), and (6),"

3 AMENDMENT NO. 2

4 On page 1, at the end of line 4, change "(G)(4)," to "(G)(4) and (5),"

5 AMENDMENT NO. 3

6 On page 1, line 11, between "Regents;" and "to require" insert "to require achievement of
7 certain standards for retention of first-year students;"

8 AMENDMENT NO. 4

9 On page 1, line 14, after "institutions;" and before "to" insert "to direct the Louisiana State
10 Law Institute to redesignate certain statutory provisions;"

11 AMENDMENT NO. 5

12 On page 1, line 18, after "(4)," and before "and (G)(1)," change "and (5)," to "(5), and (6),"

13 AMENDMENT NO. 6

14 On page 2, line 2, change "(G)(4)," to "(G)(4) and (5)"

15 AMENDMENT NO. 7

16 On page 2, line 24, after "of" and before "student" insert "the"

17 AMENDMENT NO. 8

18 On page 2, line 28, after "the institution," and before "graduation" change "same institution"
19 to "same-institution"

20 AMENDMENT NO. 9

21 On page 3, line 8, after "(5)" delete the remainder of the line and delete lines 9 through 11
22 and insert the following:

23 "Each institution annually shall submit a report to the Board of Regents,
24 which shall publish the report on its website, the legislative auditor, the
25 legislature, and the division of administration containing certain
26 organizational data, including but not limited to the following:"

27 AMENDMENT NO. 10

28 On page 3, at the beginning of line 14, change "(aa)" to "(i)"

29 AMENDMENT NO. 11

30 On page 3, at the beginning of line 17, change "(bb)" to "(ii)"

1 AMENDMENT NO. 12

2 On page 3, at the beginning of line 19, change "cc" to "iii"

3 AMENDMENT NO. 13

4 On page 3, at the beginning of line 21, change "dd" to "iv"

5 AMENDMENT NO. 14

6 On page 3, at the beginning of line 22, change "ee" to "v"

7 AMENDMENT NO. 15

8 On page 4, line 7, after "raise" and before "the" insert a comma "," and insert "at the time of
9 the annual review,"

10 AMENDMENT NO. 16

11 On page 4, at the beginning of line 9, change "keep pace with" to "continue"

12 AMENDMENT NO. 17

13 On page 4, line 13, after "agreement" delete the remainder of the line and delete line 14 and
14 insert "shall be granted the authorities and autonomies as provided in this Subsection."

15 AMENDMENT NO. 18

16 On page 5, delete lines 9 through 22 in their entirety and insert the following:

17 ~~(6)~~ (4) Each postsecondary education management board shall
18 establish criteria for waiving any tuition or mandatory fee increase as
19 authorized in this Subsection in cases of financial hardship. Information
20 relative to such waivers and the criteria and procedures for obtaining a
21 waiver shall be made available to all prospective students in a timely manner
22 such that each student is informed of the availability of a waiver prior to the
23 student making a final decision concerning attendance at any public
24 institution of postsecondary education."

25 AMENDMENT NO. 19

26 On page 5, line 25, after "agreement" delete the remainder of the line and delete lines 26
27 through 29 in their entirety and insert the following:

28 "may be granted the autonomies as provided in this Subparagraph; however,
29 no institution shall be granted such an autonomy until after the division of
30 administration determines that for the following year the institution possesses
31 the capacity relevant to the autonomy including, at a minimum, a review of
32 the most recent fiscal audit by the legislative auditor."

33 AMENDMENT NO. 20

34 On page 6, line 10, after "from" and before "the office" change "the IT-10 and" to "oversight
35 or review by"

36 AMENDMENT NO. 21

37 On page 6, line 22, after "agreement" delete the comma "," and delete the remainder of the
38 line and delete lines 23 through 28 in their entirety and insert the following:

1 "may be granted the autonomies as provided in this Subparagraph however,
 2 no institution shall be granted such an autonomy until after the division of
 3 administration determines that for the following year the institution possesses
 4 the capacity relevant to the autonomy including, at a minimum, a review of
 5 the most recent fiscal audit by the legislative auditor and the institution has
 6 met the Board of Regents' requirements for significantly streamlining its
 7 academic service delivery to students to meet regional workforce needs as
 8 provided in Item (vi) of this Subparagraph."

9 AMENDMENT NO. 22

10 On page 7, at the end of line 5, add the following:

11 "Prior to entering any purchasing agreement with a not-for-profit cooperative
 12 buying organization, the institution shall advertise a notice of intent to enter
 13 such purchasing agreement through a centralized, electronic, interactive
 14 environment administered by the division of administration as provided in
 15 R.S. 39:1593 and on the institution's website and shall allow fifteen days for
 16 interested vendors to submit a proposal for the materials, supplies,
 17 equipment, or services. The proposals submitted by interested vendors shall
 18 adhere to the request for proposal or solicitation issued by the cooperative
 19 buying organization. The institution shall review the proposals submitted by
 20 interested vendors and compare the proposals to the cooperative buying
 21 organization agreement to determine the lowest responsive and responsible
 22 vendor. The institution shall utilize the lowest responsive and responsible
 23 vendor for the procurement. For purposes of this Section, lowest responsive
 24 and responsible bidder shall be defined as set forth in R.S. 39:1591."

25 AMENDMENT NO. 23

26 On page 7, line 8, after "mean" delete the remainder of the line and delete lines 9 through
 27 12 in their entirety and insert a comma "," and insert the following:

28 "in addition to the authority provided in R.S. 39:128, those that do not
 29 require the use of and coordination between more than two trades or that do
 30 not require the use of the professional services of an architect or engineer
 31 pursuant to the provisions of R.S. 39:1482 and R.S. 39:1484."

32 AMENDMENT NO. 24

33 On page 7, line 13, after "to" and before "an" change "piggyback on" to "join"

34 AMENDMENT NO. 25

35 On page 7, line 14, after "and" delete the remainder of the line and insert the following:

36 "Item (i) of this Subparagraph. Prior to entering any purchasing agreement
 37 with a not-for-profit cooperative buying organization, the institution shall
 38 advertise a notice of intent to enter such purchasing agreement through a
 39 centralized, electronic, interactive environment administered by the division
 40 of administration as provided in R.S. 39:1593 and on the institution's website
 41 and shall allow fifteen days for interested vendors to submit a proposal for
 42 the materials, supplies, equipment, or services. The proposals submitted by
 43 interested vendors shall adhere to the request for proposal or solicitation
 44 issued by the cooperative buying organization. The institution shall review
 45 the proposals submitted by interested vendors and compare the proposals to
 46 the cooperative buying organization agreement to determine the lowest
 47 responsive and responsible vendor. The institution shall utilize the lowest
 48 responsive and responsible vendor for the procurement. For purposes of this

1 Section, lowest responsive and responsible bidder shall be defined as set
 2 forth in R.S. 39:1591."

3 AMENDMENT NO. 26

4 On page 8, line 12, after "to" delete the remainder of the line and delete line 13 and insert
 5 "participate in this requirement shall not preclude an institution from implementing
 6 minimum admission standards in"

7 AMENDMENT NO. 27

8 On page 8, line 17, after "agreement" delete the comma "," and delete the remainder of the
 9 line and delete lines 18 through 23 in their entirety and insert the following:

10 "may be granted the autonomies as provided in this Subparagraph however,
 11 no institution shall be granted an autonomy until after the division of
 12 administration determines that for the following year the institution possesses
 13 the capacity relevant to the autonomy including, at a minimum, a review of
 14 the most recent fiscal audit by the legislative auditor and has a one hundred
 15 fifty percent of normal time Integrated Postsecondary Education Data System
 16 graduation rate within five percent of the average graduation rate for its
 17 classification according to the Southern Regional Education Board."

18 AMENDMENT NO. 28

19 On page 8, line 28, delete "R.S. 39:1551 through R.S. 39:1697." and insert "R.S. 39:15.3,
 20 196 through 200, 1481 through 1526, and 1551 through 1755."

21 AMENDMENT NO. 29

22 On page 9, line 3, after "with" and before "the" insert "the attorney general and"

23 AMENDMENT NO. 30

24 On page 9, at the end of line 6, add the following:

25 "Nothing in this exemption shall abrogate, amend, or alter the
 26 authority of the attorney general or the Department of Justice under Article
 27 4, Sections 1 and 8 of the Constitution of Louisiana or any other provision
 28 of law to represent the state and all departments and agencies of state
 29 government in all litigation arising out of or involving tort or contract. Any
 30 entity or institution that is granted an exemption under this Item shall enter
 31 into an interagency agreement with the attorney general and pay the attorney
 32 general reasonable attorney fees and expenses incurred in representing the
 33 institution.

34 (aa) Nothing in this Item shall be construed as creating any
 35 independent or separate cause of action against the state. The state shall
 36 continue to be sued only through the exempt institution's management board
 37 and cannot be sued in addition to or separately from the exempt institution's
 38 management board in any cause of action asserted against the exempt
 39 institution. Neither the state nor the office of risk management shall be
 40 responsible for payment of any judgment against the exempt institution's
 41 management board.

42 (bb) Any contract between the exempt institution's management
 43 board and its insurer shall name the state as an additional insured. Any
 44 provision in any contract between the exempt institution's management board
 45 and its insurer that conflicts with the provisions of this Section shall be
 46 deemed null and void.

1 (cc) Nothing in this Item shall be construed to adversely affect any
2 of the substantive and procedural limitations applicable to actions against the
3 state, including but not limited to the provisions of R.S. 13:5106, 5107,
4 5108.1, and 5112, and R.S. 9:2800 which would continue to apply equally to
5 any exempted institution. Those provisions that will not apply are those that
6 are specifically excluded in this Section."

7 AMENDMENT NO. 31

8 On page 9, line 17, after "by" and before "shall" change "R.S. 39:327(C)(1)(b)" to "R.S.
9 49:327(C)(1)(b)"

10 AMENDMENT NO. 32

11 On page 9, line 18, after "board" and before "If" delete the period "." and insert "and shall
12 define the allocation of funds among instruments and the term of maturity of the
13 instruments."

14 AMENDMENT NO. 33

15 On page 9, line 22, after "by" and before "and" change "R.S. 49:327(C) and (B)(1)," to "R.S.
16 49:327(B)(1) and (C),"

17 AMENDMENT NO. 34

18 On page 11, at the end of line 3, add "shall be made"

19 AMENDMENT NO. 35

20 On page 11, between lines 4 and 5, insert the following:

21 "(5) In addition to all of the targets in a performance agreement
22 during the first or any subsequent renewal period, no institution that grants
23 baccalaureate degrees shall be granted or exercise autonomies, including
24 authority to increase tuition, that are contingent on performance pursuant to
25 this Section unless, in the immediately prior academic year, it retained its
26 first-year, full-time baccalaureate degree seeking students at a rate that is
27 predictive of the mean graduation rate of each institution's peers as identified
28 by the Board of Regents in accordance with R.S. 17:3351(A)(5)(e)(i). The
29 Board of Regents shall collect and analyze data from institutions in Southern
30 Regional Education Board member states to determine the appropriate
31 retention rate for each class of institution."

32 AMENDMENT NO. 36

33 On page 11, at the end of line 19, delete the period "." and add "and such funds shall be used
34 at the institution's discretion."

35 AMENDMENT NO. 37

36 On page 11, between lines 19 and 20, insert the following:

37 "Section 2. The provisions of R.S. 17:3139(G)(5) as enacted by this
38 Act shall be applicable beginning with the 2017-2018 academic year as based
39 on the retention rate between the 2015-2016 and 2016-2017 academic years
40 and shall be applicable every year thereafter as based on the retention rate in
41 the immediately prior academic year.

42 Section 3. The Louisiana State Law Institute is hereby directed to
43 designate Sections 3121 through 3138 of Chapter 24 of Title 17 of the

1 Louisiana Revised Statutes of 1950 as "Part I. General Provisions" and
2 Section 3139 of Chapter 24 of Title 17 of the Louisiana Revised Statutes of
3 1950 as "Part II. Louisiana Granting Resources and Autonomy for Diplomas
4 Act". The institute generally shall designate each Subsection in R.S. 17:3139
5 as a Section in Part II of Chapter 24 and make appropriate adjustments to
6 designations and citations throughout."

7 AMENDMENT NO. 38

8 On page 11, at the beginning of line 20, change "Section 2." to "Section 4."