

Regular Session, 2014

HOUSE RESOLUTION NO. 84

BY REPRESENTATIVE BARROW

ADMIN LAW/DIVISION: Requests the House Committee on House and Governmental Affairs to examine the structure, functions, duties, and authority of the division of administrative law

1 A RESOLUTION

2 To urge and request the House Committee on House and Governmental Affairs to examine  
3 the structure, functions, duties, and authority of the division of administrative law  
4 and to report its findings and recommendations to the House of Representatives of  
5 the Legislature of Louisiana no later than sixty days prior to the convening of the  
6 2015 Regular Session of the Legislature.

7 WHEREAS, Acts 1995, No. 739 created the division of administrative law within  
8 the Department of State Civil Service to commence and handle all adjudications for boards,  
9 commissions, departments, and agencies in the executive branch of state government; and

10 WHEREAS, in the nearly twenty years that has passed since the creation of the  
11 division of administrative law, the provisions of law relative to the structure, functions,  
12 duties, and authority of the division have been amended a number of times; and

13 WHEREAS, while the law provides for certain specific exceptions, the division of  
14 administrative law handles a large number of administrative hearings for state agencies on  
15 a wide variety of topics, including hearings involving the Code of Governmental Ethics; due  
16 process hearings pursuant to the Individuals with Disabilities Education Act; fair hearings  
17 for the Department of Health and Hospitals; appeals of agency determinations involving  
18 certain programs administered by the Department of Children and Family Services,  
19 including the Supplemental Nutrition Assistance Program, Child Care Assistance Program,  
20 Family Independence Temporary Assistance Program, and Kinship Care Subsidy Program;

1 and hearings involving the Department of Public Safety and Corrections, including tests for  
2 suspected drunken drivers, car insurance cancellation, and disciplinary action license  
3 suspensions for students; and

4 WHEREAS, given the number of years since the passage of legislation creating the  
5 division of administrative law, the changes enacted since that time, and the scope of the  
6 jurisdiction of the division, it is advisable at this time to reexamine its structure, functions,  
7 duties, and authority.

8 THEREFORE, BE IT RESOLVED that the House of Representatives of the  
9 Legislature of Louisiana does hereby urge and request the House Committee on House and  
10 Governmental Affairs to examine the structure, functions, duties, and authority of the  
11 division of administrative law and to report its findings and recommendations to the House  
12 of Representatives of the Legislature of Louisiana no later than sixty days prior to the  
13 convening of the 2015 Regular Session of the Legislature.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Barrow

HR No. 84

Requests the House Committee on House and Governmental Affairs to examine the structure, functions, duties, and authority of the division of administrative law and to report its findings and recommendations to the House of Representatives no later than 60 days prior to the 2015 R.S.