

Louisiana Code of Criminal Procedure

and

Louisiana Revised Statutes

Titles 13, 14, 15 & 16:

Changes Made in the 2024 Session of

the Louisiana Legislature

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ACT No. 549

HOUSE BILL NO. 205

BY REPRESENTATIVES GLORIOSO, BACALA, BOYER, COX, FONTENOT,
HORTON, THOMPSON, VILLIO, AND WILEY

1 AN ACT

2 To enact R.S. 15:1352(A)(71) through (87), relative to the crime of racketeering; to provide
3 for additional crimes that are elements of racketeering activity; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:1352(A)(71) through (87) are hereby enacted to read as follows:

7 §1352. Definitions

8 A. As used in this Chapter, "racketeering activity" means committing,
9 attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating
10 another person to commit any crime that is punishable under the following
11 provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform
12 Controlled Dangerous Substances Law, or the Louisiana Securities Law:

13 * * *

14 (71) R.S. 14:329.1 (Riot)

15 (72) R.S. 14:329.2 (Inciting to riot)

16 (73) R.S. 14:51.1 (Injury by arson)

17 (74) R.S. 14:52.1 (Simple arson of a religious building)

18 (75) R.S. 14:54.2 (Manufacture and possession of delayed incendiary
19 devices; penalty)

20 (76) R.S. 14:54.3 (Manufacture and possession of a bomb)

21 (77) R.S. 14:55 (Aggravated criminal damage to property)

22 (78) R.S. 14:56.5 (Criminal damage to historic buildings or landmarks by
23 defacing with graffiti)

24 (79) R.S. 14:61.1 (Criminal damage to a critical infrastructure)

(80) R.S. 14:71.1 (Bank fraud)

(81) R.S. 14:34.2 (Battery of a police officer)

(82) R.S. 14:40.1 (Terrorizing; menacing)

(83) R.S. 14:63.4 (Aiding and abetting others to enter or remain on premises

where forbidden)

(84) R.S. 14:96 (Aggravated obstruction of a highway of commerce)

(85) R.S. 14:97 (Simple obstruction of a highway of commerce)

(86) R.S. 14:225 (Institutional vandalism)

(87) R.S. 14:327 (Obstructing a fireman)

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 421

BY SENATOR LUNEAU

1 AN ACT

2 To enact Subpart O of Part XI of Title 15 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 15:1109.21 through 1109.26, relative to a renaissance district in
4 certain parishes; to provide for juvenile detention and treatment services; to create
5 a board of commissioners of the district; to provide for the powers, duties, and
6 functions of the board; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart O of Part XI of Title 15 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 15:1109.21 through 1109.26, is hereby enacted to read as follows:

10 **SUBPART O. RENAISSANCE DISTRICT**

11 **§1109.21. Renaissance District; creation; jurisdiction**

12 **A renaissance district is hereby created in any parish having a**
13 **population of more than one hundred twenty-nine thousand and less than one**
14 **hundred thirty-two thousand persons according to the most recent federal**
15 **decennial census, which shall be a political subdivision of the state.**

16 **§1109.22. Board of commissioners; appointment; terms**

17 **A. The renaissance district shall be governed by a commission which**

1 shall control, administer, and manage its affairs. The commission shall be
2 composed of seven commissioners, and each shall be a qualified elector of and
3 domiciled in the parish. Each commissioner shall be appointed for a term of
4 four years as follows:

5 (1) Five members shall be appointed by the parish governing authority
6 as follows:

7 (a) Two members shall be appointed from an existing renaissance board
8 of directors as long as that board exists, after which time two members shall be
9 appointed from the residents of the parish who are not employed by the parish
10 police jury and who have experience with juveniles in education, rehabilitation,
11 or incarceration of juveniles.

12 (b) Three members who are not employed by the parish police jury who
13 have experience with juveniles in education, rehabilitation, or incarceration of
14 juveniles.

15 (2) One member who is employed by the sheriff's office of the parish
16 having experience with juveniles in education, rehabilitation, or incarceration
17 of juveniles.

18 (3) One member who is employed by office of the district attorney of the
19 parish having experience with juveniles in education, rehabilitation, or
20 incarceration of juveniles.

21 B. The members of the board of commissioners shall serve without salary
22 or per diem but the board may authorize reasonable travel allowances for
23 members in the performance of their official duties.

24 §1109.23. Purpose

25 The purpose of the commission shall be to assist and afford opportunities
26 to preadjudicatory and postadjudicatory children who enter the juvenile justice
27 system to become productive, law-abiding citizens of the community, parish,
28 and state through the establishment of rehabilitative programs within a
29 structured environment, and to provide physical facilities and related services
30 for children throughout the district.

1 §1109.24. Board of commissioners; officers; meetings

2 A. The board of commissioners shall elect a president, a secretary, and
3 a treasurer, whose duties in addition to those provided by this Subpart shall be
4 established by the board. If the board so decides, one commissioner may serve
5 as both secretary and treasurer, but in any event the treasurer shall furnish
6 bond in an amount and in accordance with terms and conditions fixed by the
7 board. The board may also elect an executive committee, composed of not more
8 than five members, and establish its duties and responsibilities.

9 B. The board shall fix a time and place for the holding of its regular
10 meetings. Additional regular or special meetings may be held upon the call of
11 the president or of three of the commissioners. All meetings of the board shall
12 be held at the domicile of the board and shall be governed by the provisions of
13 R.S. 42:11 et seq. The board shall hold at least one regular meeting in each
14 calendar month; however, the board may meet less frequently but not less than
15 once each calendar quarter if it establishes an executive committee and requires
16 it to hold regular meetings at least once in each calendar month.

17 C. A majority of the current members of the board shall constitute a
18 quorum. A quorum shall be required to transact business and all actions and
19 resolutions of the board shall be approved by a majority of the quorum present.

20 §1109.25. Board; general authority

21 A. The board may purchase or otherwise acquire, construct, reconstruct,
22 rehabilitate, improve, repair, operate, lease as lessor or lessee, manage, and
23 administer or enter into contracts for the management, administration, and
24 operation of a juvenile detention facility or facilities, shelter-care facility or
25 facilities, or other juvenile justice facilities as are useful, necessary, expedient,
26 or convenient to carry out the plans and purposes of the commission and for the
27 orderly conduct of its business. These facilities may include but are not limited
28 to office facilities, parking facilities, diagnostic facilities, dormitories, and other
29 residential facilities for delinquent, neglected, or abused children or children in
30 need of care or supervision, or in need of services as provided by law as well as

1 for employees, patrons, visitors, and relatives of children who may enter the
2 juvenile justice system or who are in need of care or supervision or services. In
3 addition, the commission may lease, purchase, or acquire by donation or
4 otherwise, any property, immovable or movable, tangible or intangible, from
5 any person, firm, or corporation, including the state and its agencies and
6 political subdivisions.

7 B. The board may authorize and approve, upon such terms as it may
8 deem advisable, contracts of employment for a superintendent or administrator
9 and other necessary personnel and contracts for legal, financial, engineering,
10 and other professional services necessary or expedient for the conduct of its
11 affairs.

12 §1109.26. Board; domicile; power to levy taxes, incur debt, issue bonds

13 A. The board of commissioners shall be domiciled in the parish and shall
14 have the power to sue and be sued. In the exercise of its powers to control,
15 administer, and manage the affairs of the district, the board may incur debt and
16 issue bonds, and it may levy taxes in the manner provided in this Subpart and
17 pursuant to Article VI, Sections 30 and 32 of the Constitution of Louisiana or
18 any other constitutional or statutory authority. The board generally may
19 perform any function and exercise any power necessary, requisite, or proper for
20 the administration and management of the affairs of the commission, and it
21 specifically may cooperate with juvenile courts and other courts and public
22 agencies within the parish and aid and assist in all ways authorized by law to
23 carry out the purposes and responsibilities for which it is established.

24 B. In addition to the general powers conferred by this Section, in order
25 to obtain the necessary funds to carry out its purposes, duties, and
26 responsibilities, and in order to acquire, construct, maintain, and operate a
27 juvenile facility or facilities and related services and programs throughout the
28 territorial jurisdiction of the parish, the commission may incur debt and issue
29 general obligation bonds within the limitations prescribed by Article VI, Section
30 33 of the Constitution of Louisiana and other applicable constitutional or

1 statutory authority, but only when authorized by a majority of the electors in
2 the district who vote thereon in an election held for that purpose in accordance
3 with laws governing such elections.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 435

HOUSE BILL NO. 578

BY REPRESENTATIVES LYONS, BOYD, BRYANT, ROBBY CARTER, WILFORD CARTER, CHASSION, COX, GREEN, KNOX, LAFLEUR, MOORE, NEWELL, SELDERS, TAYLOR, THOMPSON, WALTERS, AND WILLARD

1 AN ACT

2 To enact Part V-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 15:956, relative to children; to establish the Back on Track Youth Pilot
4 Program; to provide for a purpose; to provide for a curriculum; to provide for
5 administration of the program; to provide for eligibility; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part V-B of Title 15 of the Louisiana Revised Statutes of 1950, comprised
9 of R.S. 15:956, is hereby enacted to read as follows:

10 PART V-B. BACK ON TRACK YOUTH PILOT PROGRAM

11 §956. Back on Track Youth Pilot Program

12 A. The Back on Track Youth Pilot Program is hereby established with the
13 express purpose of giving youths an option other than some form of criminal activity.

14 B. Within this program, youths shall be able to participate in programs that
15 include but are not limited to the following curriculum:

16 (1) Occupational or vocational training.

17 (2) Life skills.

18 (3) Healthy choices.

19 (4) Literacy instruction.

20 C. This program shall be administered by selected nonprofit groups as well
21 as the Department of Public Safety and Corrections, the Department of Children and

1 Family Services, the Department of Education, and the Louisiana Workforce
2 Commission.

3 D. Eligibility shall be established based on a variety of criteria including but
4 not limited to any of the following:

5 (1) The income of the youth's family.

6 (2) Whether the youth is considered at risk with behavior that indicates
7 aggression or disruption, disciplinary problems, or delinquency.

8 (3) Demographic locations in the state.

9 E. For the purposes of this Section, "youth or youths" shall mean a person
10 who has not attained eighteen years of age.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 606

2024 Regular Session

HOUSE BILL NO. 303

BY REPRESENTATIVE BOYER

1 AN ACT

2 To enact R.S. 15:933.1, relative to SNAP benefits; to require the office of juvenile justice
3 to report relative to juveniles in custody to the Department of Children and Family
4 Services; to provide for the adjustment of SNAP benefits under certain
5 circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:933.1 is hereby enacted to read as follows:

8 §933.1. Office of juvenile justice; statistical data collection; Department of Children
9 and Family Services

10 A. For the purpose of assisting the Department of Children and Family
11 Services in identifying changes in household circumstances for Supplemental
12 Nutrition Assistance Program benefit allotments, the office of juvenile justice shall
13 report identifying information to the department of each juvenile placed under the
14 custody of the office of juvenile justice for a sentence of nine months or longer. The
15 Department of Children and Family Services shall determine the required
16 information necessary to identify the juvenile and the juvenile's household.

17 B. If the juvenile has not reached the age of majority at the time of release,
18 the office of juvenile justice shall report to the Department of Children and Family
19 Services when the juvenile is released from custody. For purposes of this Section,
20 the age of majority means a child under the age of twenty-two.

21 C. The office of juvenile justice shall inform the Department of Children and
22 Family Services no later than forty-five days prior to release of the juvenile from
23 custody. If the office of juvenile justice is unable to provide notice forty-five days

1 prior to release due to a modification of a disposition by a court, the office shall
2 notify the department within twenty-four hours of receipt of the modified
3 disposition.

4 D. Upon receipt of a report from the office of juvenile justice pursuant to this
5 Section, the Department of Children and Family Services shall adjust the
6 Supplemental Nutrition Assistance Program benefits for the juvenile's household to
7 reflect the change in circumstance.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 7

BY SENATOR CONNICK AND REPRESENTATIVE KNOX

1 AN ACT

2 To amend and reenact R.S. 15:909, relative to state juvenile institutions; to provide relative
3 to reporting of escapes from juvenile institutions; to expand reporting requirements
4 for juvenile escapes to facilities that house juveniles on behalf of the state; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:909 is hereby amended and reenacted to read as follows:

8 §909. Reporting of escapes from ~~state~~ juvenile institutions; records

9 A. The superintendent or highest ranking employee of the Department of
10 Public Safety and Corrections, ~~Corrections Services~~ **corrections services**, or the
11 person acting on behalf of the department, **or the operator of a facility that houses**
12 **juvenile offenders on behalf of the state**, who is physically present at and in charge
13 of a juvenile institution **or facility that houses juvenile offenders on behalf of the**
14 **state** at the time of an escape from that institution shall, within ten minutes after
15 being notified that a child or offender has escaped from or left the premises or
16 grounds of the institution without authority, notify or take necessary steps to ~~insure~~
17 **ensure** the notification of every law enforcement agency, as defined in this Section,
18 **and local media outlets**.

19 B.**(1)** The superintendent or person in charge of a state juvenile institution **or**
20 **facility that houses juvenile offenders on behalf of the state** shall maintain a
21 record and description of every escape from the juvenile institution **or escape from**
22 **a facility that houses juvenile offenders on behalf of the state** of which the
23 superintendent **or other person** has control. The record shall list the date and time
24 of the escape, the number of offenders who escaped, the offenses for which the
25 escapees were placed at the institution, the name of each law enforcement agency
26 notified of the escape, the time each law enforcement agency was notified and the
27 name of the person receiving the notice, and the name of the department employee

1 or agent who notified that law enforcement agency.

2 (2) The report **provided for by this Subsection** shall be available for public
3 inspection and shall list all prior escapes, if any, from the institution **or facility that**
4 **houses juvenile offenders on behalf of the state** within the ~~last~~ five years ~~of prior~~
5 ~~to~~ the date of the ~~last~~ **most recent** escape. A copy of the report shall be delivered to
6 each law enforcement agency as defined in this Section **and made available to local**
7 **media outlets and the general public upon proper submission of a public**
8 **records request.**

9 C. The secretary of the department shall promulgate rules and regulations to
10 ~~insure~~ **ensure** the immediate reporting of all escapes from juvenile institutions **and**
11 **facilities that house juvenile offenders on behalf of the state** as required by this
12 Section.

13 D. As used in this Section,:

14 (1) "~~law~~ **Law** enforcement agency" means the sheriff's office, all police
15 departments in the parish, and the office of state police.

16 (2) "**Local media outlets**" means **local news services, including but not**
17 **limited to print, broadcast, and online platforms.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 665

HOUSE BILL NO. 961 (Substitute for House Bill No. 338 by Representative Muscarello)

BY REPRESENTATIVES MUSCARELLO, ADAMS, BACALA, BAYHAM, BERAULT, BUTLER, CARPENTER, WILFORD CARTER, CHASSION, COX, DOMANGUE, EGAN, FONTENOT, FREIBERG, GREEN, HORTON, JORDAN, KNOX, LAFLEUR, LARVADAIN, LYONS, MARCELLE, MOORE, MYERS, NEWELL, SCHLEGEL, TAYLOR, VILLIO, WALTERS, WILDER, WILEY, AND WYBLE

1 AN ACT

2 To enact R.S. 15:830.3, relative to the creation of a mental health transition pilot program;
3 to provide for a pilot program; to provide for administration of the pilot program in
4 certain parishes; to provide for eligibility; to provide for the duties of the Department
5 of Public Safety and Corrections; to provide for criteria; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:830.3 is hereby enacted to read as follows:

9 §830.3. Mental health transition pilot program

10 A.(1) The Department of Public Safety and Corrections shall establish a
11 mental health transition pilot program to be administered within the parishes of
12 Livingston, St. Helena, and Tangipahoa to provide eligible individuals with
13 transition services in the community while on probation or parole.

14 (2) In order to determine eligibility for the program, the department shall
15 conduct basic level screening of individuals placed on probation or parole for mental
16 health disorders as defined in the current edition of the Diagnostic and Statistical
17 Manual of Mental Disorders published by the American Psychiatric Association.

18 B. Each eligible individual who participates in the program shall be required,
19 as a condition of probation or parole, to immediately do all of the following upon
20 being placed on probation or released on parole:

21 (1) Schedule and attend all appointments at the Florida Parishes Human
22 Services Authority or any local governmental entity, district, or authority, for any
23 and all mental health or substance use disorder treatments, if indicated.

- 1 (2) Complete a Medicaid application.
- 2 C. The department shall participate in a demonstration waiver pursuant to
- 3 42 U.S.C. 1315 when established by the Louisiana Department of Health and
- 4 approved by the Centers for Medicare and Medicaid Services.
- 5 D. The department shall do all of the following:
- 6 (1) Conduct an annual study to determine the recidivism rates of individuals
- 7 who receive mental health transition services from a contracted entity pursuant to
- 8 this Section. The study shall include the recidivism rates of individuals who have
- 9 been placed on probation or released from incarceration for a minimum of one year
- 10 after placement on probation or release.
- 11 (2) On or before December thirty-first of each year, submit a written report
- 12 to the governor, the president of the Senate, the speaker of the House of
- 13 Representatives, and the Joint Legislative Committee on the Budget, and provide a
- 14 copy of this report to the secretary of state. The report may be submitted
- 15 electronically and shall contain the one-year rate of return of individuals to the
- 16 custody of the department based on those who received services in the program
- 17 compared to those who were placed on probation or released with a diagnosis of a
- 18 serious mental health disorder who did not receive services in the program during the
- 19 same period.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 251

BY SENATORS BARROW, BOUIE, CARTER, FIELDS, JACKSON-ANDREWS,
JENKINS, MILLER, MIZELL, MORRIS, PRICE AND STINE AND
REPRESENTATIVES BOYD, CHASSION, FREIBERG, HUGHES,
KNOX, MANDIE LANDRY, LARVADAIN, MENA, NEWELL,
TAYLOR, THOMPSON AND WILLARD

AN ACT

To enact R.S. 15:828(A)(3), relative to inmate classification and treatment programs; to
provide relative to educational programs provided to persons committed to and in the
physical custody of the Department of Public Safety and Corrections; to provide that
adult detention facilities offer certain mandatory educational opportunities; and to
provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:828(A)(3) is hereby enacted to read as follows:

§828. Classification and treatment programs; qualified sex offender programs;
reports; earned credits

A. * * *

**(3)(a) All Department of Public Safety and Corrections adult detention
facilities shall offer both a General Education Development (GED) test training
program and at least one vocational training program as an option for inmates.
Participation in the Prison Rehabilitation Pilot Program, the Transitional
Residential Pilot Program, or a regional reentry program shall satisfy this
requirement if those programs provide both a GED training program and a
vocational training program.**

**(b) Beginning on July 1, 2025, the department shall pay the sum of two
dollars per day to each parish sheriff, or to the governing authority of those
parishes in which the governing authority operates the parish jail, if the sheriff
or parish offers programming that meets the requirements for a General
Education Development (GED) training program.**

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 161

BY SENATOR BOUDREAUX

1 AN ACT

2 To enact R.S. 15:587.7(A)(3)(c), relative to a volunteer and employee criminal history
3 system; to provide for the definition of individuals; to provide for contractors of
4 qualified entities; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:587.7(A)(3)(c) is hereby enacted to read as follows:

7 §587.7. Volunteer and employee criminal history system

8 A. The Louisiana Bureau of Criminal Identification and Information shall
9 implement a volunteer and employee criminal history system to allow qualified
10 entities to access state and federal criminal history records on certain individuals in
11 the absence of specific statutory provisions regarding access to criminal history
12 record information. For purposes of this Section, the following definitions shall
13 apply:

14 * * *

15 (3) "Individual" means a person who has, seeks to have, or may have access
16 to children, the elderly, or individuals with disabilities, served by a qualified entity
17 who meets either of the following requirements:

18 * * *

19 **(c) Is a contractor with, or seeks to be a contractor with, a qualified**
20 **entity.**

21 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 660

2024 Regular Session

HOUSE BILL NO. 723

BY REPRESENTATIVE SCHLEGEL

AN ACT

To amend and reenact R.S. 15:572(A), 572.4(B)(1)(introductory paragraph) and (a) and (3) and (C) through (E), and 572.5(B) and to enact R.S. 15:572.4(F) and (G) and 574.6.2, relative to clemency; to provide relative to notification procedures; to provide relative to the approval or rejection of a favorable recommendation for commutation or pardon; to provide relative to application procedures; to provide relative to clemency hearings; to provide relative to clemency investigations; to provide relative to the supervised release of certain offenders; to provide for evaluations; to provide for duties of the Department of Public Safety and Corrections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:572(A), 572.4(B)(1)(introductory paragraph) and (a) and (3) and (C) through (E), and 572.5(B) are hereby amended and reenacted and R.S. 15:572.4(F) and (G) and 574.6.2 are hereby enacted to read as follows:

§572. Powers of governor to grant reprieves and pardons; automatic pardon for first offender; payment of court costs required

A.(1) The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons as hereinafter provided for by this Part, may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. Notwithstanding any provision of law to the contrary, the governor shall not grant any pardon to any person unless that person has paid all of the court costs which were imposed in connection with the conviction of the crime for which the pardon is to be issued.

1 (2) The governor shall notify the following individuals at least thirty days
2 before commuting a criminal sentence or granting a pardon to any person:

3 (a) The attorney general, the district attorney, the sheriff of the parish in
4 which the applicant was convicted, and, in Orleans Parish, the superintendent of
5 police.

6 (b) The victim or the spouse or next of kin of a deceased victim.

7 (3) The governor shall approve or reject a favorable recommendation for
8 commutation or pardon prior to the governor leaving office or upon expiration of the
9 governor's term.

10 * * *

11 §572.4. Board of Pardons; rules, regulations, and procedures; notice; restrictions on
12 applications; time periods for additional review

13 * * *

14 B.(1) Before considering the application for pardon or commutation of
15 sentence of any person, the board shall give written notice of the date and time at
16 which the application will be heard and considered, at least ~~thirty~~ ninety days prior
17 to the hearing, to the following:

18 (a) The attorney general, the district attorney, the sheriff of the parish in
19 which the applicant was convicted, and in Orleans Parish, the superintendent of
20 police.

21 * * *

22 (3) The attorney general, the district attorney, and any other persons who
23 desire to do so shall be given a reasonable opportunity to attend the meeting and be
24 heard.

25 C. Before setting a hearing on an application for pardon or commutation of
26 sentence, notice of application to the board for ~~clemency~~ pardon or commutation of
27 sentence shall be published on three separate days within a thirty-day period of time,
28 without cost to the state, in any newspaper recognized, at any time during the six-
29 month period prior to or following the publication of the first notice, as the official

1 journal of the governing authority of the parish where the offense occurred for which
2 the person was convicted.

3 D.(1) ~~Notwithstanding any provisions of law to the contrary~~ Except as
4 provided in Paragraph (2) of this Subsection, any applicant who has been sentenced
5 to life imprisonment shall not be eligible to apply to the board for a pardon or
6 commutation of sentence for a period of fifteen years after being sentenced by the
7 trial court, except that periods of time prior to the imposition of the sentence in
8 which the defendant was in actual custody for the offense for which he was
9 sentenced to life imprisonment shall be included in computing the fifteen-year
10 period.

11 (2) Any applicant who has been sentenced to life imprisonment for an
12 offense that is either a crime of violence as defined in R.S. 14:2(B) or a sex offense
13 as defined in R.S. 15:541 shall not be eligible to apply to the board for a pardon or
14 commutation of sentence for a period of twenty-five years after being sentenced by
15 the trial court, except that periods of time prior to the imposition of the sentence in
16 which the defendant was in actual custody for the offense for which he was
17 sentenced to life imprisonment shall be included in computing the twenty-five-year
18 period. A person who is serving a life sentence resulting from a commutation of a
19 sentence of death shall not thereafter be eligible to apply for commutation of
20 sentence to a specific number of years.

21 (3) If the application is denied, the applicant shall be notified in writing of
22 the reason for the denial and thereafter may file a new application to the board no
23 earlier than five years from the date of action by the board. Any subsequent
24 applications shall not be filed earlier than five years after the immediately preceding
25 action taken by the board.

26 (4) However, the ~~The~~ provisions of this Subsection shall not apply when the
27 board determines that new and material evidence that, notwithstanding the exercise
28 of reasonable diligence by the applicant, was not discovered before or during his
29 trial, is available, and if it had been introduced at the trial, it would probably have
30 changed the verdict or judgment of guilty.

E.(1) When no action is taken by the governor ~~on a recommendation for clemency~~ pardon or commutation of sentence issued by the board, the person seeking ~~clemency~~ pardon or commutation of sentence shall ~~not~~ be required to reapply to the board and the recommendation shall ~~not~~ expire upon the governor leaving office or upon the expiration of the governor's term ~~in office and may be reviewed by the next~~ governor to take office.

(2) The board shall adopt rules pursuant to the Administrative Procedure Act to provide for the provisions of this Subsection, ~~but the rules shall not require the person seeking clemency to reapply when no action is taken by the governor on the board's recommendation that the person receive clemency.~~

F. The board shall, to the extent feasible, schedule hearings for pardon or
commutation of sentence in the order in which the applications are filed.

G. When the board notifies the governor that it has granted a favorable recommendation of an application for pardon or commutation of sentence, the board shall also provide simultaneous notice to the persons listed in Subsection B of this Section that this favorable recommendation has been sent to the governor for his approval.

§572.5. Information to be provided to Board of Pardons

* * *

B. The Department of Public Safety and Corrections may charge a fee not to exceed ~~one~~ two hundred ~~fifty~~ dollars for conducting the clemency investigation provided for in this Section.

* * *

§574.6.2. Supervised release; commuted sentences

A.(1) Any offender who has received a commuted sentence and who is released on parole or because of diminution of sentence shall be evaluated through a validated risk assessment instrument approved by the secretary of the Department of Public Safety and Corrections and shall have an approved residence plan prior to release.

1 (2) In approving the residence plan of the offender, the department shall
2 consider the likelihood that the offender will be able to comply with all of the
3 conditions of his parole.

4 B. The committee on parole may impose any special conditions of
5 supervision which may include participation in additional programming by the
6 offender as determined to be necessary by the validated risk-assessment instrument.

7 C. The department shall secure all relevant data and assist the offender in
8 formulating a release plan that includes any necessary conditions as determined by
9 the department.

10 D. Any offender who has received a commuted sentence and who is released
11 shall be placed on supervised release for the remainder of his sentence.

12 E. Notwithstanding any other provision of law to the contrary, any person
13 who was placed upon supervised release pursuant to the provisions of this Section
14 may petition the parole board for a termination of the supervision.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 746

HOUSE BILL NO. 874

BY REPRESENTATIVE KERNER AND SENATORS BARROW, BOUDREAUX,
CLOUD, CONNICK, HENRY, JACKSON-ANDREWS, AND STINE

1 AN ACT

2 To amend and reenact R.S. 15:571.36(A)(introductory paragraph) and (A)(10)(introductory
3 paragraph) and (B) through (D) and 835 and to enact R.S. 15:571.36(E), relative to
4 global positioning monitoring systems; to provide for registration; to provide relative
5 to eligibility; to provide for submission of reports; to provide for penalties; to
6 provide for a prohibition; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:571.36(A)(introductory paragraph) and (A)(10)(introductory
9 paragraph) and (B) through (D) and 835 are hereby amended and reenacted and R.S.
10 15:571.36(E) is hereby enacted to read as follows:

11 §571.36. Electronic monitoring equipment

12 A. The Department of Public Safety and Corrections, corrections services,
13 the office of state police, and the Louisiana Commission on Law Enforcement and
14 Administration of Criminal Justice shall develop written policies and procedures in
15 the manner provided in the Administrative Procedure Act for the promulgation of
16 rules governing mandatory requirements for electronic monitoring service providers
17 and manufacturers, including the availability, storage, use of, and operational
18 capacity for electronic monitoring equipment utilized for pretrial, post-conviction,
19 or monitoring, which shall include all of the following requirements:

20 * * *

21 (10) Alert notifications ~~from the applicable local, municipal, and parish~~
22 ~~authorities and the office of technology services to an authorizing judge or law~~

1 ~~enforcement agency to a provider of electronic monitoring services~~ for all of the
2 following:

3 * * *

4 B. When the court has placed an individual under electronic monitoring, the
5 name and contact information of the person or entity providing electronic monitoring
6 services shall be entered in the docket for the case in which the electronic monitoring
7 is ordered.

8 ~~B. C.~~(1) When an individual has been placed under electronic monitoring,
9 the provider of the electronic monitoring ~~service~~ services shall, by noon of the
10 following day, provide law enforcement agencies within the appropriate jurisdiction
11 all of the following information:

12 (a) The name and any aliases used by the monitored individual.

13 (b) The physical address or addresses of residence of the monitored
14 individual.

15 (c) The name and physical address of place of employment. If the monitored
16 individual does not have a fixed place of employment, he shall provide information
17 with as much specificity as possible regarding the places where he works, including
18 but not limited to travel routes used by the monitored offender.

19 (d) The pending criminal charges against the monitored individual.

20 (e) The reason why the monitored individual has been placed under
21 electronic monitoring.

22 (2) Electronic monitoring service providers shall submit an accurate report
23 to each court exercising jurisdiction over the persons being monitored by the tenth
24 day of each month for the previous month's monitoring activity to include all of the
25 following information:

26 (a) The name and any aliases used by the monitored individual.

27 (b) The date of birth of the monitored individual.

28 (c) The offense that the monitored individual has been charged with, or
29 convicted of.

1 (3) By January 15th of each year, electronic monitoring service providers
2 shall submit an accurate annual report to each court exercising jurisdiction over any
3 monitored person during the previous calendar year that includes all of the following
4 information:

5 (a) The services offered.

6 (b) The areas served.

7 (c) The number of defendants served.

8 (d) The number of defendants terminated.

9 (e) The reasons for termination.

10 (f) The credentials or qualifications of the provider.

11 (4) When a violation of the defendant's monitoring conditions has occurred,
12 the provider of electronic monitoring services shall report the violation to the bail
13 agent on record and the court exercising jurisdiction over the defendant within one
14 day of the provider's receipt of notice that any of the following involving the
15 electronic monitoring equipment has occurred:

16 (a) Presence in an exclusion zone, which are geographic areas where the
17 defendant is not permitted to visit.

18 (b) Tampering or destruction.

19 (c) Loss of battery power.

20 (d) Loss of communications.

21 (5) After an individual has been placed under electronic monitoring, the
22 court exercising jurisdiction over the monitored individual shall report the
23 information provided in ~~Paragraph (1)~~ of this Subsection to all law enforcement
24 agencies within its jurisdiction.

25 ~~C.D.(1)~~ Any provider of an electronic monitoring service who intentionally
26 withholds or intentionally fails to timely report information as required by this
27 Section shall be subject to a ~~civil~~ fine of not more than one thousand dollars,
28 imprisoned for not more than six months, and shall be prohibited from registering
29 to provide electronic monitoring services in this state for a period of five years.

~~(2) The attorney general shall have the authority to pursue the civil fine imposed pursuant to this Subsection and may institute any civil action to prohibit any violator of this Subsection from providing or registering to provide electronic monitoring services in this state for a period of five years.~~

~~D.~~ E. The Integrated Criminal Justice Information System Policy Board, in consultation with the Department of Public Safety and Corrections, corrections services, the office of state police, the office of the attorney general, the office of information and technology systems, and the Louisiana Commission on Law Enforcement and Administration of Criminal Justice shall evaluate the feasibility of all of the following:

(1) Development of a statewide system for the use of global position system monitoring and other electronic methods of monitoring as an alternative to incarceration for persons who have been arrested, who are awaiting trial, or who have been convicted.

(2) Development of guidelines and criteria for contracts between a local government and a person or entity that provides electronic monitoring services.

(3) Development and maintenance of a centralized registry that can assist the state in the collection of the following data:

(a) The number of persons who are electronically monitored by jurisdiction.

(b) The number of violations that occur within each jurisdiction.

* * *

§835. Registration of electronic monitoring service providers

A. Any person or entity who provides electronic monitoring services for the purpose of monitoring, tracking, or supervising pretrial or post-conviction persons within the state shall certify in writing that the provider meets the criteria provided in R.S. 15:571.36 and shall register with the ~~department no later than December 1, 2024~~ court and the sheriff of the parish where the services are to be provided. The information provided to the court and the sheriff shall include all of the following:

(1) The name of the provider.

(2) The principal contact information of the provider.

1 (3) The primary office address of the provider.

2 B. No person or entity shall provide electronic monitoring services in this
 3 state without having first complied with the registration requirements as provided in
 4 Subsection A of this Section. The application for registration shall be submitted on
 5 forms provided by the ~~department~~ court and the sheriff of the parish where the
 6 services are to be provided and shall contain all of the information required by such
 7 forms and any accompanying instructions.

8 C. The ~~department~~ court and the sheriff of the parish where the services are
 9 to be provided shall remove from ~~its~~ the registry any person or entity that provides
 10 electronic monitoring services in this state if the ~~department determines~~ court and the
 11 sheriff determine that the person or entity has violated the provisions of ~~R.S.~~
 12 ~~15:571.36(C)~~ R.S. 15:571.36(D).

13 D. An elected official, or any immediate family member of an elected
 14 official, shall be prohibited from being a vendor, or having a financial interest in a
 15 vendor, for electronic monitoring services in this state.

16 Section 2. This Act shall become effective on January 1, 2025.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 576

2024 Regular Session

HOUSE BILL NO. 901

BY REPRESENTATIVE MANDIE LANDRY

1 AN ACT

2 To amend and reenact R.S. 15:570(E)(1), 574(B)(2), and 574.4(B)(1), R.S. 46:1844(A)(2),
3 (N)(4), and (O)(2), and 2162(A)(1), and Children's Code Article 725.4, relative to
4 the Crime Victims Services Bureau within the Department of Public Safety and
5 Corrections; to provide for a renaming of the bureau; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:570(E)(1), 574(B)(2), and 574.4(B)(1) are hereby amended and
9 reenacted to read as follows:

10 §570. Execution; officials and witnesses; minors excluded; time of execution; notice
11 to victim's relatives

12 * * *

13 E.(1) The secretary of the Department of Public Safety and Corrections shall,
14 at least ten days prior to the execution, either give written notice or verbal notice,
15 followed by written notice placed in the United States mail within five days
16 thereafter, of the date and time of execution to the victim's parents, or guardian,
17 spouse, and any adult children who have indicated to the secretary that they desire
18 such notice by registering with the ~~Crime Victims Services Bureau~~ Louisiana Victim
19 Outreach of the Department of Public Safety and Corrections. The secretary, in such
20 notice, shall give the named parties the option of attending the execution.

21 * * *

§574. Adoption of rules by Board of Pardons

* * *

B.

* * *

(2) The board shall not take up any consideration of an application for a hearing or for a pardon, clemency, or commutation until it has made reasonable efforts to contact the victim or the surviving family members of the victim, including correspondence mailed at least thirty days prior to the date of the hearing to the last known address of the victim or the surviving family members of the victim, and it has notified the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections.

* * *

§574.4. Parole; eligibility; juvenile offenders

* * *

B.(1) Except as provided in Paragraph (2) of this Subsection, and except as provided in Paragraph (A)(5) and Subsections D, E, and H of this Section, no prisoner serving a life sentence shall be eligible for parole consideration until his life sentence has been commuted to a fixed term of years. No prisoner sentenced as a serial sexual offender shall be eligible for parole. No prisoner may be paroled while there is pending against him any indictment or information for any crime suspected of having been committed by him while a prisoner. Notwithstanding any other provisions of law to the contrary, a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least sixty-five percent of the sentence imposed, before being eligible for parole. The victim or victim's family shall be notified whenever the offender is to be released provided that the victim or victim's family has completed a Louisiana victim notice and registration form as provided in R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated to the Department of Public Safety and Corrections, ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach, that they desire such notification.

* * *

1 Section 2. R.S. 46:1844(A)(2), (N)(4), and (O)(2) and 2162(A)(1) are hereby
2 amended and reenacted to read as follows:

3 §1844. Basic rights for victim and witness

4 A.

5 * * *

6 (2) The Department of Public Safety and Corrections shall maintain the
7 ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach presently in operation.
8 The bureau shall publicize and provide a way for crime victims and their family
9 members to be kept informed about the following:

10 * * *

11 N. Duties of the Department of Public Safety and Corrections.

12 * * *

13 (4) When an inmate in physical custody is within three months of his earliest
14 projected release date, a registered victim may contact the ~~Crime Victims Services~~
15 ~~Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and
16 Corrections, corrections services, to request a current photograph of the inmate. The
17 department shall take all reasonable steps to provide a photograph to the registered
18 victim at least ten days prior to the inmate's actual release.

19 O. Notification of pardon or parole.

20 * * *

21 (2) Beginning August 1, 2018, when an inmate in physical custody is within
22 three months of his earliest projected release date, a registered victim may contact
23 the ~~Crime Victim Services Bureau~~ Louisiana Victim Outreach to submit a reentry
24 statement to the committee on parole requesting that the inmate be subject to certain
25 proximity or contact restrictions, as part of the inmate's parole conditions, that the
26 victim believes are necessary for the victim's protection. The committee on parole
27 may consider the victim's reentry statement only for the purpose of determining the
28 inmate's parole conditions and not for the purpose of determining whether to order
29 the release of the inmate on parole. A victim's reentry statement is not binding on
30 the committee on parole, but shall be considered in concert with other relevant
31 information when setting parole conditions. The provisions of this Paragraph apply

only to those persons who are to appear at a hearing before the committee on parole to determine whether the person should be granted parole.

* * *

§2162. Assistance to victims of human trafficking

A. Classification of victims of human trafficking. As soon as practicable after the initial encounter with a person who reasonably appears to a law enforcement agency, a district attorney's office, or the office of the attorney general to be a victim of human trafficking, such agency or office shall:

(1) Notify the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections that such person may be eligible for services under this Chapter.

* * *

Section 3. Children's Code Article 725.4 is hereby amended and reenacted to read as follows:

Art. 725.4. Duties of law enforcement

The officer shall notify the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections that the child may be eligible for special services and, as a mandatory reporter as required by Children's Code Article 610, shall notify the Department of Children and Family Services that the child is in need of protective services.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 64

2024 Regular Session
HOUSE BILL NO. 92
BY REPRESENTATIVE ROMERO

1 AN ACT
2 To enact R.S. 15:563.4, relative to Act No. 460 of the 2023 Regular Session of the
3 Legislature of Louisiana; to provide for the naming of a previous Act of the
4 legislature; to provide for the naming of a certain Act relative to a statewide database
5 of individuals convicted of child abuse; and to provide for related matters.
6 Be it enacted by the Legislature of Louisiana:
7 Section 1. R.S. 15:563.4 is hereby enacted to read as follows:
8 §563.4. Short title
9 This Chapter shall be referred to and may be cited as "The Remy Mann Act".
10 Section 2. This Act shall become effective on July 1, 2024; if vetoed by the governor
11 and subsequently approved by the legislature, this Act shall become effective on the day
12 following such approval by the legislature or July 1, 2024, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

BY REPRESENTATIVES COATES, AMEDEE, BERAULT, BILLINGS, BRAUD,
BUTLER, ROBBY CARTER, CHENEVERT, DAVIS, DEWITT, DICKERSON,
DOMANGUE, EDMONSTON, FIRMENT, FISHER, FREEMAN, FREIBERG,
MIKE JOHNSON, LAFLEUR, MACK, MOORE, OWEN, PHELPS, TAYLOR,
WALTERS, WYBLE, AND ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(8) and (39) and to enact R.S. 15:440.7 and 440.8 and
3 Children's Code Articles 328.1 and 328.2, relative to records of protected persons;
4 to provide procedures for subpoenas of videos of protected persons; to provide an
5 exception to the Public Records Law; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:440.7 and 440.8 and hereby enacted to read as follows:

8 §440.7. Admissibility in civil, family, and administrative proceedings; discovery;
9 confidentiality

10 A.(1) Courts with civil or family jurisdiction or administrative law judges
11 may authorize the issuance of a subpoena duces tecum for the production of a
12 videotape of a protected person made pursuant to this Section for good cause shown.
13 The subpoena duces tecum shall order the videotape of the protected person be
14 returnable to the court for inspection. If the court determines that the videotape is
15 relevant and necessary to the case under review, the court may order in writing the
16 videotape be disclosed to the attorneys of record for each party subject to a protective
17 order pursuant to Paragraph (2) of this Subsection.

18 (2) The protective order shall include all of the following information:

19 (a) Names of the attorneys of record in the case and their regularly employed
20 staff, paralegal, or expert witnesses who are the only individuals permitted to view
21 or be in possession of the videotape.

1 **(b) The videotape is in the exclusive custody of the court and that the**
2 **videotape shall not be copied, photographed, duplicated, or otherwise reproduced**
3 **except as a written transcript that protects the identity of the protected person by the**
4 **use of initials.**

5 **(c) If the party is not represented by an attorney, the party and the employees**
6 **or retained expert witnesses of the party shall not be given a copy of the videotape**
7 **but shall be given reasonable access to view the recording by the custodian of the**
8 **recording.**

9 **(d) Attorneys and custodians of the videotape shall file their copy of the**
10 **videotape under seal into the record of the proceedings upon termination of**
11 **representation or upon disposition of the matter at the trial level.**

12 **(e) The unlawful possession, selling, duplicating, distributing, transferring,**
13 **or copying of any videotape of protected persons is punishable pursuant to R.S.**
14 **14:81.5.**

15 **B. Any violation of this Section shall be punishable as contempt of court.**

16 **C. Nothing in this Section shall prevent the Department of Children and**
17 **Family Services or law enforcement from sharing information as authorized or**
18 **required by state or federal law.**

19 **§440.8. Confidentiality of records; child advocacy centers**

20 **The files, reports, records, communications, working papers, or videotaped**
21 **interviews used or developed in providing services under Title V, Part II of the**
22 **Children's Code are confidential and not subject to the Public Records Law.**
23 **Disclosure of any files, reports, records, communications, or working papers of a**
24 **child advocacy center may be made only pursuant to Children's Code Article 525 or**
25 **by order of the juvenile court of competent jurisdiction pursuant to Children's Code**
26 **Article 412. Disclosure of videotaped interviews of protected persons shall be**
27 **disclosed either pursuant to R.S. 15:440.1, et seq., or Children's Code Article 322,**
28 **et seq.**

1 Section 2. Children's Code Articles 328.1 and 328.2 are hereby enacted to read as
2 follows:

3 Art. 328.1. Admissibility in civil, family, and administrative proceedings;
4 discovery; confidentiality

5 A.(1) A court with civil or family jurisdiction or an administrative law judge
6 may authorize the issuance of a subpoena duces tecum for the production of a
7 videotape of a protected person made pursuant to this Article for good cause shown.
8 The subpoena duces tecum shall order the videotape of the protected person be
9 returnable to the court for inspection. If the court determines that the videotape is
10 relevant and necessary to the case under review the court may order in writing that
11 the videotape be disclosed to the attorneys of record for each party subject to a
12 protective order pursuant to Subparagraph (2) of this Paragraph.

13 (2) The protective order shall include all of the following information:

14 (a) Names of the attorneys of record in the case and their regularly employed
15 staff, paralegal, or expert witnesses who are the only individuals permitted to view
16 or be in possession of the videotape.

17 (b) The videotape is in the exclusive custody of the court and that the
18 videotape shall not be copied, photographed, duplicated, or otherwise reproduced
19 except as a written transcript that protects the identity of the protected person by the
20 use of initials.

21 (c) If the party is not represented by an attorney, the party and the employees
22 or retained expert witnesses of the party shall not be given a copy of the videotape
23 but shall be given reasonable access to view the recording by the custodian of the
24 recording.

25 (d) Attorneys and custodians of the videotape shall file their copy of the
26 videotape under seal into the record of the proceedings upon termination of
27 representation or upon disposition of the matter at the trial level.

28 (e) The unlawful possession, selling, duplicating, distributing, transferring,
29 or copying of any videotape of protected persons is punishable pursuant to R.S.
30 14:81.5.

B. Any violation of this Article shall be punished as contempt of court.

C. Nothing in this Article is intended to restrict the ability of the Department of Children and Family Services or law enforcement from sharing information as authorized or required by state or federal law.

Art. 328.2. Confidentiality of records; child advocacy centers

The files, reports, records, communications, working papers, or videotaped interviews used or developed in providing services under Title V, Part II of the Children's Code are confidential and not subject to the Public Records Law. Disclosure of any files, reports, records, communications, or working papers of a child advocacy center may be made only pursuant to Children's Code Article 525 or by order of the juvenile court of competent jurisdiction pursuant to Children's Code Article 412. Disclosure of videotaped interviews of protected persons shall be disclosed either pursuant to R.S. 15:440.1, et seq. or Children's Code Article 322, et seq.

Section 3. R.S. 44:4.1(B)(8) and (39) are hereby amended and reenacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(8) R.S. 15:242, 440.6, 440.8, 477.2, 549, 570, 574.12, 578.1, 587, 587.1.2, 616, 660, 840.1, 1176, 1204.1, 1212.1(E), 1507

* * *

(39) Children's Code Articles 328, 328.2, 404, 412, 424.6, 424.9, 441, 543, 545, 615, 616, 616.1, 663, 737, 793, 888, 891, 893, 920, 921, 922, 1007, 1106, 1107,

1	1185, 1186, 1187, 1207, 1213, 1229, 1235, 1252, 1273, 1283.5, 1283.10, 1416, 1453,
2	1568
3	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 548

2024 Regular Session

HOUSE BILL NO. 189

BY REPRESENTATIVE WILLARD

1 AN ACT

2 To amend and reenact R.S. 15:440.4(A)(5) and Children's Code Articles 323 and 326(A)(7)
3 and to enact R.S. 15:440.2(D) and 440.4(C) and Children's Code Article 326(C),
4 relative to the taped statements of a protected person; to provide for an additional
5 person who is authorized to supervise the taking of a protected person's statement;
6 to provide for a definition; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:440.4(A)(5) is hereby amended and reenacted and R.S.
9 15:440.2(D) and 440.4(C) are hereby enacted to read as follows:

10 §440.2. Authorization

11 * * *

12 D. For the purposes of this Part, "civilian investigator" shall mean any
13 person who performs investigative work as a non-certified employee of a law
14 enforcement agency and who has completed training required by that law
15 enforcement agency. Required training shall include, but not be limited to, basic
16 investigative training and specific training on investigation of crimes involving a
17 protected person.

18 * * *

19 §440.4. Method of recording videotape; competency

20 A. A videotape of a protected person may be offered in evidence either for
21 or against a defendant. To render such a videotape competent evidence, it must be
22 satisfactorily proved:

23 * * *

(5) That the taking of the protected person's statement was supervised by a physician, a social worker, a law enforcement officer, a licensed psychologist, a medical psychologist, a licensed professional counselor, ~~or~~ an authorized representative of the Department of Children and Family Services, or a civilian investigator.

* * *

C. The provisions of this Section, relative to a civilian investigator's ability to render a videotape as competent evidence, shall only apply to a civilian investigator within a parish with a population of not less than three hundred eighty-three thousand and not more than four hundred forty thousand as provided in the most recent federal decennial census.

Section 2. Children's Code Articles 323 and 326(A)(7) are hereby amended and reenacted and Children's Code Article 326(C) is hereby enacted to read as follows:

Art. 323. Definitions

(1) "Civilian investigator" means any person who performs investigative work as a non-certified employee of a law enforcement agency and who has completed training required by that law enforcement agency. Required training shall include, but not be limited to, basic investigative training and specific training on investigation of crimes involving a protected person.

(2) "Department" means the Department of Children and Family Services.

~~(2)~~ (3) "Protected person" means any person who is a victim of a crime or a witness in a juvenile proceeding and who either:

(a) Is under the age of eighteen years.

(b) Has a developmental disability as defined in R.S. 28:451.2~~(12)~~.

~~(3)~~ (4) "Videotape" means the visual recording on a magnetic tape, film, videotape, compact disc, digital versatile disc, digital video disc, or by other electronic means together with the associated oral record.

* * *

1 Art. 326. Competent evidence; procedures for making videotape

2 A. A videotape of the statements of a protected person who is alleged to be
3 the victim of or witness to a crime may be offered in evidence for or against such
4 crime. To render such a videotape competent evidence, all of the following must be
5 satisfactorily proved:

6 * * *

7 (7) The taking of the protected person's statement was supervised by a
8 physician, a social worker, a law enforcement officer, a licensed psychologist,
9 medical psychologist, licensed professional counselor, a civilian investigator, or an
10 authorized representative of the department.

11 * * *

12 C. The provisions of this Article, relative to a civilian investigator's ability
13 to render a videotape as competent evidence, shall only apply to a civilian
14 investigator within a parish with a population of not less than three hundred eighty-
15 three thousand and not more than four hundred forty thousand as provided in the
16 most recent federal decennial census.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

HOUSE BILL NO. 464

BY REPRESENTATIVE MIKE JOHNSON

ACT No. 112

1 AN ACT

2 To enact R.S. 15:255(Z), relative to witness fees; to provide relative to witness fees in the

3 city of Pineville; to provide for the transfer of certain surplus witness fees; to provide

4 for certain limitations and requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:255(Z) is hereby enacted to read as follows:

7 §255. Witness fees to off-duty law enforcement officers

8 * * *

9 Z. Notwithstanding any provision of law to the contrary, the city of Pineville

10 may adopt an ordinance which provides that on January first of each year, the

11 amount of money in the witness fee fund for the City Court of Pineville which

12 exceeds fifteen thousand dollars shall be transferred to the general fund of the city

13 of Pineville to be used solely for the Community Affairs Division of the police

14 department for crime suppression. The balance in the witness fee fund shall not be

15 expended or encumbered and shall not be reduced below fifteen thousand dollars as

16 a result of a transfer pursuant to the provisions of this Subsection.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 467

BY SENATOR REESE

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AN ACT

To amend and reenact R.S. 15:150(C), 152(B)(2) and (13), 161(A), (E)(11), (H)(1), and (I), 162(D) and (F), 167(E), 168(A) and (E)(3), 175(A)(1)(d) and (f), 176(C), 185.2(4) and (8), 186.2(4) and (8), and 186.3(B)(10), to enact R.S. 33:447.11.1, and to repeal R.S. 33:447.11, relative to indigent defender representation; to provide for the executive staff general qualifications; to provide for duties of the state public defender; to provide for powers and duties of the district public defenders; to provide for vacancies of the district public defenders; to provide for the Louisiana Public Defender Fund; to provide for the district indigent defender fund; to provide for proceedings to determine indigency; to provide for partial reimbursement by indigents; to provide for definitions; to provide for the Safe Return Representation Program; to provide for additional court costs in certain mayor's courts with proceeds remitted to applicable indigent defender funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:150(C), 152(B)(2) and (13), 161(A), (E)(11), (H)(1), and (I), 162(D) and (F), 167(E), 168(A) and (E)(3), 175(A)(1)(d) and (f), 176(C), 185.2(4) and (8), 186.2(4) and (8), and 186.3(B)(10) are hereby amended and reenacted to read as follows:

§150. Executive staff for office; general qualifications

* * *

C. The executive staff positions shall be permanent, full-time state employees of the office ~~and these employees shall not otherwise engage in the practice of law, where applicable, or engage in any other business or profession.~~

* * *

§152. State public defender; qualifications; powers and duties; salary

* * *

1 B. The state public defender shall:

2 * * *

3 (2) Develop, present for the board's approval, and implement a strategic plan,
4 standards, and guidelines for the delivery of public defender services.

5 * * *

6 (13) ~~Assist the board in establishing~~ Establish ~~the standards and guidelines,~~
7 policies; and procedures for the statewide delivery of indigent defender services in
8 accordance with rules adopted by the office and as required by statute.

9 * * *

10 §161. District public defender; powers; duties; accounting; audit reporting; existing
11 ~~chief indigent~~ district public defenders continued; establishment of
12 office of the ~~district office~~ public defender

13 A. Except as otherwise provided for in this Section, the office shall ~~employ~~
14 ~~or~~ contract, for a period of up to five years, with a district public defender to provide
15 for the delivery and management of public defender services in each judicial district
16 through the office of the district public defender. The office of the district public
17 defender shall be a local body corporate with the power to sue and be sued, to
18 enter into contracts on such terms and conditions as it deems advisable, and
19 with all other general obligations and privileges of local political subdivisions.
20 The district public defender shall be the policymaker for the office of the
21 district public defender and shall be responsible for ensuring that the office of
22 the district public defender satisfies its obligations and privileges under
23 Louisiana law.

24 * * *

25 E. Each district public defender shall:

26 * * *

27 (11) Maintain a client workload for the ~~district office~~ of the district public
28 defender as determined by the state public defender.

29 * * *

30 H.(1) In an effort to maintain continuity of ~~indigent~~ public defender services

1 in each judicial district, any person ~~employed~~ **serving** as the ~~chief indigent~~ **district**
2 **public** defender of a judicial district shall continue to ~~be employed by, or enter into~~
3 a contract with; the office and serve as the district public defender of that district.

4 * * *

5 I. Notwithstanding any other provision of law to the contrary, any attorney
6 ~~employed by or~~ under contract with the office, the district public defender, or
7 nonprofit organization contracting with the office, district public defender, or the
8 office to provide legal counsel to an indigent person in a criminal proceeding shall
9 be licensed to practice law in the state of Louisiana. The provisions of this
10 Subsection shall not be construed to prohibit the use of an attorney licensed to
11 practice law in another state to provide legal counsel to an indigent person in a
12 criminal proceeding on a pro bono basis or who is receiving compensation from a
13 grant administered by the office or from a grant administered by any nonprofit
14 organization contracting with the office, provided that the out-of-state attorney is
15 authorized to perform those services by the Louisiana Supreme Court. The
16 legislature hereby specifically states that the provisions of this Subsection are in no
17 way intended to, nor shall they be, construed in any manner which will impair any
18 contractual obligations heretofore existing on June 1, 2007, of any out-of-state
19 attorney authorized by the Louisiana Supreme Court to practice law in this state to
20 provide legal counsel to an indigent person in a criminal proceeding.

21 §162. Vacancies in position of district public defender; formation of district public
22 defender selection committee; powers and duties of committee;
23 process for filling vacancy for district public defender; interim
24 district public defender

25 * * *

26 D. Within thirty days of receiving the nominations for the position of district
27 public defender from the selection committee, the office shall ~~employ or~~ contract
28 with a district public defender from the list of nominees submitted to the board.

29 * * *

30 F. Whenever a vacancy occurs for the position of district public defender in

any judicial district having a population of less than thirty thousand, or having less than four attorneys providing public defender services, the office shall evaluate the district and make a determination regarding the appropriateness of ~~employing or~~ contracting with a district public defender or authorizing a district public defender from a contiguous judicial district to manage and supervise public defender services in that judicial district. If a decision is made by the office to ~~employ or~~ contract with a district public defender, the office shall use the selection process provided for in this Section to fill that vacancy.

* * *

§167. Louisiana Public Defender Fund

* * *

E. The office shall dedicate and disburse at least seventy-five percent of the entirety of its annual budget and its funds in the LPD Fund as defined in Subsection A of this Section each fiscal year to the offices of the district ~~defender offices~~ public defenders and their indigent defender funds as defined in R.S. 15:168(A) in the various judicial districts throughout the state. The provisions of this Subsection shall not apply to statutorily dedicated funds or funds received through the awarding of grants.

§168. Judicial district indigent defender fund

A. There is hereby created within each judicial district an indigent defender fund which shall be administered by the district public defender on behalf of the office of the district public defender for that judicial district and composed of funds provided for by this Section and such funds as may be appropriated or otherwise made available to it.

* * *

E. * * *

(3) No court shall have jurisdiction to order the payment of any funds administered by the ~~Louisiana Public Defender Board~~ office or district public defender for expert witnesses, or for any other reason.

* * *

1 §175. Proceedings to determine indigency

2 A.(1) * * *

3 (d) If the court makes the preliminary determination that the accused is or
4 may be indigent, the court shall require the accused to make application to the office
5 of the district public defender ~~office~~ or an attorney appointed or under contract to
6 provide indigent defender services, who shall inquire further into the accused's
7 economic status and, upon determining that the accused is indigent, shall file a
8 certification thereof, in such form as the court may require and without paying costs
9 in advance, in the record of the proceeding or enroll as counsel.

10 * * *

11 (f) An accused person or, if applicable, a parent or legal guardian of an
12 accused minor or an accused adult person who is claimed as a dependent on the
13 federal income tax submission of his parent or legal guardian, who makes application
14 to the office of the district ~~office~~ **public defender** certifying that he is financially
15 unable to employ counsel and requesting representation by indigent defense counsel
16 or conflict counsel, shall pay a nonrefundable application fee of forty dollars to the
17 office of the district ~~office~~ **public defender** or its designee, which fee shall be in
18 addition to all other fees or costs lawfully imposed. If the office or other appropriate
19 official determines that the person does not have the financial resources to pay the
20 application fee based upon the financial information submitted, the fee may be
21 waived or reduced. An accused who is found to be indigent may not be refused
22 counsel for failure to pay the application fee.

23 * * *

24 §176. Partial reimbursement by indigents

25 * * *

26 C.(1) When an accused is initially determined to be indigent and appointed
27 counsel but subsequently hires private counsel, the court shall conduct a
28 contradictory hearing to determine the expenses of representing the accused incurred
29 by the office of the district ~~office~~ **public defender** or the service region, where
30 applicable. Upon determining the expenses incurred, the accused shall, within the

1 discretion of the court, be liable to reimburse the office of the district ~~office~~ **public**
2 **defender** or service region, where applicable, those expenses, upon a determination
3 that the accused was in fact not initially indigent. A judgment for the amount owed
4 may be recorded in the mortgage records in favor of the board for the payment of
5 money against the accused and may be enforced as provided by law.

6 (2) All funds received by the office of the district ~~office~~ **public defender**
7 shall be deposited into the judicial district indigent defender fund as provided for in
8 R.S. 15:168.

9 (3) Failure of the accused to disclose the full amount involved in the hiring
10 shall constitute grounds for contempt of court.

11 * * *

12 §185.2. Definitions

13 As used in this Part, the following words shall have the following meanings:

14 * * *

15 (4) "District public defender", "chief indigent defender", or "chief public
16 defender" means an attorney ~~employed by or~~ under contract with the office to
17 supervise service providers and enforce standards and guidelines within a judicial
18 district or multiple judicial districts.

19 * * *

20 (8) "Public defender" or "indigent defender" means an attorney employed by
21 or under contract with ~~the board~~, the office of the district public defender; or a
22 nonprofit organization contracting with the board or the district public defender to
23 provide representation, including curatorship appointments, to indigent or absent
24 parents in child abuse and neglect cases as required by the provisions of the
25 Children's Code.

26 * * *

27 §186.2. Definitions

28 For the purposes of this Part, the following words shall have the following
29 meanings:

30 * * *

(4) "District public defender", "chief indigent defender", or "chief public defender" means an attorney ~~employed by or~~ under contract with the ~~board~~ office to supervise service providers and enforce standards and guidelines within a judicial district or multiple judicial districts.

* * *

(8) "Public defender" or "indigent defender" means an attorney employed by or under contract with the office; ~~of~~ the district public defender; or a nonprofit organization contracting with the office ~~or~~ of the district public defender to provide representation as required by the provisions of the Children's Code.

* * *

§186.3. Safe Return Representation Program; duties of the office; subject to appropriation

* * *

B. In the administration of the Safe Return Program, the office shall:

* * *

(10) ~~Employ and train~~ Train attorneys and other staff as may be necessary to carry out the functions of the program. All attorneys representing indigent children through this program shall be licensed to practice law in Louisiana and qualified in accordance with the standards and guidelines adopted by rule of the board.

* * *

Section 2. R.S. 33:447.11.1 is hereby enacted to read as follows:

§447.11.1. Mayor's court; certain municipalities; additional court costs

A. Notwithstanding any other provision of law to the contrary, the mayors of the municipalities of DeQuincy, Iowa, Vinton, and Westlake may impose additional court costs not to exceed twenty dollars for each offense, as defined by ordinance, on any defendant convicted of a violation of a municipal ordinance or traffic violation, provided that fifty percent of any additional court cost collected pursuant to this Section shall be remitted to the Fourteenth Judicial District's Indigent Defender Fund.

B. Notwithstanding any provision of law to the contrary, the additional

1 costs levied pursuant to R.S. 40:2264 and 2266.1 in excess of ten dollars per
 2 offense shall be optional in any mayor's court that actually levies the additional
 3 costs authorized pursuant to Subsection A of this Section.

4 Section 3. R.S. 33:447.11 is hereby repealed in its entirety.

5 Section 4. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 544

2024 Regular Session

HOUSE BILL NO. 145

BY REPRESENTATIVE BAGLEY

1 AN ACT

2 To enact R.S. 16:205 and 266, relative to the parishes of Sabine and Winn; to provide with
3 respect to the district attorney's office; to require relative to group health insurance
4 coverage for eligible retired employees; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 16:205 and 266 are hereby enacted to read as follows:

7 §205. Group health insurance; parish of Winn; office of the district attorney; eligible
8 retired employees

9 A. If a group health insurer offers a retired employee a health insurance plan,
10 the district attorney's office of the Eighth Judicial District shall pay the retired
11 employee's premium, upon retirement age, per the Parochial Employees' Retirement
12 System of Louisiana. Otherwise, the district attorney's office shall pay up to one
13 hundred percent of the retired employee's health insurance premium comparable to
14 the premium of an active employee's plan of choice.

15 B. When the retired employee reaches the age or condition for Medicare
16 eligibility, the retired employee shall secure Medicare and pursue a supplemental
17 plan. The district attorney's office shall continue to pay the retired employee's
18 current health insurance premium or the premium for the supplemental plan that is
19 comparable to the present insurance coverage.

20 C. For purposes of this Section, a retired employee shall have twenty-five
21 years of employment with the district attorney's office at the time of retirement.

22 * * *

1 §266. Group health insurance; parish of Sabine; office of the district attorney;
2 eligible retired employees

3 A. If a group health insurer offers a retired employee a health insurance plan,
4 the district attorney's office of the Eleventh Judicial District shall pay the retired
5 employee's premium, upon retirement age, per the Parochial Employees' Retirement
6 System of Louisiana. Otherwise, the district attorney's office shall pay up to one
7 hundred percent of the retired employee's health insurance premium comparable to
8 the premium of an active employee's plan of choice.

9 B. When the retired employee reaches the age or condition for Medicare
10 eligibility, the retired employee shall secure Medicare and pursue a supplemental
11 plan. The district attorney's office shall continue to pay the retired employee's
12 current health insurance premium or the premium for the supplemental plan that is
13 comparable to the present insurance coverage.

14 C. For purposes of this Section, a retired employee shall have twenty-five
15 consecutive years of employment with the district attorney's office at the time of
16 retirement.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

HOUSE BILL NO. 328

BY REPRESENTATIVE MCFARLAND

ACT No. 555

1 AN ACT

2 To amend and reenact R.S. 16:11(A)(2), relative to the annual salary of assistant district
3 attorneys payable by the state; to provide relative to reallocation by all judicial
4 districts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 16:11(A)(2) is hereby amended and reenacted to read as follows:

7 §11. Annual salary of assistant district attorneys payable by state

8 A.

9 * * *

10 (2) ~~Notwithstanding the provisions of R.S. 16:51(A)(19), (23), (32), and (38)~~
11 ~~to the contrary, the district attorney~~ District attorneys ~~for the parish of Orleans and~~
12 ~~the Nineteenth, Twenty-Third, and the Thirty-Second Judicial Districts~~ all judicial
13 districts may reallocate by combining or dividing the total amount fixed in Paragraph
14 (1) of this Subsection to pay the salaries of any of his other assistant district attorneys
15 in any lawful manner he deems appropriate. ~~The district attorney~~ All district
16 attorneys shall certify to the state treasurer the amount of the annual salary payable
17 upon warrant for each of his assistant district attorneys provided ~~for in R.S.~~
18 ~~16:51(A)(19), (23), (32), and (38).~~ by R.S. 16:51.

19 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

HOUSE BILL NO. 552

BY REPRESENTATIVE BRAUD

ACT No. 706

1 AN ACT

2 To enact R.S. 13:501(B)(4), relative to district courts; to provide relative to the Twenty-Fifth
3 Judicial District; to authorize the Twenty-Fifth Judicial District Court to hear civil
4 and criminal matters under the jurisdiction of the court in Plaquemines Parish west
5 of the Mississippi River; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:501(B)(4) is hereby enacted to read as follows:

8 §501. Continuous sessions in districts of one parish

9 * * *

10 B.

11 * * *

12 (4) In the interest of judicial efficiency and to promote access to affordable
13 legal representation, in the Twenty-Fifth Judicial District, the court may hold civil
14 and criminal sessions on non-jury matters and summary proceedings at a designated
15 location in Plaquemines Parish west of the Mississippi River.

16 Section 2. The provisions of Subsection (B)(4) of this Section shall not be construed
17 as legislative approval of the removal or relocation in any manner of the Plaquemines Parish
18 courthouse.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 697

HOUSE BILL NO. 439

BY REPRESENTATIVES BACALA, BILLINGS, BOYD, BOYER, BROWN, WILFORD
CARTER, CHASSION, DEWITT, FREIBERG, GADBERRY, GREEN, TRAVIS
JOHNSON, JORDAN, KNOX, LAFLEUR, LYONS, MOORE, MYERS, NEWELL,
SELDERS, STAGNI, TAYLOR, THOMPSON, WALTERS, AND WILEY

1 AN ACT

2 To enact R.S. 13:782(A)(1)(e), relative to clerks of district courts; to provide for an increase
3 in annual compensation for clerks of district courts; to provide for effectiveness; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:782(A)(1)(e) is hereby enacted to read as follows:

7 §782. Compensation of clerks

8 A. (1)

9 * * *

10 (e) The annual compensation for each population class shall be increased by
11 five percent annually through Fiscal Year 2027-2028. The applicable compensation
12 for each fiscal year shall be used to calculate any compensation granted by
13 Subsection J of this Section for the fiscal year. The additional compensation
14 authorized pursuant to the provisions of this Paragraph shall become effective if the
15 clerk of a district court publishes notice of intent to increase his compensation on
16 two separate days in the official journal of the parish in which the clerk's office is
17 located. The last day of publication of the notice shall be at least thirty days prior to
18 the date that the clerk of the district court increases his compensation.

19 * * *

1 Section 2. This Act shall become effective on July 1, 2024; if vetoed by the governor
2 and subsequently approved by the legislature, this Act shall become effective on July 1,
3 2024, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 694

HOUSE BILL NO. 380

BY REPRESENTATIVES ZERINGUE, GREEN, JACKSON, NEWELL, AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 13:754(A) through (D) and (F) and 850(A), Code of Civil
3 Procedure Article 253, and Code of Criminal Procedure Article 14.1 and to enact
4 Code of Criminal Procedure Article 14.2, relative to electronic filings; to provide
5 relative to the membership and duties of the Louisiana Clerks' Remote Access
6 Authority; to provide relative to electronic filing standards and requirements; to
7 provide relative to facsimile transmissions; to provide for contingent effectiveness;
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:754(A) through (D) and (F) and 850(A) are hereby amended and
11 reenacted to read as follows:

12 §754. Louisiana Clerks' Remote Access Authority; membership; board of
13 commission; statewide portal

14 A. There is hereby created the Louisiana Clerks' Remote Access Authority
15 which shall be referred to as ~~the~~ "LCRAA".

16 B. ~~The~~ LCRAA shall provide for infrastructure, governance, standard
17 operating procedures, technology, maintenance, and training to support a statewide
18 portal with a universal interface for secure remote access by internet users to certain
19 records maintained by LCRAA members, ~~and~~ LCRAA shall provide assistance to
20 LCRAA members in procuring, implementing, enhancing, and maintaining
21 equipment, supplies, and services related to technology to facilitate electronic
22 transactions and communications and to disseminate information to the public, to
23 facilitate the operations of any member during any declared emergency, and to
24 provide for document preservation. Every district clerk of court shall facilitate

1 electronic filing, recording, and remote access through the LCRAA portal by January
2 1, 2026. LCRAA shall work with the district clerks of court to achieve the goal of
3 electronic filing, recording, and remote access through the universal interface on the
4 statewide portal maintained by LCRAA.

5 C.(1) ~~The LCRAA shall be composed of members who are district clerks of~~
6 ~~court to provide the LCRAA with secure remote access to indices of certain records~~
7 ~~maintained by each district clerk of court. LCRAA shall adopt rules permitting~~
8 ~~additional district clerks of court to enroll as members of LCRAA on a schedule~~
9 ~~which shall include at least one enrollment period per fiscal year. Every district~~
10 ~~clerk of court shall become a member of LCRAA by July 1, 2020. LCRAA shall~~
11 ~~provide the legislature, prior to the convening of the 2020 Regular Session, with a~~
12 ~~written progress report that includes a list of participating clerks of court by parish~~
13 ~~and a list of clerks of court by parish not yet participating, an overview of the~~
14 ~~information currently available through LCRAA, and information on the availability~~
15 ~~of online records of each clerk of court by parish.~~

16 ~~D.(1)~~ (2) The LCRAA shall be governed by a ~~seven-member~~ six-member
17 board of commissioners, referred to in this Section as the "board", and consists of the
18 following members:

19 (a) Five commissioners to be elected by the LCRAA from the LCRAA
20 membership.

21 (b) ~~One commissioner to be designated by the Louisiana Bankers~~
22 ~~Association (LBA).~~

23 (c) One commissioner to be designated by the Louisiana Land Title
24 Association (LLTA) or the Louisiana Association of Independent Land Title Agents
25 (LAILTA). The commissioners from each association shall serve for a one-year
26 term, alternating between the two associations. The designee of the LAILTA shall
27 serve as the initial commissioner with the term beginning July 1, 2014, and ending
28 June 30, 2015. The term for the designee of the LLTA shall begin on July 1, 2015,
29 and end on June 30, 2016.

1 ~~(2)~~ (3)(a) Board members elected by the LCRAA and elected by the LBA
2 shall serve two-year terms. The initial term shall begin on July 1, 2014, and shall
3 end on June 30, 2016.

4 (b) Board members shall be eligible for election to succeeding terms without
5 limit.

6 (c) Any expired term or vacancy on the board of LCRAA shall be filled in
7 the same manner as the original appointment.

8 ~~(3)~~ (4) The board shall elect from its members a chair, a vice chair, a
9 secretary, a treasurer, and such other officers as it may deem necessary. The duties
10 of the officers shall be fixed by the by-laws adopted by LCRAA.

11 ~~(4)~~ (5) The members of the board shall serve without compensation but shall
12 be reimbursed for their reasonable expenses directly related to the governance of
13 LCRAA.

14 ~~(5)~~ (6) The domicile of LCRAA shall be in East Baton Rouge Parish.

15 D. Every clerk of court shall provide the following information to LCRAA,
16 which shall be compiled by LCRRA and submitted to the legislature no later than
17 January 1, 2025:

18 (1) The case management system or docket system software and software
19 vendor used by each parish clerk of court.

20 (2) The number and percentage of remote electronic filings and physical
21 filings of pleadings converted to electronic image by each parish clerk of court.

22 (3) The capability of the case management system or docket system of each
23 parish clerk of court to accept electronic signatures by judges and the extent of the
24 use of electronic signature systems by judges of the court.

25 (4) The costs charged by each clerk of court to persons for electronic filing
26 of civil and criminal pleadings and the amounts charged to access, view, and
27 download images of pleadings via an electronic case management system or docket
28 system.

29 (5) The costs charged by each clerk of court for electronic recording of
30 documents effecting land titles.

1 (6) The cost charged by each clerk of court to access, view, or obtain copies
2 of electronic images or paper copies of electronic images of documents in the land
3 title database.

4 * * *

5 F.(1) Beginning September 1, 2014, members of LCRAA shall collect a fee
6 of five dollars per recording of which no more than three dollars shall be remitted to
7 the LCRAA and ~~two dollars~~ the remainder shall be retained by the member to fund
8 costs related to participation in the statewide portal, including but not limited to
9 acquiring hardware and software and providing document preservation. The fees
10 shall be remitted to LCRAA by the tenth day of the month following collection.
11 LCRAA shall use the fees received solely for the purposes set forth in this
12 ~~Subsection~~ Section.

13 (2) Any user fee received by LCRAA shall be used for administering and
14 maintaining the statewide portal and a ~~prorated~~ share, as determined by LCRAA,
15 may be paid to members ~~based upon the public access to the records provided by the~~
16 member.

17 ~~(3) If the statewide portal is not operational by August 31, 2017, the~~
18 ~~additional five dollar fee shall cease to be collected.~~

19 * * *

20 §850. Facsimile transmission; filings in civil actions; fees; equipment and supplies

21 A. ~~Any~~ Until January 1, 2026, any document in a civil action may be filed
22 with the clerk of court by facsimile transmission. All clerks of court shall make
23 available for their use equipment to accommodate facsimile filing in civil actions,
24 and the clerks of court shall not intentionally turn off or disconnect the equipment
25 used to receive facsimile filings. Filing shall be deemed complete on the date and
26 time indicated on the clerk of court facsimile transmission receipt. No later than on
27 the first business day after receiving a facsimile filing, the clerk of court shall
28 transmit to the filing party via facsimile a confirmation of receipt and include a
29 statement of the fees for the facsimile filing and filing of the original document. The
30 facsimile filing fee and transmission fee are incurred upon receipt of the facsimile

1 filing by the clerk of court and payable as provided in Subsection B of this Section.

2 The facsimile filing shall have the same force and effect as filing the original
3 document, if the filing party complies with Subsection B of this Section.

4 * * *

5 Section 2. Code of Civil Procedure Article 253(B) and (D) are hereby amended and
6 reenacted and Code of Civil Procedure Article 253(I) is hereby enacted to read as follows:

7 Art. 253. Pleadings, documents, and exhibits to be filed with clerk

8 * * *

9 ~~B. The filings as provided in Paragraph A of this Article and all other~~
10 ~~provisions of this Chapter may be transmitted electronically in accordance with a~~
11 ~~system established by a clerk of court or by Louisiana Clerks' Remote Access~~
12 ~~Authority.~~ B. On and after January 1, 2026, all filings as provided in Paragraph A
13 of this Article and all other provisions of this Chapter filed by an attorney shall be
14 transmitted electronically through the system selected by the filing attorney. The
15 filing shall be made in accordance with the system established by a clerk of court or
16 by Louisiana Clerks' Remote Access Authority. The filer shall be responsible for
17 ensuring private information is not included in filings. No filing shall include the
18 first five digits of any social security number, tax identification numbers, state
19 identification numbers, driver's license numbers, financial account numbers, full
20 dates of birth, or any information protected from disclosure by state or federal law.

21 When such a system is established, the clerk of court shall adopt and implement
22 procedures for the electronic filing and storage of any pleading, document, or
23 exhibit, and the official record shall be the electronic record. A pleading or
24 document filed electronically is deemed filed on the date and time stated on the
25 confirmation of electronic filing sent from the system, if the clerk of court accepts
26 the electronic filing. Public access to electronically filed pleadings and documents
27 shall be in accordance with the rules governing access to paper filings. The clerk of
28 court may convert into an electronic record any pleading, document, or exhibit as set

1 forth in R.S. 44:116. ~~The originals of conveyances shall be preserved by the clerk~~
2 ~~of court.~~

3 * * *

4 D. ~~Any~~ Until January 1, 2026, any pleading or document in a traffic or
5 criminal action may be filed with the court by facsimile transmission in compliance
6 with the provision of the Code of Criminal Procedure Article 14.1.

7 * * *

8 I. Upon adoption of uniform filing standards by the LCRAA, no clerk of
9 court shall accept a filing not in accordance with said standards.

10 * * *

11 Section 3. Code of Criminal Procedure Article 14.1(A) and (F) are hereby amended
12 and reenacted and Code of Criminal Procedure Article 14.1(G) is hereby enacted to read as
13 follows:

14 Art. 14.1. Filing of pleadings and documents by facsimile or electronic transmission

15 A. ~~Any~~ Until January 1, 2026, any document in a traffic or criminal action
16 may be filed with the clerk of court by facsimile transmission if permitted by the
17 policy of the clerk of court. Filing shall be deemed complete at the time the
18 facsimile transmission is received by the clerk of court. No later than on the first
19 business day after receiving a facsimile filing, the clerk of court shall transmit to the
20 filing party via facsimile a confirmation of receipt and include a statement of the fees
21 for the facsimile filing and filing of the original document. The facsimile filing fee
22 and transmission fee are incurred upon receipt of the facsimile filing by the clerk of
23 court and payable as provided in Paragraph B of this Article. The facsimile filing
24 shall have the same force and effect as filing the original document, if the party
25 complies with Paragraph B of this Article.

26 * * *

27 F. Upon adoption of uniform filing standards by the LCRAA, no clerk of
28 court shall accept a filing not in accordance with the standards adopted by the
29 LCRAA.

1 ~~F. The~~ G. Beginning January 1, 2026, all filings as provided in this Article
2 and all other provisions of this Code ~~may~~ filed by an attorney shall be transmitted
3 electronically through the system selected by the filing attorney. The filing shall be
4 made in accordance with ~~a~~ the system established by a clerk of court or by the
5 Louisiana Clerks' Remote Access Authority. The filer shall be responsible for
6 ensuring private information is not included in filings. No filing shall include the
7 first five digits of any social security number, tax identification numbers, state
8 identification numbers, driver's license numbers, financial account numbers, full
9 dates of birth, or any information protected from disclosure by state or federal law.

10 When such a system is established, the clerk of court shall adopt and implement
11 procedures for the electronic filing and storage of any pleading, document, or
12 exhibit. Furthermore, in a parish that accepts electronic filings covered under this
13 Paragraph, the official record shall be the electronic record. A pleading or document
14 filed electronically is deemed filed on the date and time stated on the confirmation
15 of electronic filing sent from the system, if the clerk of court accepts the electronic
16 filing. Public access to electronically filed pleadings and documents shall be in
17 accordance with the rules governing access to written filings.

18 Section 4. Code of Civil Procedure Article 253 is hereby amended and reenacted to
19 read as follows:

20 Art. 253. Pleadings, documents, and exhibits to be filed with clerk

21 A. All pleadings or documents to be filed in an action or proceeding
22 instituted or pending in a court, and all exhibits introduced in evidence, shall be
23 delivered or transmitted to the clerk of the court for ~~such~~ that purpose. The clerk of
24 court shall endorse thereon the fact and date of filing; and shall retain possession
25 thereof for inclusion in the record, or in the files of ~~his~~ the clerk's office, as required
26 by law. The endorsement of the fact and date of filing shall be made upon receipt of
27 the pleadings or documents by the clerk of court and shall be made without regard
28 to whether there are orders in connection therewith to be signed by the court.

29 B.(1) The filings as provided in Paragraph A of this Article and all other
30 provisions of this Chapter may be transmitted electronically in accordance with a

1 system established by a the clerk of court, ~~or by Louisiana Clerks' Remote Access~~
2 ~~Authority. When such a system is established, the~~ The clerk of court shall adopt and
3 ~~implement procedures~~ a system for the electronic filing and storage of any pleading,
4 document, or exhibit, ~~and the official record shall be the electronic record~~ filed with
5 a pleading. A pleading or document filed electronically is deemed filed on the date
6 and time stated on the confirmation of electronic filing sent from the system, if the
7 clerk of court accepts the electronic filing. Public access to electronically filed
8 pleadings and documents shall be in accordance with the rules governing access to
9 paper filings. ~~The clerk of court may convert into an electronic record any pleading,~~
10 ~~document, or exhibit as set forth in R.S. 44:116. The originals of conveyances shall~~
11 ~~be preserved by the clerk of court.~~

12 (2) On and after January 1, 2026, all filings as provided in Paragraph A of
13 this Article and all other provisions of this Chapter filed by an attorney shall be
14 transmitted electronically in accordance with a system established by a clerk of court
15 or by Louisiana Clerks' Remote Access Authority. The filer shall be responsible for
16 ensuring private information is not included in filings. No filing shall include the
17 first five digits of any social security number, tax identification numbers, state
18 identification numbers, driver's license numbers, financial account numbers, full
19 dates of birth, or any information protected from disclosure by state or federal law.
20 The clerk of court shall adopt a system for the electronic filing and storage of any
21 pleading, document, or exhibit filed with a pleading. A pleading or document filed
22 electronically is deemed filed on the date and time stated on the confirmation of
23 electronic filing sent from the system, if the clerk of court accepts the electronic
24 filing. Public access to electronically filed pleadings and documents shall be in
25 accordance with the rules governing access to paper filings.

26 C. The clerk of court may convert into an electronic record any pleading,
27 document, or exhibit that is filed in paper form. If requested by the filing party, the
28 clerk of court shall return to the filing party the original of any document or exhibit
29 that has been converted into an electronic record.

1 D. The official record shall be the electronic record. The original of any filed
2 document or exhibit shall be maintained by the filing party during the pendency of
3 the proceeding and until the judgment becomes final and definitive, unless otherwise
4 provided by law or order of the court. Upon request and reasonable notice, the
5 original document or exhibit shall be produced to the court. Upon reasonable notice,
6 the original document or exhibit shall be made available to the opposing party for
7 inspection.

8 E. Unless otherwise directed by the court, the original of all documents and
9 exhibits introduced or proffered into evidence, submitted with a petition for
10 executory process, or filed in a summary judgment proceeding shall be retained by
11 the clerk of court until the order or judgment becomes final and definitive.

12 Ɛ. F. A judge or justice presiding over a court in this state may sign a court
13 order, notice, official court document, and other writings required to be executed in
14 connection with court proceedings by use of an electronic signature as defined by
15 R.S. 9:2602.

16 ~~D. Any pleading or document in a traffic or criminal action may be filed with~~
17 ~~the court by facsimile transmission in compliance with the provision of the Code of~~
18 ~~Criminal Procedure Article 14.1.~~

19 ~~E. The clerk shall not refuse to accept for filing any pleading or other~~
20 ~~document signed by electronic signature, as defined by R.S. 9:2602, and executed~~
21 ~~in connection with court proceedings, or which complies with the procedures for~~
22 ~~electronic filing implemented pursuant to this Article, if any applicable fees for filing~~
23 ~~and transmission are paid, solely on the ground that it was signed by electronic~~
24 ~~signature.~~

25 F. G. If the filing party fails to comply with any requirement of the
26 requirements of Paragraph (A) or (B)(1) of this Article, the electronic filing shall
27 have no force or effect. ~~The district courts~~ A court may provide by court rule for
28 other matters related to filings by electronic transmission.

29 ~~Ɛ. H.~~ H. The clerk of court may procure equipment, services, and supplies
30 necessary to accommodate electronic filings out of the clerk's salary fund.

1 H. I. All electronic filings shall include an electronic signature. For the
2 purpose of this Article, "electronic signature" means an electronic symbol or process
3 attached to or logically associated with a record and executed or adopted by a person
4 with the intent to sign the record.

5 J. The clerk of court shall not refuse to accept for filing any pleading or other
6 document that is signed by electronic signature and executed in connection with
7 court proceedings, or that complies with the procedures for electronic filing
8 implemented pursuant to this Article, solely on the ground that the pleading or
9 document was signed by electronic signature.

10 K. Upon adoption of uniform filing standards by the LCRAA, no clerk of
11 court shall accept a filing not in accordance with the adopted standards.

12 Section 5. Code of Criminal Procedure Article 14.1 is hereby amended and reenacted
13 and Code of Criminal Procedure Article 14.2 is hereby enacted to read as follows:

14 ~~Art. 14.1. Filing of pleadings and documents by facsimile or electronic transmission~~

15 Electronic filings

16 A. Until January 1, 2026, any document in a traffic or criminal action may
17 be transmitted electronically in accordance with a system established by the clerk of
18 court. The clerk of court shall adopt a system for the electronic filing and storage of
19 any pleading, document, or exhibit other than those documents or exhibits introduced
20 and filed at a hearing or trial. Furthermore, in a court that accepts electronic filings
21 in accordance with this Paragraph, the official record shall be the electronic record.
22 A pleading or document filed electronically is deemed filed on the date and time
23 stated on the confirmation of electronic filing sent from the system, if the clerk of
24 court accepts the electronic filing. Public access to electronically filed pleadings and
25 documents shall be in accordance with the rules governing access to written filings.

26 B. Beginning January 1, 2026, all filings as provided in this Article and all
27 other provisions of this Code filed by an attorney shall be transmitted electronically
28 in accordance with a system established by a clerk of court or by the Louisiana
29 Clerks' Remote Access Authority. The filer shall be responsible for ensuring private
30 information is not included in filings. No filing shall include the first five digits of

1 any social security number, tax identification numbers, state identification numbers,
2 driver's license numbers, financial account numbers, full dates of birth, or any
3 information protected from disclosure by state or federal law. The clerk of court shall
4 adopt a system for the electronic filing and storage of any pleading, document, or
5 exhibit other than those documents or exhibits introduced and filed at a hearing or
6 trial. Furthermore, in a court that accepts electronic filings in accordance with this
7 Paragraph, the official record shall be the electronic record. A pleading or document
8 filed electronically is deemed filed on the date and time stated on the confirmation
9 of electronic filing sent from the system, if the clerk of court accepts the electronic
10 filing. Public access to electronically filed pleadings and documents shall be in
11 accordance with the rules governing access to written filings.

12 C. Upon adoption of uniform filing standards by the LCRAA, no clerk of
13 court shall accept a filing not in accordance with the adopted standards.

14 Art. 14.2. Facsimile filings

15 A. ~~Any~~ Until January 1, 2026, any document in a traffic or criminal action
16 may be filed with the clerk of court by facsimile transmission ~~if permitted by~~
17 pursuant to the policy of the clerk of court. Filing shall be deemed complete at the
18 time the facsimile transmission is received by the clerk of court. No later than on the
19 first business day after receiving a facsimile filing, the clerk of court shall transmit
20 to the filing party via facsimile a confirmation of receipt and include a statement of
21 the fees for the facsimile filing and filing of the original document. The facsimile
22 filing fee and transmission fee are incurred upon receipt of the facsimile filing by the
23 clerk of court and payable as provided in Paragraph B of this Article. The facsimile
24 filing shall have the same force and effect as filing the original document, if the party
25 complies with Paragraph B of this Article.

26 B. Within seven days, exclusive of legal holidays, after the clerk of court
27 receives the facsimile filing, all of the following shall be delivered to the clerk of
28 court:

29 (1) The original document identical to the facsimile filing in number of
30 pages and in content of each page, including any attachments, exhibits, and orders.

1 A document that is not identical to the facsimile filing or ~~which~~ that includes pages
2 not included in the facsimile filing shall not be considered the original document.

3 (2) The fees for the facsimile filing and filing of the original document stated
4 on the confirmation of receipt, if any.

5 (3) A transmission fee of five dollars, if the defendant ~~had~~ has not been
6 declared indigent by the court.

7 C. If the filing party fails to comply with any of the requirements of
8 Paragraph B of this Article, the facsimile filing shall have no force or effect.

9 D. ~~Any~~ A court ~~district~~ may provide by court rule for any additional
10 requirement or provisions for filings by facsimile transmission.

11 E. In keeping with the clerk's policy, each clerk of court shall make available
12 the necessary equipment and supplies to accommodate facsimile filing in criminal
13 actions. Purchases for equipment and supplies necessary to accommodate facsimile
14 filings may be funded from any expense fund of the office of the clerk of court as the
15 clerks deem appropriate.

16 F. Upon adoption of uniform filing standards by the LCRAA, no clerk of
17 court shall accept a filing not in accordance with the adopted standards.

18 ~~F. The filings as provided in this Article and all other provisions of this Code~~
19 ~~may be transmitted electronically in accordance with a system established by a clerk~~
20 ~~of court or by the Louisiana Clerks' Remote Access Authority. When such a system~~
21 ~~is established, the clerk of court shall adopt and implement procedures for the~~
22 ~~electronic filing and storage of any pleading, document, or exhibit. Furthermore, in~~
23 ~~a parish that accepts electronic filings covered under this Paragraph, the official~~
24 ~~record shall be the electronic record. A pleading or document filed electronically is~~
25 ~~deemed filed on the date and time stated on the confirmation of electronic filing sent~~
26 ~~from the system, if the clerk of court accepts the electronic filing. Public access to~~
27 ~~electronically filed pleadings and documents shall be in accordance with the rules~~
28 ~~governing access to written filings.~~

29 Section 6.(A) Sections 2 and 3 of this Act shall become effective only if Senate Bill
30 No. 75 of the 2024 Regular Session is not enacted and does not become law.

1 (B) Sections 4 and 5 of this Act shall become effective only if Senate Bill No. 75 of
2 the 2024 Regular Session is enacted and becomes law. If Senate Bill No. 75 of the 2024
3 Regular Session is enacted and becomes law, then the provisions of Sections 4 and 5 of this
4 Act supersede and control to the extent of any conflict between this Act and the Act that
5 originated as Senate Bill No. 75 of the 2024 Regular Session.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 572

2024 Regular Session

HOUSE BILL NO. 864

BY REPRESENTATIVE GREEN

1 AN ACT

2 To amend and reenact R.S. 13:5304(B)(3) through (11), (J)(1) and (3), and (K), to enact R.S.
3 13:5304(B)(12) and (13), and to repeal R.S. 13:5304(B)(10.1), relative to the drug
4 division probation program; to provide relative to conditions of drug division
5 probation; to provide relative to eligibility for a drug division program; to provide
6 relative to designated treatment professionals; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:5304(B)(3) through (11), (J)(1) and (3), and (K) are hereby
9 amended and reenacted and R.S. 13:5304(B)(12) and (13) are hereby enacted to read as
10 follows:

11 §5304. The drug division probation program

12 * * *

13 B. Participation in probation programs shall be subject to the following
14 provisions:

15 (1) The district attorney may propose to the court that an individual
16 defendant be screened for eligibility as a participant in the drug division probation
17 program if all of the following criteria are satisfied:

18 * * *

19 (3) ~~In offering a defendant the opportunity to request treatment, the court~~
20 ~~shall advise the defendant of the following:~~

1 ~~(a) If the defendant is accepted into the drug division probation program,~~
2 ~~then the defendant must waive the right to a trial. The defendant must enter a plea~~
3 ~~of guilty to the charge, with the stipulation that sentencing be deferred or that~~
4 ~~sentence be imposed, but suspended, and the defendant placed on supervised~~
5 ~~probation under the usual conditions of probation and under certain special~~
6 ~~conditions of probation related to the completion of such substance abuse treatment~~
7 ~~programs as are ordered by the court.~~

8 ~~(b) If the defendant requests to undergo treatment and is accepted, the~~
9 ~~defendant shall be placed under the supervision of the drug division probation~~
10 ~~program for a period determined by the court, except that the probation period for~~
11 ~~a defendant convicted of a violation of R.S. 14:98, 98.1, 98.2, or 98.3 shall not be~~
12 ~~less than twelve months.~~

13 ~~(c) During treatment the defendant may be confined in a treatment facility~~
14 ~~or, at the discretion of the court, the defendant may be released on a probationary~~
15 ~~basis for treatment or supervised aftercare in the community.~~

16 ~~(d) The court may impose any conditions reasonably related to the complete~~
17 ~~rehabilitation of the defendant.~~

18 ~~(e) The defendant shall be required to participate in an alcohol and drug~~
19 ~~testing program at his own expense, unless the court determines that he is indigent.~~

20 ~~(f) If the defendant completes the drug division probation program, and~~
21 ~~successfully completes all other requirements of his court-ordered probation, the~~
22 ~~conviction may be set aside and the prosecution dismissed in accordance with the~~
23 ~~provisions of Code of Criminal Procedure Articles 893 and 894. If the defendant~~
24 ~~was sentenced at the time of the entry of the plea of guilty, the successful completion~~
25 ~~of the drug division probation program and the other requirements of probation will~~
26 ~~result in his discharge from supervision. If the defendant does not successfully~~
27 ~~complete the drug division probation program, the judge may revoke the probation~~
28 ~~and impose sentence, or the judge may revoke the probation and order the defendant~~
29 ~~to serve the sentence previously imposed and suspended. The court shall inform the~~
30 ~~defendant that the drug division program or district attorney may request that the~~

1 defendant provide the following information to the court to determine eligibility and
2 suitability for program admission:

3 (a) Information regarding prior criminal charges.

4 (b) Education, work experience, and training.

5 (c) Family history, including residence in the community.

6 (d) Medical and mental history, including any psychiatric or psychological
7 treatment or counseling.

8 (e) Any other information reasonably related to the success of the treatment
9 program.

10 ~~(4) The defendant has the right to be represented by counsel at all stages of~~
11 ~~a criminal prosecution and in any court hearing relating to the drug division~~
12 ~~probation program. The defendant shall be represented by counsel during the~~
13 ~~negotiations to determine eligibility to participate in the drug division probation~~
14 ~~program and shall be represented by counsel at the time of the execution of the~~
15 ~~probation agreement, and at any hearing to revoke the defendant's probation and~~
16 ~~discharge him from the program, unless the court finds and the record shows that the~~
17 ~~defendant has knowingly and intelligently waived his right to counsel. The~~
18 defendant shall undergo a program screening by a staff member of the drug division
19 probation program that is knowledgeable in specialty court clinical suitability. The
20 clinical screening tool shall be validated, evidence based, and include risk and need
21 components. The findings of the screening shall be reported to the court, district
22 attorney, and the defendant's counsel.

23 ~~(5) The defendant must agree to the drug division probation program. If the~~
24 ~~defendant elects to undergo treatment and participate in the drug division probation~~
25 ~~program, the court shall order an examination of the defendant by one of the court's~~
26 ~~designated licensed treatment professionals. Treatment professionals shall possess~~
27 ~~sufficient experience in working with criminal justice clients with alcohol or drug~~
28 ~~abuse or addictions, or both, and shall be certified and approved by the state of~~
29 ~~Louisiana. The designated treatment professionals shall utilize standardized testing~~
30 ~~and evaluation procedures to determine whether or not the defendant is an~~

1 ~~appropriate candidate for a treatment program and shall report such findings to the~~
2 ~~court and the district attorney.~~ The defendant shall meet the suitability requirements
3 as defined by best practice standards developed for the drug division probation
4 program and adopted by the Louisiana Supreme Court.

5 (6) ~~The designated treatment professionals shall examine the defendant,~~
6 ~~using standardized testing and evaluation procedures, and shall report to the court~~
7 ~~and the district attorney the results of the examination and evaluation along with its~~
8 ~~recommendation as to whether or not the individual is a suitable candidate for the~~
9 ~~drug division probation program. Only those defendants who suffer from alcoholism~~
10 ~~or a drug abuse or addiction, or both, or who are in danger of becoming dependent~~
11 ~~on alcohol or drugs and who are likely to be rehabilitated through treatment shall be~~
12 ~~considered for treatment.~~ Upon a determination that the defendant meets the
13 eligibility and suitability criteria, the court may offer a defendant the opportunity to
14 participate in the program and undergo treatment. The court shall advise and the
15 defendant shall be subject to the following:

16 (a) If the defendant is accepted into the drug division probation program,
17 then the defendant shall waive the right to a trial. The defendant shall enter a plea
18 of guilty to the charge, with the stipulation that sentencing be deferred or that
19 sentence be imposed, but suspended, and the defendant be placed on supervised
20 probation under the usual conditions of probation and under certain special
21 conditions of probation related to the completion of such substance abuse treatment
22 programs as are ordered by the court.

23 (b) Upon acceptance of the guilty plea, the defendant's case shall be
24 transferred to the drug court division, where the defendant shall be under the
25 supervision of the drug division probation program for a period of not less than
26 twelve months.

27 (c) During drug division probation program supervision, the defendant may
28 be required to receive long-term residential treatment, in-patient treatment, or
29 community-based out-patient treatment based on a clinical assessment
30 recommendation and approval by the drug division probation program judge.

1 (d) The court may impose any conditions reasonably related to the complete
2 rehabilitation of the defendant.

3 (e) The defendant shall be required to participate in an alcohol and drug
4 testing program at his own expense, unless the court determines that he is indigent.

5 (f) If the defendant successfully completes all requirements of the drug
6 division probation program and all other requirements of his court-ordered probation,
7 the judge may, on motion of the district attorney or the defendant, order the setting
8 aside of the conviction and dismissal of prosecution within the provisions of Code
9 of Criminal Procedure Articles 893 or 894.

10 (g) If the defendant does not successfully complete the drug division
11 probation program, the judge may revoke the probation and impose sentence, or the
12 judge may revoke the probation and order the defendant to serve the sentence
13 previously imposed and suspended.

14 ~~(7) The court shall inform the defendant that the treatment program examiner~~
15 ~~or district attorney may request that the defendant provide the following information~~
16 ~~to the court:~~

17 ~~(a) Information regarding prior criminal charges.~~

18 ~~(b) Education, work experience, and training.~~

19 ~~(c) Family history, including residence in the community.~~

20 ~~(d) Medical and mental history, including any psychiatric or psychological~~
21 ~~treatment or counseling.~~

22 ~~(e) Any other information reasonably related to the success of the treatment~~
23 ~~program.~~ The defendant has the right to be represented by counsel at all stages of
24 a criminal prosecution and in any court hearing relating to the drug division
25 probation program. The defendant shall be represented by counsel during the
26 determination of eligibility and suitability to participate in the drug division
27 probation program at the time of the execution of the sentencing agreement and at
28 any subsequent probation revocation hearing to discharge him, unless the court finds
29 and the record shows that the defendant has knowingly and intelligently waived his
30 right to counsel.

1 (8) The designated program shall recommend to the court a ~~preliminary~~
2 ~~length of stay and~~ level of care for the defendant.

3 (9) The defendant shall agree to participation in the drug division probation
4 program.

5 ~~(9)~~ (10) Besides the ~~report~~ eligibility and suitability reports submitted by the
6 examiner, the judge and district attorney shall consider the following factors in
7 determining whether drug court probation would be in the interests of justice and of
8 benefit to the defendant and the community:

9 (a) The nature of the crime charged and the circumstances surrounding the
10 crime.

11 (b) Any special characteristics or circumstances of the defendant.

12 (c) Whether the defendant is a first-time offender of an alcohol- or drug-
13 related offense, and, if the defendant has previously participated in this or a similar
14 program, the degree of success attained.

15 (d) Whether there is a probability that the defendant will cooperate with and
16 benefit from probation and treatment through the drug division probation program.

17 (e) Whether the available drug division probation program is appropriate to
18 meet the needs of the defendant.

19 (f) The impact of the defendant's probation and treatment upon the
20 community.

21 (g) Recommendations, if any, of the involved law enforcement agency.

22 (h) Recommendations, if any, of the victim.

23 (i) Provisions for and the likelihood of obtaining restitution from the
24 defendant over the course of his probation.

25 (j) Any mitigating circumstances.

26 (k) Any other circumstances reasonably related to the individual defendant's
27 case.

28 ~~(10)~~ (11) In order to be eligible for the drug division probation program, the
29 defendant ~~must~~ shall satisfy each of the following criteria:

1 (a) The defendant cannot have any prior felony conviction for any offense
2 defined as a homicide in R.S. 14:29.

3 (b) The crime before the court cannot be a crime of violence as defined in
4 R.S. 14:2(B), except a first conviction of an offense with a maximum prison sentence
5 of ten years or less that was not committed against a family member or household
6 member as defined by R.S. 14:35.3, or against a dating partner as defined by R.S.
7 46:2151, or an offense of domestic abuse battery that is punishable by imprisonment
8 at hard labor as provided in R.S. 14:35.3.

9 (c) Other criminal proceedings alleging commission of a crime of violence
10 as defined in R.S. 14:2(B) cannot be pending against the defendant.

11 (d) The crime before the court cannot be a charge of driving under the
12 influence of alcohol or any other drug or drugs that resulted in the death of a person.

13 ~~(10.1)~~ (12) A defendant previously convicted or adjudicated a delinquent for
14 the offense of simple battery shall not be deemed ineligible for the drug division
15 probation program on the sole basis of such status.

16 ~~(11)~~ (13)(a) The judge shall make the final determination of eligibility. If,
17 based on the examiner's report and the recommendations of the district attorney and
18 the defense counsel, the judge determines that the defendant should be enrolled in
19 the drug division probation program, the court shall accept the defendant's guilty plea
20 and suspend or defer the imposition of sentence and place the defendant on probation
21 under the terms and conditions of the drug division probation program. The court
22 also may impose sentence and suspend the execution thereof, placing the defendant
23 on probation under the terms and conditions of the drug division probation program.

24 ~~(b) If the judge determines that the defendant is not qualified for enrollment,~~
25 ~~the judge shall state for the record the reasons for that determination.~~

26 ~~(c) A treatment professional may petition the court to reject a referral~~
27 ~~through the drug division probation program if the treatment professional deems the~~
28 ~~defendant to be inappropriate for admission to the treatment program. Additionally,~~
29 ~~a treatment professional may petition the court for immediate discharge of any~~

individual who fails to comply with treatment program rules and treatment expectations or who refuses to constructively engage in the treatment process.

(b) If it is determined after screening that the defendant is not qualified for enrollment in the drug division probation program, reasons for that determination shall be provided to the defendant and made part of the record in his case.

(c) The office of probation and parole or the district attorney may petition the court for immediate discharge of any individual who fails to comply with treatment program rules and treatment expectations or who refuses to constructively engage in the treatment process.

* * *

J. Each judicial district that establishes a drug division shall adopt written policies and guidelines for the implementation of a probation program in accordance with this Chapter. The policies and guidelines shall include provisions concerning the following:

(1) How to ~~examine~~ screen the defendant initially to determine if he or she is ~~qualified~~ suitable for enrollment.

* * *

(3) What ~~licensed treatment professionals~~ drug division probation program staff are certified by the court.

~~K. Each drug division shall develop a method of evaluation so that its effectiveness can be measured. These evaluations shall be compiled annually and transmitted to the judicial administrator of the Supreme Court of Louisiana and shall include information on recidivism reduction on the participants in the program.~~

K. Each drug division shall implement process and outcome measures promulgated by the Louisiana Supreme Court Drug and Specialty Court Office for assessing program effectiveness. Reports of progress and outcome measures shall be transmitted annually to the judicial administrator of the Supreme Court of Louisiana.

* * *

1 Section 2. R.S. 13:5304(B)(10.1) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 545

2024 Regular Session

HOUSE BILL NO. 147

BY REPRESENTATIVE GLORIOSO

AN ACT

To enact R.S. 13:2575.2.1, relative to the city of Slidell; to provide relative to administrative adjudication of certain ordinance violations and judicial review of administrative hearings; to provide for definitions; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2575.2.1 is hereby enacted to read as follows:

§2575.2.1. City of Slidell; additional administrative adjudication procedures; judicial review procedures

A.(1) In the city of Slidell, the term "housing violation" as used in this Section also encompasses building codes, zoning, vegetation, and nuisance ordinances.

(2) In the city of Slidell, the procedures for administrative adjudication provided in this Section may also be utilized in matters involving licensing and permits and any other ordinance violations that may be determined by the municipal governing authority.

1 B.(1) Any person aggrieved by a decision of the hearing officer of the city
2 of Slidell may present a petition to the district court of the parish along with payment
3 of reasonable costs as required by the clerk. Such petition shall be duly verified, set
4 forth that the decision is illegal, in whole or in part, and specify the grounds of the
5 illegality. The petition shall be presented to the court within thirty days after the
6 filing of the decision of the hearing officer.

7 (2) Upon the presentation of the petition, the court may allow a writ of
8 certiorari directed to the hearing officer to review the decision of the hearing officer,
9 and there shall be prescribed therein the period of time within which a return may be
10 made and served upon the relator's attorney. Such period shall be not less than ten
11 days but may be extended by the court. The allowance of the writ shall not stay the
12 proceedings upon the decision or any enforcement thereof unless the person who
13 files the appeal for writ of certiorari furnishes security, prior to filing notice of
14 appeal, with the agency of the city designated by ordinance to accept such payments
15 in the amount fixed by the hearing officer sufficient to assure satisfaction of the
16 finding of the hearing officer relative to the fine, fee, penalty, costs of the hearing,
17 and costs, if any, of correcting the violation.

18 (3) The hearing officer of the city of Slidell shall not be required to return
19 the original papers acted upon by the hearing officer but may return certified or
20 sworn copies thereof or such portions thereof as called for by the writ. The return
21 shall concisely set forth such other facts as may be pertinent and material to show the
22 grounds of the decision appealed from and shall be verified.

23 (4) If, upon the hearing, it appears to the court that testimony is necessary
24 for the proper disposition of the matter, the court may take additional evidence or
25 appoint a referee to take such evidence. The referee shall report to the court with his
26 findings of fact and conclusions of law, and his report constitutes a part of the
27 proceedings upon which the determination of the court shall be made.

28 (5) The court may reverse or affirm, wholly or in part, or may modify the
29 decision brought up for review. All issues in any proceedings under this Section
30 shall have preference over all other civil actions and proceedings. The appellant and

1 the city of Slidell shall be parties in such civil action and proceeding; the hearing
2 officer of the city of Slidell shall not be a party to such civil action and proceeding.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 452

BY SENATORS MCMATH, MIZELL, OWEN AND WHEAT AND REPRESENTATIVE
CARVER

1 AN ACT

2 To enact Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 13:5771 through 5773, and to repeal R.S. 13:5726, relative to the
4 coroner of St. Tammany Parish; to provide for qualifications for the St. Tammany
5 Parish coroner; to provide for duties of the St. Tammany Parish coroner; to provide
6 for oversight by the St. Tammany Parish Council; to provide for the collection and
7 distribution of funds designated for the St. Tammany Parish coroner's office; to
8 provide for an effective date; and to provide for related matters.

9 Notice of intention to introduce this Act has been published.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of
12 1950, comprised of R.S. 13:5771 through 5773, is hereby enacted to read as follows:

13 **PART VI. ST. TAMMANY PARISH**

14 **§5771. St. Tammany Parish coroner; qualifications**

15 **A. In addition to the qualifications provided for in R.S. 13:5704, in St.**
16 **Tammany Parish, a person shall satisfy all of the following in order to serve as**
17 **coroner:**

18 **(1) Be a citizen of the United States.**

19 **(2) Be at least twenty-one years of age.**

20 **(3) Be of good moral and ethical character and temperate habits.**

21 **(4) Not be declared by any court of competent jurisdiction incompetent**
22 **by reason of mental defect or disease which has not been restored.**

23 **(5) Not have been convicted in any jurisdiction of any aggravated offense**
24 **as defined in R.S. 15:541, criminal offense against a victim who is a minor as**
25 **defined in R.S. 15:541, sex offense as defined in R.S. 15:541, or sexual offense**
26 **against a victim who is a minor as defined in R.S. 15:541.**

1 B. Prior to qualifying for an election for coroner in St. Tammany Parish,
2 a person shall certify, under oath, that he satisfies the criteria set forth in
3 Subsection A of this Section and shall submit the results of a criminal history
4 record information obtained from the Louisiana Bureau of Criminal
5 Identification and Information of the office of state police within the
6 Department of Public Safety and Corrections. The attestation and criminal
7 history record information shall be presented to the St. Tammany Parish Clerk
8 of Court to verify eligibility to be a candidate for coroner.

9 §5772. St. Tammany Parish coroner; duties; accountability

10 A. In addition to the duties provided for in R.S. 13:5713, the coroner in
11 St. Tammany Parish shall maintain records to account for his time, work
12 product, and expenditures and submit the data to the parish council in a
13 manner and frequency prescribed by the council.

14 B. If the council finds that, after being elected, it is determined that the
15 coroner is not in compliance with the qualifications set forth in R.S. 13:5771, the
16 council may take any action allowable by law to remove the coroner, including
17 but not limited to an action for malfeasance in office. Nothing in this Subsection
18 shall be construed to prohibit a recall election pursuant to R.S. 18:1300.1 et seq.

19 §5773. St. Tammany Parish; coroner; ad valorem tax; compensation of coroner
20 and employees

21 A.(1) The sheriff of St. Tammany Parish shall collect and transfer to the
22 governing authority of St. Tammany Parish all tax revenues from the ad
23 valorem tax levied by St. Tammany Parish for coroner purposes and approved
24 by a majority of the electors of the parish at an election held for that purpose
25 on November 2, 2004, including any extensions or renewals.

26 (2) The St. Tammany Parish coroner's office shall transfer all funds on
27 hand received from the ad valorem tax to the governing authority of St.
28 Tammany Parish, less and except amounts needed for operation for the
29 remainder of calendar year 2024, with the amount being determined by the St.
30 Tammany Parish Department of Finance.

1 B. The revenues transferred to the governing authority pursuant to
2 Subsection A of this Section shall be deposited into a special account and
3 expended solely for the purposes set forth in the ad valorem tax proposition
4 approved by the voters on November 2, 2004, less and except St. Tammany
5 Parish's administrative fees, costs associated with administration of the ad
6 valorem tax levied, St. Tammany Parish's costs associated with oversight of the
7 St. Tammany Parish coroner's office including expert fees and costs of
8 investigations and audits, and amounts necessary to service bonds or other debt
9 obligations secured by the ad valorem tax. St. Tammany Parish shall be
10 considered to have fully and completely met its obligations to fund the St.
11 Tammany Parish coroner's office as set forth in R.S. 13:5706 and 5710 for the
12 life of the ad valorem tax. Until the expiration of the ad valorem tax, and
13 notwithstanding any provisions of law to the contrary, St. Tammany Parish
14 shall not be obligated to pay any other fee or cost and all obligations to the
15 coroner are limited as provided for in this Subsection.

16 C.(1) All salaries or fees associated with the operation of the coroner's
17 office shall be funded and paid from revenues collected pursuant to Subsection
18 A of this Section.

19 (2) An annual salary shall be established by the governing authority of
20 the parish of St. Tammany to be paid to the coroner in lieu of all fees for his
21 services as parish coroner, ex officio parish physician, or health officer. The
22 salary shall be the average of the salaries of the St. Tammany Parish sheriff,
23 assessor, and clerk.

24 (3) The coroner shall establish an annual salary for the deputy or
25 assistant coroners, secretaries, stenographers, clerks, technicians, investigators,
26 official photographers, or other employees.

27 D. The office of the coroner of St. Tammany Parish shall not own or
28 acquire immovable property. Any and all immovable property, including
29 buildings, component parts and other appurtenances, previously owned by St.
30 Tammany Parish and transferred to the St. Tammany Parish coroner's office

1 shall be transferred to the governing authority of St. Tammany Parish free and
2 clear of all mortgages, liens, or other encumbrances within six months of the
3 effective date of this Section.

4 E. Within six months of the effective date of this Section, the governing
5 authority of St. Tammany Parish and the St. Tammany Parish coroner's office
6 shall enter into a restated cooperative endeavor agreement, including but not
7 limited to the following provisions:

8 (1) Requiring use of all tax revenues in strict conformity with the tax
9 proposition approved by the voters.

10 (2) Requiring compliance with public bid and procurement laws.

11 Section 2. R.S. 13:5726 is hereby repealed.

12 Section 3. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 496

HOUSE BILL NO. 358

BY REPRESENTATIVES BACALA, AMEDEE, BRASS, BROWN, ROBBY CARTER,
COATES, DICKERSON, EDMONSTON, MACK, MUSCARELLO, WILDER,
AND WILEY

1 AN ACT

2 To amend and reenact R.S. 13:621.21(A) and 621.23, relative to the Twenty-First Judicial
3 District Court and the Twenty-Third Judicial District Court; to create an additional
4 judgeship for the Twenty-First Judicial District Court and the Twenty-Third Judicial
5 District Court; to provide for compensation of the additional judge; to provide for the
6 election and term of office of the additional judgeship and those of the successors in
7 office; to provide for effectiveness; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:621.21(A) and 621.23 are hereby amended and reenacted to read
10 as follows:

11 §621.21. Twenty-First Judicial District

12 A. The Twenty-First Judicial District Court shall have ~~nine~~ ten judges.

13 * * *

14 §621.23. ~~Twenty-third~~ Twenty-Third Judicial District

15 The ~~Twenty-third~~ Twenty-Third Judicial District Court shall have ~~five~~ six
16 judges. One judge shall be elected from election section one, and ~~four~~ five judges
17 shall be elected from election section two.

18 Section 2.(A) There is hereby created an additional district judgeship for the
19 Twenty-First Judicial District for the parishes of Livingston, St. Helena, and Tangipahoa.
20 The additional judge herein provided for and his successors shall preside over Division L,
21 which is hereby created for purposes of nomination and election only. The additional judge

1 and his successors shall be elected at large and shall have jurisdiction throughout the district
2 and shall receive the same compensation and expense allowances, payable from the same
3 sources and in the same manner, as are now or may hereafter be provided for other judges
4 of the district.

5 (B) The individual to be elected to the additional judgeship created by this Act for
6 the Twenty-First Judicial District shall be elected as provided by Article V, Section 22 of
7 the Constitution of Louisiana, and shall serve a term which shall begin on the first January
8 first immediately following the effective date of this Act and which shall expire at the same
9 time as is provided by law for the other judges of the court. Thereafter, the successors to the
10 judge provided for in this Act for the Twenty-First Judicial District shall be elected at the
11 same time and in the same manner and shall serve the same term as is now or may be
12 provided hereafter for other judges of the court.

13 Section 3.(A) There is hereby created an additional district judgeship for the
14 Twenty-Third Judicial District for the parishes of Ascension, Assumption, and St. James.
15 The additional judge herein provided for and his successors shall preside over Division F,
16 which is hereby created for purposes of nomination and election only. The additional judge
17 and his successors shall be elected at large and shall have jurisdiction throughout the district
18 and shall receive the same compensation and expense allowances, payable from the same
19 sources and in the same manner, as are now or may hereafter be provided for other judges
20 of the district.

21 (B) The individual to be elected to the additional judgeship created by this Act for
22 the Twenty-Third Judicial District shall be elected as provided by Article V, Section 22 of
23 the Constitution of Louisiana, and shall serve a term which shall begin on the first January
24 first immediately following the effective date of this Act and which shall expire at the same
25 time as is provided by law for the other judges of the court. Thereafter, the successors to the
26 judge provided for in this Act for the Twenty-Third Judicial District shall be elected at the
27 same time and in the same manner and shall serve the same term as is now or may be
28 provided hereafter for other judges of the court.

29 Section 4. The provisions of this Section shall become effective upon signature by
30 the governor or, if not signed by the governor, upon expiration of the time for bills to

1 become law without signature by the governor, as provided by Article III, Section 18 of the
2 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
3 legislature, the provisions of this Section shall become effective on the day following such
4 approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 465

2024 Regular Session

HOUSE BILL NO. 51

BY REPRESENTATIVE DEWITT

1 AN ACT

2 To amend and reenact R.S. 13:2090, relative to the marshal of the city court of Alexandria;
3 to authorize the city marshal to collect an appearance bond fee; to provide relative
4 to the city marshal's general fund; to provide for effectiveness; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:2090 is hereby amended and reenacted to read as follows:

8 §2090. ~~Alexandria, deputy marshal~~ Alexandria; marshal; fees in criminal matters;
9 deputy marshal

10 A. The marshal of the city court of Alexandria shall collect a fee of thirty
11 dollars for taking an appearance bond when required.

12 B. The sums of monies collected under the provisions of Subsection A of
13 this Section shall be deposited in the marshal's general fund to supplement the
14 operational expenses of the marshal's office. The expenditure of the funds shall be
15 at the sole discretion of the marshal. All funds shall be subject to and included in the
16 marshal's annual audit. A copy of the audit shall be filed with the legislative auditor
17 who shall make it available for public inspection.

18 C. The assessment and disposition of any funds pursuant to this Section shall
19 not affect responsibilities of the city and parish governing authorities provided by
20 law for the financing of the marshal's office of the Alexandria City Court.

21 D. The marshal of the city court of Alexandria, with the approval of the
22 judge of the city court of Alexandria, is authorized to employ a deputy marshal at an

1 annual minimum salary of three thousand dollars, to be paid monthly on his own
2 warrant in equal proportions by the city of Alexandria and the parish of Rapides.

3 Section 2. In accordance with the provisions of R.S. 13:62, the change in court costs
4 or fees as provided by this Act shall become effective if and when the Judicial Council
5 provides a recommendation that such court costs or fees meet the applicable guidelines in
6 its report to the Louisiana Legislature. No fees shall be imposed or collected without
7 Judicial Council approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 379

HOUSE BILL NO. 470

BY REPRESENTATIVE ST. BLANC AND SENATOR ALLAIN

1 AN ACT

2 To enact R.S. 13:5722(A)(2)(h), relative to courts in St. Mary Parish; to require an

3 additional court fee in criminal matters in all courts in St. Mary Parish; to provide

4 relative to the coroner's operational fund; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5722(A)(2)(h) is hereby enacted to read as follows:

7 §5722. Coroner's Operational Fund established

8 A.

9 * * *

10 (2)

11 * * *

12 (h) In criminal cases, including traffic violations, in all courts in St. Mary

13 Parish, a fee of not less than five dollars nor more than ten dollars shall be imposed

14 on every defendant who is convicted after trial or plea of guilty, which fee shall be

15 used solely to defray the operational costs of the office of the coroner of the parish.

16 * * *

1 Section 2. In accordance with the provisions of R.S. 13:62, the change in court costs
2 or fees as provided by this Act shall become effective if and when the Judicial Council
3 provides a recommendation that such court costs or fees meet the applicable guidelines in
4 its report to the Louisiana Legislature. No fees shall be imposed or collected without
5 Judicial Council approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 377

2024 Regular Session

HOUSE BILL NO. 433

BY REPRESENTATIVE ZERINGUE

1 AN ACT

2 To enact R.S. 13:82.1, relative to judicial budget reports; to provide for a uniform budget
3 document; to provide for an annual report; to provide for a submission deadline; to
4 provide for the publication of an annual report; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:82.1 is hereby enacted to read as follows:

7 §82.1. Uniform budget document; supreme court annual report

8 Notwithstanding any provision of law to the contrary, no later than October
9 first of each calendar year, the judicial administrator for the supreme court shall
10 develop or revise a uniform budget document designed to show itemized revenues
11 and expenditures for the supreme court, district courts, courts of appeal, city courts,
12 municipal courts, and traffic courts. Once finalized, the judicial administrator shall
13 submit the form to the chief justice of the supreme court. The judicial administrator
14 shall also cause the form to be distributed to the chief judge of each district court,
15 court of appeal, city court, municipal court, and traffic court that receives monies
16 pursuant to an appropriation as provided by R.S. 13:83. Each such court shall submit
17 its completed form to the supreme court, and the supreme court shall complete its
18 form, no later than December thirty-first of that same calendar year. By the deadline
19 set forth in R.S. 39:51(D), the supreme court shall submit a publicly available report
20 containing all completed forms to the legislature and cause the completed forms to
be published on its website.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 447

BY SENATOR MIZELL

1 AN ACT

2 To amend and reenact R.S. 13:5713(F) and to enact R.S. 13:5713(K), relative to coroners;
3 to provide for duties of the coroner; to provide for determinations by the attorney
4 general; to provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5713(F) is hereby amended and reenacted and R.S. 13:5713(K)
7 is hereby enacted to read as follows:

8 §5713. Duties; autopsies and investigations

9 * * *

10 F. The coroner ~~or his designee shall examine all alleged victims of a sexually~~
11 ~~oriented criminal offense. The coroner may select the hospital or healthcare provider~~
12 ~~named as the lead entity for sexual assault examinations in the regional plan required~~
13 ~~by R.S. 40:1300.41 as his designee to perform the forensic medical examination.~~
14 **implement, fulfill, and comply with all obligations, duties, and requirements**
15 **imposed upon him by R.S. 40:1216.1 and by the regional sexual assault response**
16 **plan approved for the coroner's health service district pursuant thereto, which**
17 **the coroner shall annually sign to indicate his approval pursuant to R.S.**
18 **40:1216.1(E)(4).**

19 * * *

20 **K. If the coroner is unable, unwilling, unqualified, or has a conflict of**
21 **interest in performing any of the duties provided for in this Section, the duty**
22 **may be performed by the coroner of an adjacent parish or parish in the same**
23 **regional health service district. The attorney general shall determine whether**
24 **a conflict exists or if the coroner is unqualified, based on all available facts and**
25 **circumstances.**

26 Section 2. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 244

HOUSE BILL NO. 964 (Substitute for House Bill No. 359 by Representative Deshotel)

BY REPRESENTATIVE DESHOTEL

1 AN ACT

2 To enact R.S. 13:2586(C)(7) and (8), relative to justice of the peace courts in Avoyelles
3 Parish and Evangeline Parish; to provide relative to jurisdiction and procedures; to
4 provide for jurisdiction over property standards and nuisance violations; to provide
5 relative to summons and subpoenas by constables; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:2586(C)(7) and (8) are hereby enacted to read as follows:

8 §2586. Jurisdiction and procedure

9 * * *

10 C.

11 * * *

12 (7) A justice of the peace court in Avoyelles Parish shall have concurrent
13 jurisdiction over property standards and nuisance violations anywhere in the parish
14 in which the court is situated, pursuant to local ordinance. In addition, a constable
15 of a justice of the peace court in Avoyelles Parish may issue summons and serve
16 subpoenas for such violations occurring anywhere within the territorial jurisdiction
17 of the justice of the peace court.

18 (8) A justice of the peace court in Evangeline Parish shall have concurrent
19 jurisdiction over property standards and nuisance violations anywhere in the parish
20 in which the court is situated, pursuant to local ordinance. In addition, a constable
21 of a justice of the peace court in Evangeline Parish may issue summons and serve

1 subpoenas for such violations occurring anywhere within the territorial jurisdiction
2 of the justice of the peace court.

3 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 242

HOUSE BILL NO. 905

BY REPRESENTATIVES FREIBERG, BAYHAM, BEAULLIEU, BERAULT, BILLINGS, BOYD, CARVER, CHASSION, COX, DAVIS, DEWITT, DOMANGUE, FISHER, GREEN, HILFERTY, HUGHES, ILLG, JACKSON, MIKE JOHNSON, TRAVIS JOHNSON, JORDAN, LAFLEUR, LARVADAIN, LYONS, MILLER, MOORE, MYERS, RISER, SELDERS, STAGNI, TAYLOR, WALTERS, WYBLE, AND ZERINGUE

1 AN ACT

2 To enact R.S. 13:3049.2, relative to juror per diem compensation in the Nineteenth Judicial
3 District Court; to establish a two-year pilot program that enables jurors to voluntarily
4 donate their per diem compensation to certain organizations; to provide for the use
5 of donations; to exempt certain information from public records; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:3049.2 is hereby enacted to read as follows:

9 §3049.2. Nineteenth Judicial District; pilot program; donation of juror per diem;
10 procedures

11 A. Notwithstanding any provision of law to the contrary, any person serving
12 as a juror in the Nineteenth Judicial District Court may elect to donate their entire
13 juror per diem compensation to an organization that meets either of the following
14 criteria:

15 (1) Formally recognized under Children's Code Article 424 for its role in
16 advocating for the best interests of abused and neglected children in the court system.

17 (2) Specifically designated as the Capital Area Court Appointed Special
18 Advocates (CASA).

19 B. The clerk of court for the Nineteenth Judicial District Court shall provide
20 each juror with an option to donate their per diem compensation to the designated
21 organization as described in Subsection A of this Section at the time of juror
22 orientation or at another appropriate time during the juror service process. The
23 option to donate shall be voluntary and presented in a manner that ensures informed
24 consent of the juror.

1 C. The clerk of court shall establish procedures for the collection and timely
2 distribution of donated per diem compensations to the designated organization.
3 These procedures shall include provisions for donor acknowledgment and
4 compliance with financial management standards. A form shall be presented to each
5 person registered for the jury pool which provides the mission of CASA and offers
6 the jurors the voluntary option to assign all fees due them as a tax-deductible
7 donation to CASA.

8 D. The pilot program in the Nineteenth Judicial District Court is established
9 as a voluntary option for jurors to support a court-related nonprofit organization with
10 the Nineteenth Judicial District Court Jury Office facilitating the consolidation of
11 individual juror payments into a monthly payment to CASA. The Juror Office shall
12 send a monthly check to CASA and provide the list of the names, addresses, and
13 amounts for participating jurors to allow CASA to mail a tax-deductible receipt for
14 their donation. Information provided by the Juror Office to CASA shall remain
15 confidential and not subject to disclosure under the public records law.

16 E.(1) CASA shall be designated exclusively for donations due to its
17 court-related advocacy and purpose during the two-year pilot program.

18 (2) A designated organization receiving donations under this Section shall
19 utilize the donations exclusively for supporting its mission within the jurisdiction of
20 the Nineteenth Judicial District.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 234

2024 Regular Session

HOUSE BILL NO. 789

BY REPRESENTATIVE BOURRIAQUE

AN ACT

To amend and reenact R.S. 13:964(H), relative to court reporters for the Fourteenth Judicial District Court; to extend application of fees to all reported and transcribed cases; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:964(H) is hereby amended and reenacted to read as follows:

§964. Court reporters for Fourteenth Judicial District

* * *

H. In all cases ~~which are reported and transcribed for appeal, a fee of three dollars and twenty-five cents per page for originals, and seventy-five cents per page for each copy, shall be charged by and paid to the reporter. In those cases which are reported but not transcribed, one-half of the fees provided in this Subsection for originals shall be charged by and paid to the reporter. Such fees shall be retained by a majority of the judges shall determine the amount of the fee which shall be paid to the court reporter for the transcription of each page of all testimony reported and transcribed and the amount of the fee per copy of each page of transcribed testimony.~~ The provisions of this Subsection shall also apply to cases which are reported but not transcribed. Such fees shall be retained by the reporter as compensation, in addition to the salary provided for in Subsection G of this Section, and shall be taxed as costs of the suit in which the testimony is taken.

* * *

1 Section 2. In accordance with the provisions of R.S. 13:62, the change in court costs
2 or fees as provided by this Act shall become effective if and when the Judicial Council
3 provides a recommendation that such court costs or fees meet the applicable guidelines in
4 its report to the Louisiana Legislature. No fees shall be imposed or collected without
5 Judicial Council approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 233

2024 Regular Session

HOUSE BILL NO. 757

BY REPRESENTATIVE LAFLEUR

1 AN ACT

2 To amend and reenact R.S. 13:991(A), relative to court costs; to provide relative to judicial
3 expense funds of district courts; to provide relative to the judicial expense fund for
4 the Nineteenth Judicial District Court; to increase filing fees and court costs in civil
5 suits; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:991(A) is hereby amended and reenacted to read as follows:

8 §991. Judicial expense fund for ~~nineteenth judicial district~~ Nineteenth Judicial
9 District; established

10 A. In addition to all other fees or costs now or hereafter provided by law, the
11 clerk of court of the Nineteenth Judicial District shall collect from every person
12 filing any type of civil suit or proceeding and who is not otherwise exempted by law
13 from the payment of court costs, a sum ~~to be determined by the judges of said~~
14 ~~district, sitting en banc, which sum shall not exceed fifteen~~ of sixty dollars, subject,
15 however, to the provisions of Louisiana Code of Civil Procedure, Article 5181, et
16 seq.; and, in all criminal cases over which the Nineteenth Judicial District Court has
17 jurisdiction, there shall be taxed as costs against every defendant who is convicted
18 after trial or after plea of guilty or who forfeits his bond, a sum likewise determined
19 but which shall not exceed five dollars, shall be in addition to all other fines, costs

ACT No. 231

2024 Regular Session

HOUSE BILL NO. 754

BY REPRESENTATIVE LAFLEUR

1 AN ACT

2 To enact R.S. 13:842.4, relative to the establishment of the Complex Litigation Section Pilot
3 Program in the Nineteenth Judicial District Court; to provide for definitions; to
4 authorize the clerk of court of East Baton Rouge Parish to establish the Complex
5 Litigation Section Pilot Program; to provide for additional filing fees in certain civil
6 suits; to establish the Complex Litigation Section Fund; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:842.4 is hereby enacted to read as follows:

10 §842.4. Complex Litigation Section Pilot Program; filing fees; Nineteenth Judicial
11 District Court

12 A. As used in this Section, the term "complex litigation" shall mean a type
13 of civil case that involves multifaceted legal and case management issues requiring
14 all-encompassing judicial management to expedite litigation and promote effective
15 decision-making by all parties and the court. In order to determine if a case may be
16 referred to the Complex Litigation Section, the court shall consider certain factors
17 including but not limited to the following:

18 (1) The need for a high degree of case management, including the handling
19 of discovery disputes and motion practice.

20 (2) The expectation of numerous pre-trial or discovery motions raising
21 difficult, novel, inextricably intertwined, or time consuming legal issues.

22 (3) The expectation of extensive and intensive document review or in camera
23 inspection by the court.

24 (4) The presence of a large number of parties represented by separate
25 counsel on the principal action or any cross-claims, reconventional demands, or
26 third-person interventions.

1 (5) The need to manage a large amount of physical and electronic documents
2 during the pendency of the suit and at a trial.

3 (6) The need to manage a large number of expert witnesses.

4 (7) The anticipation of a lengthy trial duration.

5 (8) The action satisfies the prerequisites of a class action and may be
6 maintained as a class action under Code of Civil Procedure Article 591, including
7 mass tort actions.

8 (9) The need for an appointment of a special master.

9 (10) Any other criteria deemed complex by the court.

10 B. The Nineteenth Judicial District Court may establish the Complex
11 Litigation Section Fund to provide for additional filing fees for complex litigation
12 cases. Pursuant to this program, and notwithstanding any other provision of law to
13 the contrary, the clerk of court may demand and receive a filing fee of two hundred
14 dollars for each case referred to the Complex Litigation Section.

15 C. The clerk of court shall collect all monies generated pursuant to this
16 Section and forward them to the Nineteenth Judicial District Court for placement in
17 a separate account to be designated as the Complex Litigation Section Fund for the
18 Nineteenth Judicial District Court. The Complex Litigation Section Fund may be
19 used for any operating expenses of the section, including salaries. The court shall
20 keep accurate records, shall cause to be conducted an annual audit of the fund and
21 the books and accounts relating to the fund, and shall file the audit with the office of
22 the legislative auditor where it shall be available for public inspection.

23 D. The pilot program authorized by this Section shall be effective for a
24 period of two years, unless extended by the legislature.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 185

2024 Regular Session

HOUSE BILL NO. 27

BY REPRESENTATIVE MELERINE

1 AN ACT

2 To amend and reenact R.S. 13:3715.1(B)(1), relative to service of process; to provide for
3 delivery of notice of subpoena for medical records by commercial courier; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:3715.1(B)(1) is hereby amended and reenacted to read as follows:

7 §3715.1. Medical or hospital records of a patient; subpoena duces tecum and court
8 order to a health care provider; reimbursement for records produced

9 * * *

10 B. The exclusive method by which medical, hospital, or other records
11 relating to a person's medical treatment, history, or condition may be obtained or
12 disclosed by a health care provider, shall be pursuant to and in accordance with the
13 provisions of R.S. 40:1165.1 or Code of Evidence Article 510, or a lawful subpoena
14 or court order obtained in the following manner:

15 (1) A health care provider shall disclose records of a patient who is a party
16 to litigation pursuant to a subpoena issued in that litigation, whether for purposes of
17 deposition or for trial and whether issued in a civil, criminal, workers' compensation,
18 or other proceeding, but only if: the health care provider has received an affidavit
19 of the party or the party's attorney at whose request the subpoena has been issued that
20 attests to the fact that such subpoena is for the records of a party to the litigation and
21 that notice of the subpoena has been mailed by registered or certified mail or
22 delivered by commercial courier as defined in Code of Civil Procedure Article

1313(D) to the patient whose records are sought, or, if represented, to his counsel of record, at least seven days prior to the issuance of the subpoena; and the subpoena is served on the health care provider at least seven days prior to the date on which the records are to be disclosed, and the health care provider has not received a copy of a petition or motion indicating that the patient has taken legal action to restrain the release of the records. If the requesting party is the patient or, if represented, the attorney for the patient, the affidavit shall state that the patient authorizes the release of the records pursuant to the subpoena. No such subpoena shall be issued by any clerk unless the required affidavit is included with the request.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 183

2024 Regular Session

HOUSE BILL NO. 21

BY REPRESENTATIVE MELERINE

1 AN ACT

2 To amend and reenact R.S. 13:3425(B) and Code of Civil Procedure Article 5094, relative
3 to absent persons; to provide for service of process by commercial courier; to
4 provide for a definition; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:3425(B) is hereby amended and reenacted to read as follows:

7 §3425. Notice

8 * * *

9 B. A copy of the petition for appointment shall be mailed by the applicant
10 by registered or certified mail or delivered by commercial courier to each person
11 listed in the affidavit, and to each person requesting notice pursuant to R.S. 13:3426,
12 and shall notify him of the date and hour assigned by the court for a hearing thereon.

13 * * *

14 Section 2. Code of Civil Procedure Article 5094 is hereby amended and reenacted
15 to read as follows:

16 Art. 5094. Duties; notice to nonresident or absentee

17 A. When an attorney at law is appointed by the court to represent a defendant
18 who is a nonresident or an absentee, the attorney shall use reasonable diligence to
19 communicate with the defendant and inform him of the pendency and nature of the
20 action or proceeding, and of the time available for the filing of an answer or the
21 assertion of a defense otherwise.

1 B. For purposes of this Article, an attorney is deemed to have acted with
2 reasonable diligence when the attorney sends an absentee a letter by certified mail
3 or commercial courier to the last known address of the absentee in an effort to locate
4 the absentee and notify him of the appointment of the attorney to represent the
5 absentee defendant.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 134

2024 Regular Session

HOUSE BILL NO. 519

BY REPRESENTATIVE FARNUM

1 AN ACT

2 To amend and reenact R.S. 13:1881(B), 1883(A)(introductory paragraph), (B), and (C), and
3 1889(A) and (B), relative to certain marshals and constables of city courts; to provide
4 relative to elections and designations of marshals and constables; to provide for the
5 compensation of certain marshals and constables; to provide for the designation of
6 the marshal of the city of Sulphur; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1881(B), 1883(A)(introductory paragraph), (B), and (C), and
9 1889(A) and (B) are hereby amended and reenacted to read as follows:

10 §1881. General powers and duties of marshal; deputy marshals

11 * * *

12 B. The marshal may appoint one or more deputy marshals having the same
13 powers and authority as the marshal, but the marshal shall be responsible for their
14 actions. The compensation of the deputy marshals shall be fixed and paid by the
15 governing authorities of the ~~city or parish, or both~~ city or cities or parish, or all
16 governing authorities, where the court ~~is located~~ has territorial jurisdiction. The city
17 marshal may use funds available for expenses of his office, including proceeds from
18 costs assessed in criminal matters pursuant to R.S. 13:1899, to pay an amount in
19 excess of the fixed salary or to pay the amount fixed or any portion thereof to deputy
20 marshals or to employ additional deputies. However, nothing herein shall authorize
21 the city marshal to fix or supplement his own salary. In no event shall the salary of
22 any deputy exceed that of his city marshal.

23 * * *

§1883. Compensation of marshal

A. The marshals of the city courts enumerated in this Subsection shall receive as compensation for their services the following minimum salaries, payable monthly on their own warrant and which, except as otherwise indicated, shall be paid in equal proportions by the respective governing authorities of the ~~city and parish~~ city or cities or parish, or all governing authorities, where the court is located ~~has~~ territorial jurisdiction:

* * *

B. The marshals of the following city courts shall receive an annual salary, payable monthly on their own warrants, which shall be fixed and paid by the respective governing authorities of the ~~city and parish~~ city or cities or parish, or all governing authorities, where the court is located or either of them has territorial jurisdiction, in the proportions they may determine: Bastrop, Bogalusa, Bunkie, Crowley. The annual salary paid by the city of Bunkie shall not be less than \$600.

C. Except as provided in R.S. 13:2071, in all other cases the marshal's salary shall be paid by the governing body of the ~~city and parish~~ city or cities or parish, or all governing authorities, where the court ~~is located~~ has territorial jurisdiction, in such amounts as they may determine, except that where the population of the territorial jurisdiction of the court is more than 10,000 inhabitants, the marshal shall receive a minimum annual salary of \$3,600 payable monthly in equal proportions by the governing authorities of the city and parish on the warrant of the marshal.

* * *

§1889. Court room and offices

A. The city where the court is situated shall furnish a suitable city court room and suitable offices for the judge, clerk, and marshal. It shall also furnish adequate fireproof vaults or other filing equipment for the preservation of the records of the court.

B. The necessary expenses of operation and maintenance of the court room and offices shall be borne by the city, or may be apportioned between the city and

ACT No. 129

2024 Regular Session

HOUSE BILL NO. 100

BY REPRESENTATIVE CARLSON

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 4844 and R.S. 13:1443(B), relative
3 to civil jurisdiction for parish and city courts; to remove the jurisdictional amounts
4 in eviction proceedings; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 4844 is hereby amended and reenacted
7 to read as follows:

8 Art. 4844. Amount in dispute; eviction proceedings

9 ~~A. Except as otherwise provided in this Article, a parish court or city court~~
10 ~~shall have jurisdiction, concurrent with the district court, over suits by owners and~~
11 ~~landlords for the possession of leased premises as follows:~~

12 ~~(1) When the lease is by the day and the daily rental is one hundred fifty~~
13 ~~dollars or less.~~

14 ~~(2) When the lease is by the week and the weekly rental is five hundred~~
15 ~~dollars or less.~~

16 ~~(3) When the lease is by the month and the monthly rental is three thousand~~
17 ~~dollars or less.~~

18 ~~(4) When the lease is by the year and the annual rental is thirty-six thousand~~
19 ~~dollars or less.~~

20 ~~(5) When the suit is to evict an occupant as defined by Article 4704, if the~~
21 ~~annual value of the right of occupancy does not exceed the amount in dispute to~~

1 which the jurisdiction of the court is limited by Articles 4842 and 4843 or as to the
2 amounts set forth in Subparagraphs (3) and (4) of this Paragraph.

3 ~~B. In the City Court of East St. Tammany, the city court shall have the same~~
4 ~~jurisdictional limit for possession of leased premises in eviction proceedings as~~
5 ~~provided for in Article 4912 for justice of the peace courts.~~

6 ~~C. In the City Court of Hammond, the city court shall have jurisdiction over~~
7 ~~suits by owners and landlords for the possession of leased premises when the lease~~
8 ~~is by the month and the monthly rental is five thousand dollars or less.~~

9 ~~D. In computing the jurisdictional amount for purposes of eviction suits, the~~
10 ~~daily, weekly, monthly, annual, or other rental provided by the lease, exclusive of~~
11 ~~interest, penalties, or attorney fees, shall determine the amount in dispute.~~

12 Notwithstanding Articles 4842(A) and 4843, a parish court or city court shall,
13 within its territorial jurisdiction, have jurisdiction, concurrent with the district court,
14 over the following matters, regardless of the amount of daily, monthly, or yearly rent
15 or the rent for the unexpired term of the lease or the annual value of the right of
16 occupancy:

17 (1) Suits by owners and landlords for the possession of leased premises.

18 (2) Suits by landowners or lessors for eviction of occupants or tenants of
19 leased residential premises.

20 (3) Suits to evict an occupant as defined by Article 4704.

21 (4) Suits by landowners or lessors for the eviction of occupants or tenants of
22 leased commercial premises and leased farmlands.

23 Section 2. R.S. 13:1443(B) is hereby amended and reenacted to read as follows:

24 §1443. Civil jurisdiction; amount in controversy; eviction suits; injunctive actions

25 * * *

26 B.(1) A parish court shall have jurisdiction, concurrent with the district
27 court, over suits by owners and landlords for the possession of leased premises
28 within its territorial jurisdiction, ~~as follows:~~ in accordance with Code of Civil
29 Procedure Article 4844.

~~(a) When the amount of the rental does not exceed the jurisdictional amounts provided in Code of Civil Procedure Article 4844(A).~~

~~(b) When the suit is to evict an occupant, as defined by Article 4704 of the Code of Civil Procedure, if the annual value of the right of occupancy does not exceed the amount in dispute to which the jurisdiction of the court is limited by Subsection A of this Section.~~

~~(2) In computing the jurisdictional amount for purposes of eviction suits, the daily, weekly, monthly, annual, or other rental provided by the lease, exclusive of interest, penalties, or attorney fees shall determine the amount in dispute.~~

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 117

2024 Regular Session

HOUSE BILL NO. 746

BY REPRESENTATIVES MCMAHEN, BACALA, BAGLEY, FISHER, HORTON,
JACKSON, MIKE JOHNSON, TAYLOR, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 13:5554.1(B)(introductory paragraph), (C)(2), (D), and (E),
3 relative to the Bossier Parish Retired Employees Insurance Fund; to provide relative
4 to eligible retired sheriffs and retired deputy sheriffs; to increase the total amount of
5 principal and earnings in the Bossier Parish Retired Employees Insurance Fund; to
6 provide relative to limitations on fixed income investments; to provide relative to
7 limitations on withdrawal and appropriation of monies; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:5554.1(B)(introductory paragraph), (C)(2), (D), and (E) are
11 hereby amended and reenacted to read as follows:

12 §5554.1. Bossier Parish; payment of group insurance premiums; retired sheriffs and
13 deputy sheriffs; creation of fund

14 * * *

15 B. The following monies shall be deposited into the BREIF until the total
16 amount of the monies including principal and earnings in the BREIF equals the sum
17 of ~~ten~~ fifteen million dollars:

18 * * *

19 C. Upon recommendation of the board established in Subsection G of this
20 Section, the sheriff of Bossier Parish shall invest the monies in the BREIF as
21 follows:

22 * * *

(2) At least twenty-five percent in fixed income investments, provided that a minimum of ~~twenty-five~~ seventy-five percent of the fixed income portion is rated as investment grade by a nationally recognized rating agency.

D. The earnings realized on the monies invested pursuant to Subsection C of this Section shall be available for the sheriff to withdraw for the sole purpose of paying the insurance premium costs provided in R.S. 13:5554(G) for retired sheriffs and retired deputy sheriffs of Bossier Parish, legal representation costs for the BREIF Board, or both, provided that no such earnings shall be withdrawn until the amount of principal and accumulated earnings in the BREIF is equal to the sum of ~~ten~~ fifteen million dollars. In the event that the total amount of monies derived from deposits provided in Subsection B of this Section and investment earnings fall below the sum of ~~ten~~ fifteen million dollars, no earnings shall be withdrawn, and any balance owed for the payment of insurance premium costs as required by R.S. 13:5554(G) or legal representation costs for the BREIF Board shall be paid in full from the sheriff's general fund.

E. The monies deposited pursuant to Subsection B of this Section and the accumulated earnings up to a total of ~~ten~~ fifteen million dollars shall not be appropriated and shall only be used for making ~~income-producing~~ investments as provided in this Section.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 81

2024 Regular Session

HOUSE BILL NO. 576

BY REPRESENTATIVE BRAUD

1 AN ACT

2 To enact R.S. 13:2582(G) and 2622, relative to justices of the peace; to provide relative to
3 qualifications; to provide relative to elections and designations of justices of the
4 peace; to provide for the territorial jurisdiction of certain justice of the peace courts
5 in Plaquemines Parish; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:2582(G) and 2622 are hereby enacted to read as follows:

8 §2582. Justices of the peace; qualifications; election; term of office; nullity; persons
9 ineligible

10 * * *

11 G. Notwithstanding the provisions of Subsection A of this Section, in
12 Plaquemines Parish, the justice of the peace in ward three may be a resident of ward
13 three or ward four and the respective district.

14 * * *

15 §2622. Territorial jurisdiction of the justice of the peace courts of Plaquemines
16 Parish

17 A. The territorial jurisdiction of the several justice of the peace courts within
18 the parish of Plaquemines, as they exist on the effective date of this Section, shall
19 continue in effect until changed in accordance with the law.

20 B. Notwithstanding any other provisions of law, the justice of the peace in
21 ward three shall serve as the justice of the peace in ward three and ward four. The

1 territorial limits of the justice of the peace in ward three shall include the territorial
2 limits of ward four.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 72

2024 Regular Session
HOUSE BILL NO. 369
BY REPRESENTATIVE LYONS

1 AN ACT
2 To repeal R.S. 13:621.24.1, relative to the Twenty-Fourth Judicial District Court; to repeal
3 authorization for a separate environmental docket.
4 Be it enacted by the Legislature of Louisiana:
5 Section 1. R.S. 13:621.24.1 is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 36

BY SENATOR KLEINPETER

1 AN ACT

2 To enact R.S. 13:5554.13, relative to the payment of group insurance premiums for retired
3 sheriffs and deputy sheriffs in West Feliciana Parish; to create a permanent fund; to
4 provide for the depositing of certain monies into the fund; to provide for investment
5 of monies in the fund; to authorize the withdrawal of earnings; to provide for
6 limitations on appropriations from the fund; to provide for audits of the fund; to
7 provide for the membership of the investment advisory board; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:5554.13 is hereby enacted to read as follows:

11 **§5554.13. West Feliciana Parish; payment of group insurance premiums;**
12 **retired sheriffs and deputy sheriffs; creation of fund**

13 **A. There is hereby created the West Feliciana Parish Sheriff Retired**
14 **Employees Insurance Fund, hereinafter referred to as the "WFREIF", to help**
15 **offset the payment by the sheriff's office of West Feliciana Parish of the**
16 **premium costs for eligible retired sheriffs and retired deputy sheriffs as**
17 **provided in R.S. 13:5554(G).**

18 **B. The sheriff of West Feliciana Parish may contribute to the WFREIF**
19 **at his discretion.**

20 **C. Upon recommendations of the board established in Subsection F of**
21 **this Section, the sheriff of West Feliciana Parish shall invest at least twenty-five**
22 **percent in fixed income investments into the WFREIF, provided that at least**
23 **seventy-five percent is rated as investment grade by a nationally recognized**
24 **rating agency, and may invest in equities.**

25 **D.(1) The monies deposited pursuant to Subsection B of this Section and**
26 **the monies invested pursuant to Subsection C of this Section and the**
27 **accumulated earnings shall be available for the sheriff to withdraw for the sole**

1 purpose of paying the insurance costs, claims, or premiums for retired sheriffs
 2 and retired deputy sheriffs of West Feliciana Parish, or for legal representation
 3 costs for the WFREIF Board.

4 (2) In the event that the total amount of monies deposited pursuant to
 5 Subsection B of this Section and the monies invested pursuant to Subsection C
 6 of this Section fall below the sum of one million five hundred thousand dollars,
 7 no earnings shall be withdrawn, and any balance owed for the payment of
 8 insurance premium costs or legal representation costs for the board established
 9 in Subsection F of this Section shall be paid in full from the sheriff's general
 10 fund.

11 E. Any financial audit conducted of the sheriff's office of West Feliciana
 12 Parish shall specifically address compliance with the provisions of this Section.

13 F.(1) To provide recommendations concerning the investment of funds
 14 as provided in Subsection C of this Section, the sheriff shall establish an
 15 investment advisory board consisting of three members as follows:

16 (a) The sheriff or his designee.

17 (b) One retired sheriff or retired deputy sheriff of the department,
 18 appointed by the sheriff, who shall serve a term determined by the sheriff.

19 (c) One active deputy sheriff of the department, appointed by the sheriff,
 20 who shall serve a term determined by the sheriff.

21 (2) The members of the board shall elect a chairperson at its first board
 22 meeting, which shall be held within thirty days after the appointment of board
 23 members.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 42

2024 Regular Session

HOUSE BILL NO. 163

BY REPRESENTATIVE BOURRIAQUE

1 AN ACT

2 To amend and reenact R.S. 13:5554.9(D) and (F), relative to the employee insurance fund
3 for retired sheriffs and deputy sheriffs in Cameron Parish; to provide relative to the
4 membership of the investment advisory board; to provide for the terms of members;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:5554.9(D) and (F) are hereby amended and reenacted to read as
8 follows:

9 §5554.9. Cameron Parish; payment of group insurance premiums; retired sheriffs
10 and deputy sheriffs; creation of fund

11 * * *

12 ~~D.(1) The earnings realized on~~ The monies deposited pursuant to Subsection
13 B of this Section and the monies invested pursuant to Subsection C of this Section
14 and the accumulated earnings shall be available for the sheriff to withdraw for the
15 sole purpose of paying the insurance ~~premium~~ costs, claims, and premiums provided
16 in R.S. 13:5554(G) and (II) for retired sheriffs and retired deputy sheriffs of
17 Cameron Parish, legal representation costs for the CREIF Board, or both, ~~provided~~
18 ~~that no such earnings shall be withdrawn until the amount of principal and~~
19 ~~accumulated earnings in the CREIF are equal to the sum of one million five hundred~~
20 ~~thousand dollars.~~

21 ~~(2) In the event that the total amount of monies derived from deposits~~
22 ~~provided in Subsection B of this Section and investment earnings fall below the sum~~
23 ~~of one million five hundred thousand dollars, no earnings shall be withdrawn, and~~
24 ~~any balance owed for the payment of insurance premium costs as required by R.S.~~

~~13.5554(G) and (H) or legal representation costs for the CREIF Board shall be paid in full from the sheriff's general fund.~~

* * *

F.(1) To provide recommendations concerning the investment of funds as provided in Subsection C of this Section, the sheriff shall establish an investment advisory board consisting of ~~three~~ five members as follows:

(a) ~~The sheriff or his designee.~~ The chief financial officer of the sheriff's
office.

(b) ~~One retired sheriff or retired deputy sheriff of the department, appointed by the sheriff, who shall serve a term determined by the sheriff.~~ Four active or retired sheriffs or deputy sheriffs as determined by the sheriff.

~~(c) One active deputy sheriff of the department, appointed by the sheriff, who shall serve a term determined by the sheriff.~~

(2) The terms of the members shall be concurrent with that of the sheriff.

~~(2)~~(3) The members of the board shall elect a chairperson at its first board meeting, which shall be held within thirty days after the appointment of board members.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 41

2024 Regular Session

HOUSE BILL NO. 102

BY REPRESENTATIVE FIRMENT

1 AN ACT

2 To enact R.S. 13:5554.13, relative to the payment of group insurance premiums for retired
3 sheriffs and deputy sheriffs in LaSalle Parish; to create a permanent fund; to require
4 the depositing of certain monies into the fund; to provide for investment of monies
5 in the fund; to authorize the withdrawal of earnings; to provide for limitations on
6 appropriations from the fund; to provide for audits of the fund; to provide for the
7 membership and election on the investment advisory board; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:5554.13 is hereby enacted to read as follows:

11 §5554.13. LaSalle Parish; payment of group insurance premiums; retired sheriffs
12 and deputy sheriffs; creation of fund

13 A. There is hereby created the LaSalle Parish Sheriff Retired Employees
14 Insurance Fund, hereinafter referred to in this Section as the "LSREIF", to help offset
15 the payment by the sheriff's office of LaSalle Parish of the premium costs for eligible
16 retired sheriffs and retired deputy sheriffs as provided in R.S. 13:5554(M).

1 B. The sheriff of LaSalle Parish may contribute to the LSREIF at his
2 discretion.

3 C. Upon recommendations of the board established in Subsection F of this
4 Section, the sheriff of LaSalle Parish shall invest the funds into the Louisiana Asset
5 Management Pool.

6 D.(1) The earnings realized on the monies invested pursuant to Subsection
7 C of this Section shall be available for the sheriff to withdraw for the sole purpose
8 of paying the insurance premium costs provided in R.S. 13:5554(M) for retired
9 sheriffs and retired deputy sheriffs of LaSalle Parish, legal representation costs for
10 the LSREIF board, or both, provided that no such earnings shall be withdrawn until
11 the amount of principal and accumulated earnings in the LSREIF are equal to the
12 sum of two million five hundred thousand dollars.

13 (2) In the event that the total amount of monies derived from deposits
14 provided in Subsection B of this Section and investment earnings fall below the sum
15 of two million five hundred thousand dollars, no earnings shall be withdrawn, and
16 any balance owed for the payment of insurance premium costs as required by R.S.
17 13:5554(M) or legal representation costs for the LSREIF board shall be paid in full
18 from the sheriff's general fund.

19 E. The legislative auditor shall audit the fund annually and audit costs shall
20 be paid by the sheriff of LaSalle Parish from the sheriff's general fund.

21 F.(1) To provide recommendations concerning the investment of funds as
22 provided in Subsection C of this Section, the sheriff shall establish an investment
23 advisory board consisting of three members as follows:

24 (a) The sheriff or his designee.

25 (b) One retired sheriff or retired deputy sheriff of the department, appointed
26 by the sheriff, who shall serve a term determined by the sheriff.

27 (c) One active deputy sheriff of the department, appointed by the sheriff,
28 who shall serve a term determined by the sheriff.

29 (2) The members of the board shall elect a chairperson at its first board

1 meeting, which shall be held within thirty days after the appointment of board members.
2 (3) Any board vacancy shall be filled within sixty days of the date the
3 vacancy occurs.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 15

2024 Regular Session
HOUSE BILL NO. 104
BY REPRESENTATIVE MUSCARELLO

1 AN ACT

2 To repeal R.S. 13:4688, relative to certain district court reporting requirements to the

3 supreme court; to repeal requirements of clerks of district courts to collect and pay

4 certain fees and submit information concerning actions for offenses and quasi

5 offenses to the judicial administrator of the supreme court; to repeal certain

6 provisions relative to the subpoena of certain information; to provide for an effective

7 date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:4688 is hereby repealed in its entirety.

10 Section 2. This Act shall become effective upon signature by the governor or, if not

11 signed by the governor, upon expiration of the time for bills to become law without signature

12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

13 vetoed by the governor and subsequently approved by the legislature, this Act shall become

14 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 255

BY SENATORS FIELDS AND PRICE AND REPRESENTATIVES ADAMS, BOYD, BRASS, BRYANT, CARPENTER, CARRIER, ROBBY CARTER, WILFORD CARTER, CHASSION, EGAN, FISHER, GADBERRY, HUGHES, JACKSON, JORDAN, KNOX, LAFLEUR, LARVADAIN, LYONS, MARCELLE, MENA, MOORE, NEWELL, SELTERS, STAGNI, TAYLOR, VENTRELLA, WALTERS, WILLARD, WYBLE AND YOUNG

1 AN ACT
2 To enact R.S. 13:101.2 and 101.3 and to repeal R.S. 13:101, 101.1, and 312.4, relative to the
3 supreme court; to implement a settlement in the matter entitled *Louisiana State*
4 *Conference of the National Association for the Advancement of Colored People, et*
5 *al. v. State of Louisiana, et al.*, in the United States District Court for the Middle
6 District of Louisiana; to provide for the redistricting of supreme court districts in
7 accordance with the settlement; to provide for the filling of vacancies; to restructure
8 the supreme court by eliminating provisions for a temporary additional judgeship for
9 the Court of Appeal for the Fourth Circuit and such judge's appointment to the
10 supreme court; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:
12 Section 1. R.S. 13:101.2 and 101.3 are hereby enacted to read as follows:
13 §101.2. Supreme court districts; justices
14 The state shall be divided into seven supreme court districts. The
15 supreme court shall be composed of one justice elected from each of the seven
16 districts as set forth below:
17 (1) District 1 is composed of Livingston Parish; Precincts 9-41C, 9-41D,
18 9-45 and 9-45A of Orleans Parish; St. Bernard Parish; St. Tammany Parish;
19 Tangipahoa Parish and Washington Parish.
20 (2) District 2 is composed of Avoyelles Parish; Concordia Parish;

Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-9, 1-10, 1-11, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-36, 1-37, 1-38, 1-45, 1-46, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-58, 1-59, 1-60, 1-61, 1-62, 1-63, 1-66, 1-67, 1-68, 1-70, 1-71, 1-72, 1-73, 1-77, 1-78, 1-80, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96, 1-97, 1-100, 1-101, 1-102, 1-104, 2-1, 2-2, 2-3, 2-4, 2-5, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37, 2-38, 3-8, 3-11, 3-13, 3-18, 3-24, 3-27, 3-29, 3-35, 3-39, 3-42, 3-52, 3-54, 3-55, 3-57, 3-58, 3-60, and 3-74 of East Baton Rouge Parish; East Carroll Parish; East Feliciana Parish; Iberville Parish; Precincts 2, 6, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 50, 51, 52, 53, 54, 55, 56, 57, 58, 61, 63, 122, and 129 of Lafayette Parish; Madison Parish; Precincts 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 30, 65, 65A, 66, 67, 68, 69, 70, 72, 73, 74, and 79 of Ouachita Parish; Pointe Coupee Parish; Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C14, C15, C17, C18, C19, C20, C21, C24, C25, C26, C27, C28, C39, C40, N1, N2, N3, N10, N27, N28, N29, S15, S16, S17, S18, S19, and S20 of Rapides Parish; Richland Parish; St. Helena Parish; Precincts 1, 1A, 1B, 1C, 1D, 2, 2A, 2B, 2C, 3, 4A, 4B, 5, 6, 7, 7A, 9, 9A, 11, 11B, 12, 13, 13A, 14, 14A, 14B, 15, 16, 16A, 17, 19, 19A, 20, 20B, 21, 21A, 22, 22B, 23, 23A, 26, 26A, 30, 30A, 30B, 31, 38, 39, 39A, and 40 of St. Landry Parish; Tensas Parish; West Baton Rouge Parish; and West Feliciana Parish.

(3) District 3 is composed of Allen Parish; Beauregard Parish; Precincts 2-9, 2-10, 2-11, 2-12, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 4-1, 4-2, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-10, 5-11, 6-1, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 11-1, 11-2, 11-3, 11-4, 11-5, 11-6, 11-7, 11-8, 11-9, 11-10, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 12-10, and 12-11 of Caddo Parish; Calcasieu Parish; Cameron Parish; DeSoto Parish; Evangeline Parish; Jefferson Davis Parish; Natchitoches Parish; Sabine Parish; Precincts 4, 8, 10, 10A, 18, 18A, 18B, 24,

24B, 25, 27, 28, 29, 29A, 32, 32A, 33, 33A, 34, 34A, 35, 36, 37, 37A, 41, 41A, 42, 43, 44, 44A, 44B, 45, 46, 47, 48, 49, 50, 50A, 51, 51A, and 52 of St. Landry Parish; and Vernon Parish.

(4) District 4 is composed of Bienville Parish; Bossier Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 3-1, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 9-1, 9-2, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 10-1, 10-2, and 10-9 of Caddo Parish; Caldwell Parish; Catahoula Parish; Claiborne Parish; Franklin Parish; Grant Parish; Jackson Parish; LaSalle Parish; Lincoln Parish; Morehouse Parish; Precincts 1, 1A, 2, 3, 4, 5, 6, 7, 25, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 44A, 45, 46, 47, 48, 49, 50, 51, 51A, 52, 52A, 53, 54, 55, 56, 56A, 57, 58, 59, 60, 61, 62, 63, 64, 71, 75, 76, 77, and 78 of Ouachita Parish; Precincts C13, C22, C23, C30, C31, C32, C33, C34, C35, C36, C37-A, C37-B, C38-A, C38-B, C41, C42, N4, N5, N6, N7, N8, N9, N11, N12, N13-A, N13-B, N14-A, N14-B, N15, N16, N17, N18-A, N18-B, N19, N20, N21, N22, N23, N24, N25, N26, S1, S2, S4, S5, S6A, S6B, S7, S8, S9, S10, S11, S13, S14, S21, S22, S23, S24, S25, S26, S27, S28, and S29 of Rapides Parish; Red River Parish; Union Parish; Webster Parish; West Carroll Parish; and Winn Parish.

(5) District 5 is composed of Acadia Parish; Iberia Parish; Precincts 1, 3, 4, 5, 7, 8, 9, 10, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 59, 60, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 130, 131, 133, 134, 135, and 136 of Lafayette Parish; Lafourche Parish; St. Martin Parish; St. Mary Parish; Terrebonne Parish; and Vermilion Parish.

(6) District 6 is composed of Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 33, 34, 35, 36, 41, 45, 53, 61, 62, 63, 64, 68, 69, 71, 72, 73, 76, 77 and 78 of Ascension Parish; Assumption Parish;

Precincts 1-7, 1-8, 1-12, 1-33, 1-34, 1-35, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-47, 1-48, 1-49, 1-56, 1-57, 1-64, 1-65, 1-69, 1-74, 1-75, 1-76, 1-79, 1-89, 1-90, 1-98, 1-99, 1-103, 1-105, 1-107, 2-6, 2-7, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-10, 3-12, 3-14, 3-15, 3-16, 3-17, 3-19, 3-20, 3-21, 3-22, 3-23, 3-25, 3-26, 3-28, 3-30, 3-31, 3-32, 3-33, 3-34, 3-36, 3-37, 3-38, 3-40, 3-41, 3-43, 3-44, 3-45, 3-46, 3-47, 3-48, 3-49, 3-50, 3-51, 3-53, 3-56, 3-59, 3-61, 3-62, 3-63, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69, 3-70, 3-71, 3-72, 3-73, 3-75 and 3-76 of East Baton Rouge Parish; Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132, 176, 177, 178, 183, 184, 185A, 189, 190, 194B, 202, 203, 210, 211, 229, 234, 246, 247, 248, 1-G, 3-G, 5-G, 9-G, 10-G, 12-G, 13-G, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 15-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 34-K, 35-K and 1-L of Jefferson Parish; Precincts 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 17-17, 17-18, 17-18A, 17-19 and 17-20 of Orleans Parish; Plaquemines Parish; Precincts 1-6, 2-5, 2-6, 3-1, 3-2, 3-3, 4-1, 4-2, 4-3, 4-5, 5-5, 6-1, 6-2, 6-3, 6-4, 6-6, 6-8, 7-1, 7-2 and 7-3 of St. Charles Parish; Precincts 13, 14 and 18 of St. James Parish and Precincts 1-1, 1-6, 2-1, 2-3, 3-3, 5-4 and 5-5 of St. John the Baptist Parish.

(7) District 7 is composed of Precincts 28, 30, 31, 32, 37, 38, 39, 40, 42, 43, 44, 47, 48, 50, 51, 52, 54, 55, 57, 58, 65, and 66 of Ascension Parish; Precincts 57, 104, 108, 115, 131, 133, 134, 136, 138, 150, 151, 152, 153, 154, 155, 156, 157A, 157B, 170, 171, 172, 173, 174, 175, 179A, 179B, 180, 181, 182, 185B, 187, 188, 191, 192, 193A, 193B, 194A, 195, 196, 197A, 197B, 198, 199, 200, 201, 204, 205, 212, 213A, 213B, 213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 230, 231, 232A, 232B, 235, 236, 237, 238A, 238B, 2-G, 4-G, 6-G, 7-G, 8-G,

1 11-G, 13-KB, 21-K, 22-K, 23-K, 24-K, 26-K, 28-K, 29-K, 30-K, 31-K, 33-K, 1-W,
 2 2-W, 3-W, 4-W, 5-W, 6-W, and 7-W of Jefferson Parish; Precincts 1-1, 1-2, 1-5,
 3 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 3-20, 4-2, 4-3,
 4 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10, 5-11, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 6-9, 7-1,
 5 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17,
 6 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A,
 7 7-29, 7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 7-41, 7-42, 8-1, 8-2, 8-4, 8-6, 8-7,
 8 8-8, 8-9, 8-12, 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27,
 9 8-28, 8-30, 9-1, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15,
 10 9-16, 9-17, 9-19, 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31,
 11 9-31A, 9-31B, 9-31D, 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38,
 12 9-38A, 9-39, 9-39B, 9-40, 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-42, 9-42C, 9-43A,
 13 9-43B, 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M,
 14 9-43N, 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L,
 15 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12,
 16 10-13, 10-14, 11-2, 11-3, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 11-12, 11-13, 11-14,
 17 11-17, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-9, 12-10, 12-11, 12-12, 12-13,
 18 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9,
 19 13-10, 13-11, 13-12, 13-13, 13-14, 13-15, 13-16, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6,
 20 14-7, 14-8, 14-9, 14-10, 14-11, 14-12, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A,
 21 14-19, 14-20, 14-21, 14-23, 14-24A, 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6,
 22 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A,
 23 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16,
 24 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F,
 25 15-19, 15-19A, 15-19B, 15-19C, 16-1, 16-1A, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7,
 26 16-8, 16-9, 17-1, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12,
 27 17-13, 17-13A, 17-14, 17-15, and 17-16 of Orleans Parish; Precincts 1-1, 1-2, 1-3,
 28 1-4, 1-5, 2-1, 2-3, 2-4, 4-4, 5-1, 5-3, 5-4, 7-4, 7-5, and 7-6 of St. Charles Parish;
 29 Precincts 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 22, and 23 of St. James
 30 Parish; and Precincts 1-2, 1-3, 1-4, 1-5, 1-7, 2-2, 2-4, 2-5, 3-1, 3-2, 3-4, 3-7, 4-1,

4-2, 4-3, 4-4, 4-5, 5-1, 5-2, 5-3, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 7-3, and 7-4 of St. John the Baptist Parish.

§101.3. Assignment of districts; vacancies; elections

A. Each justice of the supreme court in office on the effective date of this Section shall be assigned to the district composed as provided by R.S. 13:101.2 having the same designation as the district from which the justice was elected and may complete the term for which he was elected.

B. The successor to the office of justice of the supreme court shall be elected from the district assigned to that office as provided by Subsection A of this Section. The election shall be from the district composed as provided by R.S. 13:101.2.

Section 2. R.S. 13:101, 101.1, and 312.4 are hereby repealed.

Section 3.(A) The precincts referenced in this Act are those contained in the file named "2024 Precinct Shapefiles (01-10-2024)" available on the Legislature of Louisiana's website on the effective date of this Section. The 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the Louisiana House of Representatives and the Louisiana Senate to represent precinct changes submitted through January 10, 2024, to the Legislature of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

(B) When a precinct referenced in this Act has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with the provisions of R.S. 18:532.1, the enumeration in this Act of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof, however such subdivisions may be designated.

(C) The territorial limits of the districts as provided in this Act shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

1 Section 4. The purpose and intent of this Act is to statutorily effectuate and
2 implement a settlement reached between all parties in the matter entitled *Louisiana State*
3 *Conference of the National Association for the Advancement of Colored People, et al. v.*
4 *State of Louisiana, et al.*, Case 3:19-479, in the United States District Court for the Middle
5 District of Louisiana.

6 Section 5. This Act shall become effective upon signature of the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
9 this Act is vetoed by the governor and subsequently approved by the legislature, the
10 provisions of this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 729

2024 Regular Session

HOUSE BILL NO. 819

BY REPRESENTATIVE VENTRELLA

AN ACT

To enact Code of Evidence Article 1105 and Code of Criminal Procedure Article 389, relative to the burden of proof in certain proceedings; to provide for the burden of proof when a claim of self-defense is raised in criminal or civil proceedings; to provide relative to notice; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Evidence Article 1105 is hereby enacted to read as follows:

Art. 1105. Burden of proof; civil proceedings

A. In any civil proceeding in which the defense of self-defense is raised, the defendant shall have the burden to prove by a preponderance of the evidence that he acted in self-defense.

B. For the purposes of this Article, if the defense of self-defense is raised in a civil proceeding by an authorized person as defined in R.S. 9:2793.12, the burden of proof shall be on the party asserting the action to prove by a preponderance of the evidence that the injury, death, or loss complained of was not caused by a justified use of force or self-defense by the authorized person.

Section 2. Code of Criminal Procedure Article 389 is hereby enacted to read as follows:

Art. 389. Burden of proof; justification of self-defense raised; probable cause

A. In any criminal proceeding in which the justification of self-defense is raised pursuant to R.S. 14:19 or 20, the state shall have the burden to prove beyond a reasonable doubt that the defendant did not act in self-defense.

B. Any defendant intending to assert the justification of self-defense pursuant to R.S. 14:19 or 20 shall provide written notice to the district attorney

1 within ten days after the state has moved for discovery under Article 724. Thereafter,
2 the court may, for good cause shown, allow a defendant to provide such notice at any
3 time before the commencement of the trial.

4 C. A peace officer shall consider evidence of self-defense in accordance with
5 R.S. 14:19 or 20 when determining if probable cause exists to conduct an arrest.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 724

HOUSE BILL NO. 792 (Substitute for House Bill No. 343 by Representative Bacala)

BY REPRESENTATIVES BACALA, ROBBY CARTER, COX, HORTON, KNOX,
LAFLEUR, AND THOMPSON

1 AN ACT

2 To enact Code of Criminal Procedure Article 388.1, relative to the initiation and
3 adjudication of criminal cases; to provide for the submission of reports; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 388.1 is hereby enacted to read as
7 follows:

8 Art. 388.1. Information to be provided to supreme court; daily reports

9 A. Beginning on January 1, 2025, the clerk of court for each judicial district
10 shall provide a daily electronic submission to the Louisiana Supreme Court
11 containing the data elements enumerated in Code of Criminal Procedure Article
12 388(A), as well as the date of initiation of prosecution, the date of adjudication, and
13 the number of days from initiation of prosecution to adjudication for all criminal
14 cases. The Louisiana Supreme Court shall include a summary of this information,
15 broken down by judicial district, in its annual report.

1 B. The data required by Paragraph A of this Article shall be recorded and
2 reported to the Louisiana Supreme Court in a standard format and practice as
3 directed by the court.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 698

HOUSE BILL NO. 453

BY REPRESENTATIVES KERNER, BACALA, BOYER, BRAUD, CARRIER, CHASSION, COX, DAVIS, DEWITT, FISHER, FREIBERG, GREEN, HUGHES, JACKSON, KNOX, LACOMBE, JACOB LANDRY, MANDIE LANDRY, LARVADAIN, MARCELLE, MILLER, MYERS, NEWELL, ST. BLANC, TAYLOR, AND WALTERS

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 571 and 571.1, relative to
3 limitations upon the institution of prosecution; to provide that there is no time
4 limitation upon the institution of prosecution for the crime of molestation of a
5 juvenile or a person with a physical or mental disability; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Articles 571 and 571.1 are hereby amended
9 and reenacted to read as follows:

10 Art. 571. Crimes for which there is no time limitation

11 There is no time limitation upon the institution of prosecution for any crime
12 for which the punishment may be death or life imprisonment or for the crime of
13 forcible or second degree rape (R.S. 14:42.1) or molestation of a juvenile or a person
14 with a physical or mental disability (R.S. 14:81.2).

15 Art. 571.1. Time limitation for certain sex offenses

16 Except as provided by Article 572, the time within which to institute
17 prosecution of the following sex offenses, regardless of whether the crime involves
18 force, serious physical injury, death, or is punishable by imprisonment at hard labor
19 shall be thirty years: attempted first degree rape, also formerly titled aggravated rape
20 (R.S. 14:27, R.S. 14:42), attempted second degree rape, also formerly titled forcible

1 rape (R.S. 14:27, R.S. 14:42.1), sexual battery (R.S. 14:43.1), second degree sexual
2 battery (R.S. 14:43.2), oral sexual battery (R.S. 14:43.3), human trafficking (R.S.
3 14:46.2(B)(2) or (3)), trafficking of children for sexual purposes (R.S. 14:46.3),
4 felony carnal knowledge of a juvenile (R.S. 14:80), indecent behavior with juveniles
5 (R.S. 14:81), pornography involving juveniles (R.S. 14:81.1), ~~molestation of a~~
6 ~~juvenile or a person with a physical or mental disability (R.S. 14:81.2)~~, prostitution
7 of persons under eighteen (R.S. 14:82.1), enticing persons into prostitution (R.S.
8 14:86), crime against nature (R.S. 14:89), aggravated crime against nature (R.S.
9 14:89.1), crime against nature by solicitation (R.S. 14:89.2(B)(3)), that involves a
10 victim under eighteen years of age. This thirty-year period begins to run when the
11 victim attains the age of eighteen.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 116

BY SENATOR JACKSON-ANDREWS AND REPRESENTATIVE KNOX

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Art. 978(A)(2) and 992 and to enact
3 Code of Criminal Procedure Art. 978(F), relative to expungement of records; to
4 provide for the expungement of a felony record with another felony conviction
5 during the ten-year cleansing period under certain circumstances; to provide relative
6 to expungement forms; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Art. 978(A)(2) and 992 are hereby amended
9 and reenacted and Code of Criminal Procedure Art. 978(F) is hereby enacted to read as
10 follows:

11 Art. 978. Motion to expunge record of arrest and conviction of a felony offense

12 A. Except as provided in Paragraph B of this Article, a person may file a
13 motion to expunge his record of arrest and conviction of a felony offense if any of
14 the following apply:

15 * * *

16 (2) More than ten years have elapsed since the person completed any
17 sentence, deferred adjudication, or period of probation or parole based on the felony
18 conviction, and the person has not been convicted of any other criminal offense
19 ~~during the ten-year~~ **for a period; of at least ten years preceding the motion** and has
20 no criminal charge pending against him. The motion filed pursuant to this
21 Subparagraph shall include a certification obtained from the district attorney which
22 verifies that, to his knowledge, the applicant has no convictions during the ten-year
23 period **immediately preceding the motion**, and no pending charges under a bill of
24 information or indictment.

* * *

F. A person shall be eligible to have more than one felony conviction expunged in a ten-year period if each felony is eligible for expungement under the provisions of this Article.

* * *

Art. 992. Order of expungement form to be used

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

No.: _____ Division: " _____ "
State of Louisiana
vs.

ORDER OF EXPUNGEMENT OF ARREST/CONVICTION RECORD

Considering the Motion for Expungement

- ☐ The hearing conducted and evidence adduced herein, OR
- ☐ Affidavits of No Opposition filed,

IT IS ORDERED, ADJUDGED AND DECREED

- ☐ THE MOTION IS DENIED for No(s). ~~_____, , ,~~ _____ for the following reasons (check all that apply):
 - ☐ More than five years have not elapsed since Mover completed the misdemeanor conviction sentence.
 - ☐ More than ten years have not elapsed since Mover completed the felony conviction sentence.
 - ☐ Mover was convicted of one of the following ineligible felony offenses:
 - ☐ A violation of the Uniform Controlled Dangerous Substances Law which is ineligible to be expunged.
 - ☐ An offense currently listed as a sex offense that requires registration pursuant to R.S. 15:540 et seq., at the time the Motion was filed, regardless of whether the duty to register was ever imposed.
 - ☐ An offense defined or enumerated as a "crime of violence" pursuant to R.S. 14:2(B) at the time the Motion was filed.
 - ☐ The arrest and conviction being sought to have expunged is for operating a motor vehicle while intoxicated and a copy of the proof from the Department of Public Safety and Corrections, office of motor vehicles, is not attached as required by C.Cr.P. Art. 984(A).

- 1 ☐ Mover was convicted of a misdemeanor which arose from circumstances involving a
2 sex offense as defined in R.S. 15:541.
- 3 ☐ Mover was convicted of misdemeanor offense of domestic abuse battery which was
4 not dismissed pursuant to C.Cr.P. Art. 894(B).
- 5 ☐ Mover did not complete pretrial diversion.
- 6 ☐ The charges against the mover were not dismissed or refused.
- 7 ☐ Mover's felony conviction was not set aside and dismissed pursuant to C.Cr.P. Art.
8 893(E).
- 9 ☐ Mover's felony conviction was not set aside and dismissed pursuant to C.Cr.P. Art.
10 894(B).
- 11 ☐ Mover completed a DWI pretrial diversion program, but five years have not elapsed
12 since the mover's date of arrest.
- 13 ☐ Mover's conviction for felony carnal knowledge of a juvenile is not defined as
14 misdemeanor carnal knowledge of a juvenile had the mover been convicted on or after
15 August 15, 2001.
- 16 ☐ Mover was not convicted of a crime that would be eligible for expungement as
17 required by C.Cr.P. Art. 978(E)(1).
- 18 ☐ Mover has criminal charges pending against him.
- 19 ☐ Mover was convicted of a criminal offense during the ten-year period, excluding any
20 noncapital felony during the preceding ten-year period that would otherwise be
21 eligible for expungement pursuant to C.Cr.P. Art. 978(F).
- 22 ☐ Mover received a first offender pardon but for an ineligible offense.
- 23 ☐ Mover did not receive a first offender pardon.
- 24 ☐ Denial for any other reason provided by law with attached reasons for denial.
- 25 ☐ **THE MOTION IS HEREBY GRANTED** for No(s). _____ and all agencies
26 are ordered to expunge the record of arrest/conviction and any photographs, fingerprints, or any
27 other such information of any kind maintained in connection with the Arrest(s)/Conviction(s)
28 in the above-captioned matter, which record shall be confidential and no longer considered a
29 public record, nor be available to other persons except a prosecutor, member of a law
30 enforcement agency, or a judge who may request such information in writing certifying that such
31 request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the
32 purpose of any other statutorily defined law enforcement or administrative duties, or for the
33 purpose of the requirements of sex offender registration and notification pursuant to the
34 provisions of R.S. 15:541 et seq. or upon an order of this Court to any other person for good
35 cause shown, or as otherwise authorized by law.
- 36 ☐ **THE MOTION IS HEREBY GRANTED FOR EXPUNGEMENT BY**
37 **REDACTION** If the record includes more than one individual and the mover is entitled to expungement

by redaction pursuant to Code of Criminal Procedure Article 985, for No(s). _____ and all agencies are ordered to expunge the record of arrest/conviction and any photographs, fingerprints, or any other such information of any kind maintained in relation to the Arrest(s)/Conviction(s) in the above-captioned matter as they relate to the mover only. The record shall be confidential and no longer considered a public record, nor be 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 upon an order of this Court to any other person for good cause shown, or as otherwise authorized by law.

NAME: _____
(Last, First, MI)

DOB: ____/____/____ (MM/DD/YY)

GENDER: ____ Female ____ Male

SSN (last 4 digits): XXX-XX-_____

RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

AGENCY ITEM NUMBER: _____

ARREST DATE: ____/____/____ (MM/DD/YY)

THUS ORDERED AND SIGNED this ____ day of _____, 20 ____

at _____, Louisiana.

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JUDGE

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:

ACT No. 564

2024 Regular Session

HOUSE BILL NO. 505

BY REPRESENTATIVE FONTENOT

1 AN ACT

2 To enact Code of Criminal Procedure Articles 311(11) and 328(C), relative to electronic
3 bonds; to provide for definitions; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Code of Criminal Procedure Articles 311(11) and 328(C) are hereby
6 enacted to read as follows:

7 Art. 311. Definitions

8 For the purpose of this Title, the following definitions shall apply:

9 * * *

10 (11) Electronic bond is a commercial bail bond contract executed digitally
11 as security given by a surety to assure a defendant's appearance before the proper
12 court whenever required.

13 * * *

14 Art. 328. Bail undertaking

15 * * *

16 C.(1) An electronic bond may be executed in a parish where the sheriff has
17 electronic bond software in place. Agents may be approved by the sheriff to execute
18 an electronic bond. A licensed bail bond producer applying for electronic bond
19 authority may make an application to the sheriff and shall be domiciled and maintain
20 a principal place of business in this state and possess a Louisiana bail bond producer
21 license for at least three years preceding the date of application.

1 (2) The approving sheriff authority may require any documents deemed
2 necessary to verify the information contained in the application.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 560

HOUSE BILL NO. 416

BY REPRESENTATIVES JORDAN, CARPENTER, WILFORD CARTER, CHASSION,
COX, FISHER, FREEMAN, GREEN, HUGHES, JACKSON, KNOX, LAFLEUR,
LARVADAIN, LYONS, MOORE, NEWELL, ORGERON, PHELPS, SELDERS,
TAYLOR, WALTERS, AND WILLARD

1 AN ACT

2 To enact Code of Criminal Procedure Article 985.3, relative to expungement of criminal
3 records; to provide for a court-ordered immediate expungement in certain cases; to
4 provide for the applicable expungement form to be used; to provide relative to
5 service and contents of the immediate expungement; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 985.3 is hereby enacted to read as
9 follows:

10 Art. 985.3. Immediate expungement; judicial discretion

11 A. The court may order the immediate expungement of the record of the
12 arrest and conviction of the violation that necessitated participation in the probation
13 or program by a person who is otherwise eligible for an expungement upon the
14 successful completion of a court-ordered probation or alternative sentencing
15 program.

16 B. Only the form provided in Article 992 shall be used to expunge the record
17 of a person who is otherwise eligible for an expungement upon the successful
18 completion of a court-ordered probation or alternative sentencing program.

19 C. The immediate expungement shall be served pursuant to the provisions
20 of Article 982 and shall include the court record with the signed order with all of the
21 following:

- 1
- (1) The bill of information.
- 2
- (2) The sentencing minutes.
- 3
- (3) Any documents or records relevant to the arrest incident and plea
- 4
- agreements, if available.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

BY REPRESENTATIVES BOYD, ADAMS, BACALA, BRASS, WILFORD CARTER, CHASSION, COX, DEWITT, FISHER, FREEMAN, GREEN, HORTON, HUGHES, JACKSON, KNOX, LAFLEUR, LYONS, MARCELLE, MENA, MOORE, NEWELL, PHELPS, SCHLEGEL, SELDERS, TAYLOR, VENTRELLA, AND WALTERS

1 AN ACT

2 To enact Code of Criminal Procedure Article 573.4, relative to time limitations for initiating
3 prosecutions; to provide relative to time limitations in which to institute prosecution
4 for the crime of third degree rape; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 573.4 is hereby enacted to read as
7 follows:

8 Art. 573.4. Running of time limitations; exception; third degree rape

9 The time limitations established by Article 572 shall not commence to run
10 as to the crime of third degree rape (R.S. 14:43) until the crime is discovered by the
11 victim.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 75

BY SENATOR MORRIS (On Recommendation of the Louisiana State Law Institute)

1 AN ACT

2 To amend and reenact Code of Civil Procedure Articles 253 and 2853, Code of Criminal
3 Procedure Article 14.1, and R.S. 44:116(D) and the introductory paragraph of R.S.
4 44:116(E)(1) and R.S. 44:116(E)(2), to enact Section 4 of Chapter 3 of Title I of
5 Book VI of the Code of Civil Procedure, to be comprised of Code of Civil Procedure
6 Article 2911, Code of Criminal Procedure Article 14.2, R.S. 9:2761 and 2762, and
7 R.S. 44:117, and to redesignate Code of Civil Procedure Article 258 and R.S. 44:117,
8 relative to electronic filing and record retention; to provide for the filing of
9 pleadings, documents, and exhibits in civil proceedings; to provide for the filing,
10 retention, and recordation of testaments; to provide for electronic and facsimile
11 filings in criminal proceedings; to provide for the effectiveness of electronic records;
12 to provide for the reproduction, maintenance, and destruction or return of original
13 records; to provide for the preservation of filings in the conveyance records; to
14 provide for redesignations; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. Code of Civil Procedure Articles 253 and 2853 are hereby amended and
17 reenacted and Section 4 of Chapter 3 of Title I of Book VI of the Code of Civil Procedure,
18 to be comprised of Code of Civil Procedure Article 2911, is hereby enacted to read as
19 follows:

20 Art. 253. Pleadings, documents, and exhibits to be filed with clerk

21 A. All pleadings or documents to be filed in an action or proceeding instituted
22 or pending in a court, and all exhibits introduced in evidence, shall be delivered **or**
23 **transmitted** to the clerk of the court for ~~such~~ **that** purpose. The clerk **of court** shall
24 endorse thereon the fact and date of filing; and shall retain possession thereof for
25 inclusion in the record, or in the files of his **the clerk's** office, as required by law.
26 The endorsement of the fact and date of filing shall be made upon receipt of the
27 pleadings or documents by the clerk **of court** and shall be made without regard to

1 whether there are orders in connection therewith to be signed by the court.

2 B. The filings as provided in Paragraph A of this Article and all other
3 provisions of this Chapter may be transmitted electronically in accordance with a
4 system established by a the clerk of court, ~~or by Louisiana Clerks' Remote Access~~
5 ~~Authority. When such a system is established, the~~ The clerk of court shall adopt and
6 ~~implement procedures~~ a system for the electronic filing and storage of any pleading,
7 document, or exhibit, ~~and the official record shall be the electronic record~~ filed with
8 a pleading. A pleading or document filed electronically is deemed filed on the date
9 and time stated on the confirmation of electronic filing sent from the system, if the
10 clerk of court accepts the electronic filing. Public access to electronically filed
11 pleadings and documents shall be in accordance with the rules governing access to
12 paper filings. ~~The clerk of court may convert into an electronic record any pleading,~~
13 ~~document, or exhibit as set forth in R.S. 44:116. The originals of conveyances shall~~
14 ~~be preserved by the clerk of court.~~

15 C. The clerk of court may convert into an electronic record any pleading,
16 document, or exhibit that is filed in paper form. If requested by the filing party,
17 the clerk of court shall return to the filing party the original of any document
18 or exhibit that has been converted into an electronic record.

19 D. The official record shall be the electronic record. The original of any
20 filed document or exhibit shall be maintained by the filing party during the
21 pendency of the proceeding and until the judgment becomes final and definitive,
22 unless otherwise provided by law or order of the court. Upon request and
23 reasonable notice, the original document or exhibit shall be produced to the
24 court. Upon reasonable notice, the original document or exhibit shall be made
25 available to the opposing party for inspection.

26 E. Unless otherwise directed by the court, the original of all documents
27 and exhibits introduced or proffered into evidence, submitted with a petition for
28 executory process, or filed in a summary judgment proceeding shall be retained
29 by the clerk of court until the order or judgment becomes final and definitive.

30 ~~€.~~ F. A judge or justice presiding over a court in this state may sign a court

1 order, notice, official court document, and other writings required to be executed in
2 connection with court proceedings by use of an electronic signature as defined by
3 R.S. 9:2602.

4 ~~D. Any pleading or document in a traffic or criminal action may be filed with~~
5 ~~the court by facsimile transmission in compliance with the provision of the Code of~~
6 ~~Criminal Procedure Article 14.1.~~

7 ~~E. The clerk shall not refuse to accept for filing any pleading or other~~
8 ~~document signed by electronic signature, as defined by R.S. 9:2602, and executed~~
9 ~~in connection with court proceedings, or which complies with the procedures for~~
10 ~~electronic filing implemented pursuant to this Article, if any applicable fees for filing~~
11 ~~and transmission are paid, solely on the ground that it was signed by electronic~~
12 ~~signature.~~

13 F. **G.** If the filing party fails to comply with any **requirement of the**
14 **requirements of Paragraph A or B of** this Article, the electronic filing shall have
15 no force or effect. ~~The district courts~~ **A court** may provide by court rule for other
16 matters related to filings by electronic transmission.

17 ~~G. H.~~ **H.** The clerk of court may procure equipment, services, and supplies
18 necessary to accommodate electronic filings out of the clerk's salary fund.

19 ~~H. I.~~ **I.** All electronic filings shall include an electronic signature. For the
20 purpose of this Article, "electronic signature" means an electronic symbol or process
21 attached to or logically associated with a record and executed or adopted by a person
22 with the intent to sign the record.

23 **J. The clerk of court shall not refuse to accept for filing any pleading or**
24 **other document that is signed by electronic signature and executed in**
25 **connection with court proceedings, or that complies with the procedures for**
26 **electronic filing implemented pursuant to this Article, solely on the ground that**
27 **the pleading or document was signed by electronic signature.**

28 Comments - 2024
29

30 (a) The amendment to Paragraph B of this Article does not change the
31 rule that the clerk of court has the authority to convert any pleading,
32 document, or exhibit into an electronic record. Nevertheless, unless the court

directs otherwise, any original document that has legal efficacy, such as a will, codicil, trust, promissory note, authentic act, affidavit, or exhibit that may necessitate a physical examination by the trier of fact to determine an issue, must be retained by the parties until a final and definitive judgment is rendered. The judgment of a trial court becomes final and definitive when no post-trial motions or appeals are taken from the judgment. The judgment of a court of appeal becomes final and definitive if neither an application to the court of appeal for rehearing nor an application to the supreme court for a writ of certiorari is timely filed. See Article 2166(A). If a writ of certiorari is granted by the supreme court, the judgment of the supreme court becomes final and definitive when the delay for application for rehearing has expired or the application is denied. See Article 2167(B) and (C).

(b) The amendment to Paragraph C of this Article clarifies that the clerk of court may convert into an electronic record any pleading, document, or exhibit that is filed in paper form. Even though the original document is converted into an electronic record, the original document may still be needed for examination at a hearing or trial.

(c) The amendment to Paragraph E of this Article is new and requires that the original of all documents and exhibits introduced or proffered into evidence, submitted with a petition for executory process, or filed in a summary judgment proceeding be retained by the clerk of court until the order or judgment becomes final and definitive, unless the court otherwise directs. This does not change the law pertaining to the destruction of documents after filing. See, e.g., R.S. 13:917, 1221, 1904, and 2562.26 relative to the destruction of useless records.

* * *

Art. 2853. ~~Purported testament must be filed, though possessor doubts validity~~

Filing of purported testament

A. If a person has possession of a document purporting to be the testament of a deceased person, even though ~~he~~ **the person** believes that the document is not the valid testament of the deceased; or has doubts concerning the validity ~~thereof, he~~ **of the testament, the person** shall present it **the document** to the court with ~~his a~~ petition praying that the document be filed in the record of the succession proceeding.

B. A person ~~so~~ presenting a purported testament to the court shall not be deemed to vouch for its authenticity or validity, nor ~~be~~ precluded from asserting its invalidity.

* * *

SECTION 4. RETENTION OF TESTAMENTS

Art. 2911. Retention of testaments

The clerk of court shall retain in perpetuity the original of a testament that is probated or ordered to be filed and executed. Until the order probating the testament or ordering the testament to be filed and executed becomes final and definitive, the clerk of court shall also retain the originals of all other testaments filed in accordance with Article 2853.

Comments - 2024

In accordance with Article 2974, an appeal may be taken from orders and judgments rendered in succession proceedings.

Section 2. Code of Criminal Procedure Article 14.1 is hereby amended and reenacted, and Code of Criminal Procedure Article 14.2 is hereby enacted, to read as follows:

~~Art. 14.1. Filing of pleadings and documents by facsimile or electronic transmission~~

Electronic filings

Any document in a traffic or criminal action may be transmitted electronically in accordance with a system established by the clerk of court. The clerk of court shall adopt a system for the electronic filing and storage of any pleading, document, or exhibit other than those documents or exhibits introduced and filed at a hearing or trial. Furthermore, in a court that accepts electronic filings in accordance with this Article, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.

Art. 14.2. Facsimile filings

A. Any document in a traffic or criminal action may be filed with the clerk of court by facsimile transmission ~~if permitted by~~ pursuant to the policy of the clerk of court. Filing shall be deemed complete at the time the facsimile transmission is received by the clerk of court. No later than on the first business day after receiving a facsimile filing, the clerk of court shall transmit to the filing party via facsimile a confirmation of receipt and include a statement of the fees for the facsimile filing

1 and filing of the original document. The facsimile filing fee and transmission fee are
2 incurred upon receipt of the facsimile filing by the clerk of court and payable as
3 provided in Paragraph B of this Article. The facsimile filing shall have the same
4 force and effect as filing the original document, if the party complies with Paragraph
5 B of this Article.

6 B. Within seven days, exclusive of legal holidays, after the clerk of court
7 receives the facsimile filing, all of the following shall be delivered to the clerk of
8 court:

9 (1) The original document identical to the facsimile filing in number of pages
10 and in content of each page, including any attachments, exhibits, and orders. A
11 document **that is** not identical to the facsimile filing or ~~which~~ **that** includes pages
12 not included in the facsimile filing shall not be considered the original document.

13 (2) The fees for the facsimile filing and filing of the original document stated
14 on the confirmation of receipt, if any.

15 (3) A transmission fee of five dollars, if the defendant ~~had~~ **has** not been
16 declared indigent by the court.

17 C. If the filing party fails to comply with any of the requirements of
18 Paragraph B of this Article, the facsimile filing shall have no force or effect.

19 D. ~~Any~~ **A** court ~~district~~ may provide by court rule for any additional
20 requirement or provisions for filings by facsimile transmission.

21 E. In keeping with the clerk's policy, each clerk of court shall make available
22 the necessary equipment and supplies to accommodate facsimile filing in criminal
23 actions. Purchases for equipment and supplies necessary to accommodate facsimile
24 filings may be funded from any expense fund of the office of the clerk of court as the
25 clerks deem appropriate.

26 ~~F. The filings as provided in this article and all other provisions of this code~~
27 ~~may be transmitted electronically in accordance with a system established by a clerk~~
28 ~~of court or by the Louisiana clerks' remote access authority. When such a system is~~
29 ~~established, the clerk of court shall adopt and implement procedures for the~~
30 ~~electronic filing and storage of any pleading, document, or exhibit. Furthermore, in~~

~~a parish that accepts electronic filings covered under this paragraph, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.~~

Section 3. R.S. 9:2761 and 2762 are hereby enacted to read as follows:

§2761. Effectiveness of electronic record

An electronic record filed in accordance with R.S. 44:119 shall have effect as to third persons in the same manner as if an original written instrument had been filed.

§2762. Recordation of testaments; indexing; effectiveness

If a testament is recorded in the conveyance records, the clerk of court shall index the testament only in the name of the testator. The recordation of the testament shall not itself have any effect on the rights of the heirs, legatees, and creditors of the succession and shall not make the provisions of the testament effective against third persons.

Section 4. R.S. 44:116(D) and the introductory paragraph of R.S. 44:116(E)(1) and R.S. 44:116(E)(2) are hereby amended and reenacted, and R.S. 44:117 is hereby enacted, to read as follows:

§116. Photostatic, photographic, microfilm, or other photographic or electronic copies of records; indexes of conveyance and mortgage records; disposition; evidentiary status; preservation

* * *

D. Notwithstanding the provisions of Subsection B of this Section or any other provision of law to the contrary, for any record filed on or after January 1, 2005, with the exception of records of a graphic nature, including but not limited to plats, maps, and photographs as related to the work of a Professional Land Surveyor engaged in the "Practice of Land Surveying", as defined in R.S. 37:682, a clerk of court may reproduce the record as provided in this Section and ~~may thereafter~~ **shall**

return the original record to the person presenting it: indicated person and to the address shown on the first page of the record, or if no such person and address is indicated, to any vendee or other transferee whose name and address are stated in the instrument. The clerk of court shall verify that the copy of the record is complete and legible prior to the return or disposal of the original record.

E.(1) Notwithstanding the provisions of Subsection B of this Section or any other provision of law to the contrary, with the exception of instruments filed in the conveyance records, a clerk of court shall not be required to maintain an original record filed on or prior to December 31, 2004, provided that:

* * *

(2) ~~A~~ With the exception of instruments filed in the conveyance records on or prior to December 31, 2004, a clerk of court may destroy any record provided for in this Subsection or return it to the person who ~~presented it for recordation after the clerk receives certification from the state archivist that the records are not subject to R.S. 44:406 or R.S. 44:427 and after the clerk has preserved the record as provided for in this Section.~~ is indicated and to the address shown on the first page of the record, or if no such person and address is indicated, to the person who presented the record after the clerk of court has done all of the following:

(a) Received certification from the state archivist that the records are not subject to R.S. 44:406 or 411.

(b) Preserved the record as provided in this Section.

(c) Verified that the copy of the record is complete and legible. No cause of action for any claim shall exist against a clerk of court for any damage or loss resulting from the return or destruction of an original record in accordance with this Paragraph after receipt of the certification and proper preservation of the record.

* * *

§117. Preservation of filings in the conveyance records

A. The clerk of court shall preserve in perpetuity the original or, when permitted by R.S. 44:116, a complete and legible copy of each instrument filed

1 in the conveyance records.

2 B. For purposes of this Part, the conveyance records include all records,
 3 however denominated, that are required by law to be indexed in the index of
 4 conveyances maintained by the clerk of court.

5 Section 5. The Louisiana State Law Institute is hereby directed to redesignate
 6 existing R.S. 44:117, entitled "Electronic copies of records; Lafayette Parish", as R.S. 44:118
 7 and to redesignate Code of Civil Procedure Article 258 as R.S. 44:119.

8 Section 6. Nothing in this Act shall be construed to create a cause of action against
 9 a clerk of court for destruction or disposition of records prior to the effective date of this Act
 10 in accordance with the law in effect at the time of the destruction or disposition.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 91

BY SENATOR DUPLESSIS AND REPRESENTATIVES BAYHAM, WILFORD
CARTER, CHASSION, LARVADAIN, TAYLOR AND WALTERS

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Art. 926.1(A)(1), (H)(3), and (K),
3 relative to post-conviction DNA testing; to extend the time period for filing an
4 application for post-conviction DNA testing; to extend the time period for
5 preservation of biological material under certain circumstances; to provide relative
6 to the DNA Testing Post-Conviction Relief for Indigents Fund; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Code of Criminal Procedure Art. 926.1(A)(1), (H)(3), and (K) are hereby
10 amended and reenacted to read as follows:

11 Art. 926.1. Application for DNA testing

12 A.(1) Prior to August 31, ~~2024~~ **2030**, a person convicted of a felony may file
13 an application under the provisions of this Article for post-conviction relief
14 requesting DNA testing of an unknown sample secured in relation to the offense for
15 which he was convicted. On or after August 31, ~~2024~~ **2030**, a petitioner may request
16 DNA testing under the rules for filing an application for post-conviction relief as
17 provided in Article 930.4 or 930.8.

18 * * *

19 H. * * *

20 (3) After service of the application on the district attorney and the law
21 enforcement agency in possession of the evidence, the clerks of court of each parish
22 and all law enforcement agencies, including but not limited to district attorneys,
23 sheriffs, the office of state police, local police agencies, and crime laboratories shall
24 preserve until August 31, ~~2024~~ **2030**, all items of evidence in their possession which
25 are known to contain biological material that can be subjected to DNA testing, in all
26 cases that, as of August 15, 2001, have been concluded by a verdict of guilty or a

plea of guilty.

* * *

K. There is hereby created in the state treasury a special fund designated as the DNA Testing Post-Conviction Relief for Indigents Fund. The fund shall consist of money specially appropriated by the legislature. No other public money may be used to pay for the DNA testing authorized under the provisions of this Article. The fund shall be administered by the ~~Louisiana Public Defender Board~~ **office of the state public defender**. The fund shall be segregated from all other funds and shall be used exclusively for the purposes established under the provisions of this Article. If the court finds that a petitioner under this Article is indigent, the fund shall pay for the testing as authorized in the court order.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:

SENATE BILL NO. 24

BY SENATOR SEABAUGH AND REPRESENTATIVES BACALA, FONTENOT,
ROMERO, SCHAMERHORN AND THOMPSON

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Art. 234, relative to booking
3 photographs; to remove certain limitations on the release and dissemination of
4 booking photographs; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Art. 234 is hereby amended and reenacted to
7 read as follows:

8 Art. 234. Booking photographs

9 A. As used in this Article:

10 (1) "Booking photograph" means a photograph or still, non-video image of
11 an individual generated by a law enforcement agency for identification purposes
12 after arrest or while in the agency's custody.

13 (2) "Remove-for-pay publication or website" means a publication that
14 requires the payment of a fee or other valuable consideration in order to remove or
15 delete a booking photograph from the publication or which **primarily** utilizes the
16 publication of booking photographs for profit or to obtain advertising revenue.

17 ~~B. Except as provided in this Article, a law enforcement officer or agency~~
18 ~~shall not provide a copy of a booking photograph in any format to a person~~
19 ~~requesting a copy of that photograph.~~

20 ~~C.(1) No law enforcement officer or agency shall publish, release, or~~
21 ~~disseminate in any format a booking photograph to the public or to a private person~~
22 ~~or entity unless any of the following occurs:~~

1 ~~(a) The individual is a fugitive, and a law enforcement officer or agency~~
2 ~~determines that releasing or disseminating the booking photograph will assist in~~
3 ~~apprehending the individual.~~

4 ~~(b) A law enforcement officer or agency determines that the individual is an~~
5 ~~imminent threat to an individual or to public safety and determines that releasing or~~
6 ~~disseminating the booking photograph will assist in reducing or eliminating the~~
7 ~~threat.~~

8 ~~(c) A judge of a court of competent jurisdiction orders the release or~~
9 ~~dissemination of the booking photograph based on a finding that the release or~~
10 ~~dissemination is in furtherance of a legitimate interest.~~

11 ~~(d) The individual is convicted of or pleads guilty or nolo contendere to a~~
12 ~~crime, lesser crime, or lesser included offense as defined in Article 558 in response~~
13 ~~to the same crime for which he was arrested or if there is criminal litigation related~~
14 ~~to the same crime that is pending or reasonably anticipated.~~

15 ~~(e) The individual is charged with a crime of violence as defined in R.S.~~
16 ~~14:2(B), except stalking, or charged with any of the following offenses:~~

17 ~~(i) Sex offenses as defined in R.S. 15:541.~~

18 ~~(ii) Human trafficking offenses as defined in R.S. 14:46.2 and 46.3.~~

19 ~~(iii) Offenses affecting the health and morals of minors, R.S. 14:91 et seq.~~

20 ~~(iv) Offenses affecting the health and safety of persons with infirmities,~~
21 ~~R.S.14:93.3 et seq.~~

22 ~~(v) Video voyeurism.~~

23 ~~(vi) Cruelty to animals.~~

24 ~~(vii) Dogfighting.~~

25 ~~(f) The individual is released on a bail undertaking and the law enforcement~~
26 ~~officer or agency is requested to release or disseminate the booking photograph to~~
27 ~~the individual's surety agent.~~

28 ~~(g) A law enforcement officer or agency determines that releasing or~~
29 ~~disseminating the booking photograph is necessary for investigative purposes.~~

30 ~~(2) Notwithstanding the provisions of Subparagraph (1) of this Paragraph, a~~

1 law enforcement officer or agency shall provide a copy of a booking photograph to
2 the individual who is the subject of the booking photograph or to the counsel of
3 record for the individual upon request.

4 ~~(3) A booking photograph published, released, or disseminated by a law~~
5 ~~enforcement officer or agency, except after the subject of the booking photograph~~
6 ~~being found guilty or pleading guilty or nolo contendere as provided in~~
7 ~~Subsubparagraph (1)(d) of this Paragraph, shall include a disclaimer that states "all~~
8 ~~persons are presumed innocent until proven guilty".~~

9 ~~(4) No law enforcement agency or employee thereof shall be subject to civil~~
10 ~~action or be held liable when the publication, release, or dissemination was made by~~
11 ~~mistake of fact or error, or was inadvertent and made in good faith.~~

12 ~~D. The publication of a booking photograph of a Louisiana resident~~
13 ~~constitutes minimum contact with the state and by doing so, the party shall be subject~~
14 ~~to the jurisdiction of Louisiana courts.~~

15 ~~E. **B.**(1)~~ A remove-for-pay publication or website shall remove and destroy
16 a booking photograph of an individual who submits a request for removal and
17 destruction within seven calendar days from the day that the individual makes the
18 request if both of the following conditions exist:

19 (a) The individual in the booking photograph was acquitted of the criminal
20 charge or not prosecuted, or the individual had the criminal charge expunged,
21 vacated, or pardoned.

22 (b) The individual submits, in relation to the request, evidence of a
23 disposition described in Subsubparagraph (a) of this Subparagraph.

24 (2)(a) A remove-for-pay publication or website shall not require payment for
25 removal or destruction of the booking photograph.

26 (b) Any remove-for-pay publication or website that seeks any fee or other
27 valuable consideration for the removal or destruction of a booking photograph shall
28 be subject to prosecution under R.S. 14:66.

29 (3) If the remove-for-pay publication or website does not remove and destroy
30 the booking photograph, the remove-for-pay publication or website shall be liable

1 for all costs, including reasonable attorney fees, resulting from any legal action that
2 the individual brings in relation to the failure of the remove-for-pay publication or
3 remove-for-pay website to remove and destroy the booking photograph.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 263

2024 Regular Session

HOUSE BILL NO. 269

BY REPRESENTATIVE MUSCARELLO

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 611(C) and R.S. 14:110(A)(2),
3 (B)(3), and (E) and to enact Code of Criminal Procedure Article 611(E) and R.S.
4 14:110(A)(4), relative to the crime of simple escape; to provide relative to venue; to
5 provide for an alternative element of the offense; to provide for a violation of this
6 offense; to provide relative to a penalty; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 611(C) is hereby amended and
9 reenacted and Code of Criminal Procedure Article 611(E) is hereby enacted to read as
10 follows:

11 Art. 611. Venue; trial where offense committed

12 * * *

13 C. If the offender is charged with any of the following offenses, the offense
14 is deemed to have been committed either in the parish where the offense occurred or
15 where the victim resides:

16 (1) ~~R.S. 14:67.3, unauthorized use of an access card.~~

17 ~~(2)~~ R.S. 14:67.16, identity theft.

18 ~~(3)~~ (2) R.S. 14:70.4, access device fraud.

19 ~~(4)~~ (3) R.S. 14:70.8, illegal transmission of monetary funds.

20 ~~(5)~~ (4) R.S. 14:71.1, bank fraud.

21 ~~(6)~~ (5) R.S. 14:72, forgery.

22 ~~(7)~~ (6) R.S. 14:72.2, monetary instrument abuse.

23 * * *

1 E. If the offender is charged with a violation of R.S. 14:110, the offense is
2 deemed to have been committed in either of the following:

3 (1) The parish of the court that ordered or sentenced home incarceration,
4 confinement, or any other legal restraint.

5 (2) The parish where any act or element occurs in violation of R.S. 14:110.

6 Section 2. R.S. 14:110(A)(2), (B)(3), and (E) are hereby amended and reenacted and
7 R.S. 14:110(A)(4) is hereby enacted to read as follows:

8 §110. Simple escape; aggravated escape

9 A. Simple escape shall mean any of the following:

10 * * *

11 (2) The failure of a ~~criminal~~ person serving a sentence and participating in
12 a work release program authorized by law to report or return from his planned
13 employment or other activity under the program at the appointed time.

14 * * *

15 (4) The intentional alteration, destruction, removal, or disabling of electronic
16 monitoring equipment while participating in a home incarceration program.

17 B.

18 * * *

19 (3) A person participating in a home incarceration program ~~under the~~
20 ~~jurisdiction and control of the sheriffs of the respective parishes who commits the~~
21 ~~crime of simple escape~~ violates the provisions of Paragraph (A)(4) of this Section
22 shall be imprisoned with or without hard labor for not less than six months nor more
23 than five years, and such sentence shall not run concurrently with any other sentence.

24 * * *

25 E. The provisions of this Section shall be applicable to all penal,
26 correctional, rehabilitational, and work release centers and any and all prison
27 facilities under the control of the ~~sheriffs~~ law enforcement of the respective parishes
28 of the state of Louisiana. The prison facilities shall include but are not limited to
29 parish jails, correctional centers, home incarceration, work release centers, and
30 rehabilitation centers, hospitals, clinics, and any and all facilities where inmates are

1 confined under the jurisdiction and control of the ~~sheriffs~~ law enforcement of the
2 respective parishes.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 222

2024 Regular Session

HOUSE BILL NO. 497

BY REPRESENTATIVE FONTENOT

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 311(4)(c), relative to constructive
3 surrender; to provide for the payment of certain costs; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 311(4)(c) is hereby amended and
7 reenacted to read as follows:

8 Art. 311. Definitions

9 For the purpose of this Title, the following definitions shall apply:

10 * * *

11 (4) A constructive surrender is the detention of the defendant in another
12 parish of the state of Louisiana or a foreign jurisdiction under the following
13 circumstances:

14 * * *

15 (c) The surety ~~has paid~~ agrees to pay reasonable or actual costs of returning
16 the defendant to the jurisdiction where the warrant for arrest was issued ~~by one of the~~
17 ~~following methods:~~ .If the surety fails to pay a set amount of the reasonable or actual
18 costs, the recovery shall be through a summary proceeding against both the principal
19 and the surety, as provided in Code of Civil Procedure Article 2592(4).

20 (i) ~~Upon presentation of proof of the defendant's current incarceration in a~~
21 ~~foreign jurisdiction to the officer originally charged with the defendant's detention,~~
22 ~~the officer shall provide the surety with the reasonable or actual costs of returning~~

~~the defendant to the jurisdiction where the warrant for arrest was issued when the costs are immediately known or can be estimated.~~

~~(ii) The surety tenders to the officer originally charged with the defendant's detention the reasonable or actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued.~~

(iii) The surety provides proof of payment to the court and to the prosecuting attorney.

~~(iv)(aa) In cases where the reasonable or actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued are not immediately known, the officer originally charged with the defendant's detention shall accept the surety's tender of reasonable costs as provided in R.S. 13:5535 for in-state transfers or for estimated costs for out-of-state transfers.~~

~~(bb) The surety shall provide proof of payment to the court and the prosecuting attorney.~~

~~(cc) If the actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued are more than the estimated costs tendered by the surety, the officer originally charged with the defendant's detention may file a rule to show cause with the court to recover the difference.~~

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

HOUSE BILL NO. 445

BY REPRESENTATIVE FONTENOT

ACT No. 221

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 335, relative to bond forfeitures;

3 to provide relative to procedures for bond forfeiture; to provide time periods for

4 filing; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 335 is hereby amended and reenacted

7 to read as follows:

8 Art. 335. Rule to show cause; bond forfeiture

9 If the defendant fails to make an appearance and has not been surrendered or

10 constructively surrendered within one hundred eighty days of the execution of the

11 certificate that notice of warrant for arrest was sent, the prosecuting attorney may file

12 a rule to show cause requesting that a bond forfeiture judgment be rendered. The

13 rule to show cause shall be mailed to the defendant and served on all other parties

14 against whom a judgment is sought. The rule to show cause shall be set for a

15 contradictory hearing. The time period for filing a rule to show cause to obtain a

16 judgment of bond forfeiture ~~does not begin until~~ shall be within five years after the

17 notice of warrant for arrest is sent.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 207

2024 Regular Session

HOUSE BILL NO. 230

BY REPRESENTATIVE HILFERTY

AN ACT

To amend and reenact Code of Criminal Procedure Article 582, relative to post conviction relief; to provide with respect to time limitations for commencing a new trial once a mistrial has been declared or a defendant obtains a new trial; to specify that a new trial may be obtained through a motion for new trial, appeal, post conviction relief, or any other mechanism provided in state or federal law; to provide that the time delays apply to all of those circumstances; to provide that if the state seeks review of the granting of the new trial, time limitations do not commence to run until the judgment granting the new trial has become final by the state exhausting all avenues of appeal and review; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 582 is hereby amended and reenacted to read as follows:

Art. 582. Time limitations; effect of new trial

A. When a defendant obtains a new trial through a motion for new trial, appeal, post conviction relief, or any other mechanism provided in state or federal law, or when there is a mistrial, the state ~~must~~ shall commence the second trial within one year from the date the new trial is granted, or the mistrial is ordered, or within the period established by Article 578, whichever is longer.

B. If the state seeks review of the granting of the new trial, the period of limitations in this Article shall not commence to run until the judgment granting the new trial has become final by the state exhausting all avenues of review in the appropriate appellate courts, including the Louisiana Supreme Court.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 108

2024 Regular Session

HOUSE BILL NO. 26

BY REPRESENTATIVE BAMBURG

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 404(H), relative to jury
3 commissions; to provide for the functions of the jury commission in the parish of
4 Red River; to transfer the functions of the jury commission to the clerk of court of
5 Red River Parish; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 404(H) is hereby amended and
8 reenacted to read as follows:

9 Art. 404. Appointment of jury commissions; term of office; oath; quorum;
10 performance of functions of jury commissions in certain parishes

11 * * *

12 H. In the parishes of Caldwell, Claiborne, DeSoto, Franklin, Red River,
13 Union, and Webster, the function of the jury commission shall be performed by the
14 clerks of court of Caldwell Parish, Claiborne Parish, DeSoto Parish, Franklin Parish,
15 Red River Parish, Union Parish, and Webster Parish or by a deputy clerk of court
16 designated by the respective clerk in writing to act in his stead in all matters affecting
17 the jury commission. The clerk of court or his designated deputy shall have the same
18 powers, duties, and responsibilities, and shall be governed by all applicable
19 provisions of law pertaining to jury commissioners. The clerks of court of Caldwell
20 Parish, Claiborne Parish, DeSoto Parish, Franklin Parish, Red River Parish, Union
21 Parish, and Webster Parish shall perform the duties and responsibilities otherwise
22 imposed upon him by law with respect to jury venires, shall coordinate the jury

3 * * *

PRESIDENT OF THE SENATE

APPROVED: _____

ACT No. 43

2024 Regular Session

HOUSE BILL NO. 206

BY REPRESENTATIVE VILLIO

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 657 and to enact Code of
3 Criminal Procedure Article 657.3, relative to the continued commitment of certain
4 committed persons; to provide for an exception; to provide for continued custody of
5 certain committed persons based on criteria; to provide for the duration of active
6 supervised release; to provide for a definition; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 657 is hereby amended and reenacted
9 and Code of Criminal Procedure Article 657.3 is hereby enacted to read as follows:

10 Art. 657. Discharge or release; hearing

11 After considering the report or reports filed pursuant to Articles 655 and 656,
12 the court may either continue the commitment or hold a contradictory hearing to
13 determine whether the committed person no longer has a mental illness as defined
14 by ~~R.S. 28:2~~ Article 657.3 and can be discharged, or can be released on probation,
15 without danger to others or to himself as defined by R.S. 28:2. At the hearing the
16 burden shall be upon the state to seek continuance of the confinement by proving by
17 clear and convincing evidence that the committed person currently has a mental
18 illness and is dangerous, except as provided in Code of Criminal Procedure Article
19 657.3. After the hearing, and upon filing written findings of fact and conclusions of
20 law, the court may order the committed person discharged, released on probation
21 subject to specified conditions for a fixed or an indeterminate period, or recommitted
22 to the state mental institution. A copy of the judgment and order containing the

1 written findings of fact and conclusions of law shall be forwarded to the
2 administrator of the forensic facility. Notice to the counsel for the committed person
3 and the district attorney of the contradictory hearing shall be given at least thirty
4 days prior to the hearing.

5 * * *

6 Art. 657.3. Active supervised release for dangerous but not mentally ill committed
7 persons

8 A. Notwithstanding any other provision of law to the contrary, the state may
9 seek active supervised release by the Department of Public Safety and Corrections,
10 office of probation and parole, of a committed person based upon the committed
11 person's continued dangerousness even if the committed person does not have a
12 mental illness as defined by this Article, if both of the following conditions are
13 satisfied:

14 (1) The committed person was found not guilty by reason of insanity for any
15 of the following offenses or attempts to commit any of them:

16 (a) Any crime punishable by death or by life imprisonment.

17 (b) Any crime that is either a crime of violence as defined by R.S. 14:2(B)
18 or a sex offense as defined by R.S. 15:541.

19 (2) The state proves by clear and convincing evidence that the committed
20 person is dangerous to others or dangerous to himself as defined by R.S. 28:2. In
21 satisfying its burden of proof, the state may not rely solely upon the nature of the
22 crime for which the committed person was found not guilty by reason of insanity and
23 may not rely solely upon the diagnosis of any personality disorder.

24 B. Upon satisfaction of the criteria for active supervised release provided in
25 Paragraph A of this Article and consideration of any report filed pursuant to Articles
26 655 and 656, the court shall order the committed person to be placed on active
27 supervised release with any special conditions recommended to the court as well as
28 any conditions of probation provided in Article 895 et seq. for a period not to exceed
29 three years. Such period may be extended in three-year increments upon motion of
30 the district attorney and proof that the committed person still satisfies the criteria for

1 active supervised release under this Article. Under no circumstances shall a
2 committed person who is on active supervised release pursuant to this Article be
3 subject to a probation period that is longer than the maximum term he would have
4 received if he had been convicted of the offense.

5 C. When the committed person is placed on active supervised release, the
6 clerk of court shall deliver a certificate to him setting forth the conditions of his
7 release. The committed person shall be required to agree in writing to the conditions
8 of his release.

9 D. When the committed person has violated or is suspected of violating the
10 conditions of his release, he may be arrested and detained pursuant to Article 899.

11 E. Nothing in this Article shall be construed as abrogating or negating any
12 other provision of this Chapter or any other provision of law relative to the continued
13 commitment, discharge, or conditional release of a person committed pursuant to
14 Article 654.

15 F. For the purposes of this Title, "mental illness" means a psychiatric
16 disorder which has substantial adverse effects on a person's ability to function and
17 requires care and treatment. It does not refer to a person with, solely, an intellectual
18 disability, or who suffers solely from epilepsy or a substance-related or addictive
19 disorder.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 40

2024 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE BACALA

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 404(J), relative to jury
3 commissions; to provide for the functions of the jury commission in the parishes of
4 Ascension, Assumption, and St. James; to transfer the functions of the jury
5 commission to the clerks of court of Ascension Parish, Assumption Parish, and St.
6 James Parish; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 404(J) is hereby amended and
9 reenacted to read as follows:

10 Art. 404. Appointment of jury commissions; term of office; oath; quorum;
11 performance of functions of jury commissions in certain parishes

12 * * *

13 J. In the ~~parish~~ parishes of Ascension, Assumption, Jackson, and St. James,
14 the function of the jury commission shall be performed by the ~~clerk~~ clerks of court
15 of Ascension Parish, Assumption Parish, Jackson Parish, and St. James Parish or by
16 a deputy clerk of court designated by the respective clerk in writing to act in his stead
17 in all matters affecting the jury commission. The clerk of court or his designated
18 deputy shall have the same powers, duties, and responsibilities, and shall be
19 governed by all applicable provisions of law pertaining to jury commissioners. The

1 ~~clerk~~ clerks of court of Ascension Parish, Assumption Parish, Jackson Parish, and
2 St. James Parish shall perform the duties and responsibilities otherwise imposed
3 upon him by law with respect to jury venires, shall coordinate the jury venire
4 process, and shall receive the compensation generally authorized for a jury
5 commissioner.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

SENATE BILL NO. 103

BY SENATOR DUPLESSIS (On Recommendation of the Louisiana State Law Institute)

1 AN ACT

2 To amend and reenact Code of Civil Procedure Art. 192.2, Code of Criminal Procedure Art.
3 25.1 and 433(A) and (C), and Code of Evidence Art. 604, and to enact Code of
4 Evidence Art. 604.1, relative to the appointment of interpreters in court proceedings;
5 to provide for the appointment of interpreters in civil proceedings; to provide for the
6 appointment of interpreters in criminal proceedings; to provide for persons permitted
7 to be present at grand jury sessions; to provide for the qualifications of
8 court-appointed interpreters; to provide for recordation and retention of interpreted
9 communications; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Code of Civil Procedure Art. 192.2 is hereby amended and reenacted to
12 read as follows:

13 Art. 192.2. Appointment of interpreter for non-English-speaking persons

14 A. If a non-English-speaking person who is a ~~principal party in interest~~ or a
15 witness in a proceeding before the court has requested **that the court appoint** an
16 interpreter **for the proceeding**, a judge shall appoint, ~~after consultation with the~~
17 ~~non-English-speaking person or his attorney, a competent interpreter to interpret or~~
18 ~~to translate the proceedings to him and to interpret or translate his testimony~~ **an**
19 **interpreter in accordance with the Code of Evidence and the Rules of the**
20 **Louisiana Supreme Court.**

21 B. Notwithstanding any other provision of law to the contrary, the court shall
22 order payment to the **court-appointed** interpreter for his services at a fixed
23 reasonable amount, and that amount shall be paid out of the appropriate court fund.

24 C. In a proceeding alleging abuse ~~under~~ **in accordance with** R.S. 46:2134 et
25 seq., an interpreter, if necessary, shall be appointed prior to a rule to show cause
26 hearing.

27 Section 2. Code of Criminal Procedure Arts. 25.1 and 433(A) and (C) are hereby

amended and reenacted to read as follows:

Art. 25.1. Appointment of interpreter for non-English-speaking persons

A. ~~If a non-English-speaking person who is a principal party in interest or a witness in a proceeding before the court has requested an interpreter, a judge shall appoint, after consultation with the non-English-speaking person or his attorney, a competent interpreter to interpret or to translate the proceedings to him and to interpret or translate his testimony.~~ **The court shall appoint an interpreter in accordance with the Code of Evidence and the Rules of the Louisiana Supreme Court for any person who is a party or witness upon a determination that the person is a limited English proficient or deaf individual.**

B. ~~The court shall order reimbursement to the interpreter for his services at a fixed reasonable amount.~~ **The cost of providing a qualified court interpreter shall be paid out of the appropriate court fund.**

Comments – 2024

Rules regulating the use of interpreters in court proceedings and court operations are set forth in Part G, Section 14 of the Rules of the Louisiana Supreme Court and in Code of Evidence Articles 604 and 604.1.

* * *

Art. 433. Persons present during grand jury sessions

A.(1) Only the following persons may be present at the sessions of the grand jury:

(a) The district attorney and assistant district attorneys or any one or more of them;

(b) The attorney general and assistant attorneys general or any one or more of them;

(c) The witness under examination;

(d) A person sworn to record the proceedings of and the testimony given before the grand jury; ~~and,~~

(e) An interpreter sworn to translate the testimony of a witness who is ~~unable to speak the~~ **a limited English language proficient or deaf individual.**

(2) An attorney for a target of the grand jury's investigation may be present

1 during the testimony of ~~said~~ the target. The attorney shall be prohibited from
2 objecting, addressing, or arguing before the grand jury; however, the attorney ~~he~~
3 may consult with his client at ~~anytime~~ any time. The court shall remove ~~such~~ the
4 attorney for a violation of these conditions. If a witness becomes a target because of
5 his testimony, the legal advisor to the grand jury shall inform ~~him~~ the witness of his
6 right to counsel and cease questioning until ~~such~~ the witness has obtained counsel
7 or voluntarily and intelligently waived his right to counsel. Any evidence or
8 testimony obtained under the provisions of this Subparagraph from a witness who
9 later becomes a target shall not be admissible in a proceeding against him.

10 * * *

11 C. A person who is intentionally present at a meeting of the grand jury,
12 except as authorized by Paragraph A of this ~~article~~ Article, shall be in constructive
13 contempt of court.

14 Section 3. Code of Evidence Art. 604 is hereby amended and reenacted and Code of
15 Evidence Art. 604.1 is hereby enacted to read as follows:

16 Art. 604. Interpreters

17 An interpreter is subject to the provisions of this Code and the Rules of the
18 Louisiana Supreme Court relating to qualification as ~~an expert~~ a court-appointed
19 interpreter and the administration of an oath or affirmation that ~~he~~ the interpreter
20 will make a true translation or interpretation.

21 Comments – 2024

22 The amendments to this Article make clear that the regulation and use of interpreters
23 in court proceedings are set forth in the Rules of the Louisiana Supreme Court. The
24 amendments also clarify that this Article applies to interpreters who are appointed by the
25 court as officers of the court, as distinguished from interpreters who are retained by a party
26 for the party's own purposes. In accordance with the Rules of the Louisiana Supreme Court,
27 the amendment also observes the distinction between interpretation and translation. An
28 interpretation involves hearing information spoken in one language and orally relaying the
29 information to another in a manner that preserves the language's meaning. A translation
30 consists of taking information that has been written in one language and conveying it in
31 writing in another language while preserving the language's meaning.

32 Art. 604.1. Qualifications of interpreters; interpretations

33 A. If a party objects to the qualifications of any court-appointed
34 interpreter, the party or the party's attorney shall have the right to conduct a

voir dire examination of the interpreter.

B. If a qualified interpreter is not available for a court proceeding, upon the consent of all parties, the court may appoint a person who the court and parties agree will be able to accurately interpret the proceeding in a fair and impartial manner. Before giving consent, the party or the party's attorney shall have the right to conduct a voir dire examination of the interpreter.

C. Any party may object to the interpretation or translation of an interpreter.

D. In all court proceedings in a court of record, interpreted communications with the court shall be recorded in an audio or audiovisual format. The recordings shall be retained by the court.

E. Nothing in this Article prevents any party from having its own interpreter at any proceeding for the party's own purposes.

Comments – 2024

This Article is new and sets forth the procedure for objecting to the qualifications of a court-appointed interpreter and selecting an interpreter when a qualified interpreter is not available. This Article also provides for the recoration and retention of interpreted communications in all proceedings in a court of record and permits a party to have its own interpreter present at any proceeding for the party's own purposes.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 19

2024 Regular Session

HOUSE BILL NO. 167

BY REPRESENTATIVE BRASS

1 AN ACT

2 To amend and reenact R.S. 14:337(A) and (E), relative to the unlawful use of an unmanned
3 aircraft system; to provide relative to the forfeiture of an unmanned aircraft system;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:337(A) and (E) are hereby amended and reenacted to read as
7 follows:

8 §337. Unlawful use of an unmanned aircraft system

9 A.(1) Unlawful use of an unmanned aircraft system is either of the
10 following:

11 ~~(1)~~ (a) The intentional use of an unmanned aircraft system to conduct
12 surveillance of, gather evidence or collect information about, or photographically or
13 electronically record a targeted facility without the prior written consent of the owner
14 of the targeted facility.

15 ~~(2)~~ (b) The intentional use of an unmanned aircraft system over the grounds
16 of a the governor's mansion, state or local jail, prison, or other correctional facility
17 that incarcerates or detains juveniles or adults accused of, convicted of, sentenced
18 for, or adjudicated delinquent for violations of criminal law without the express
19 written consent of the person in charge of that state building, state or local jail,
20 prison, or other correctional facility.

21 (2) The unmanned aircraft system shall be seized by a law enforcement
22 officer in the course of arrest or issuance of summons or shall be seized by order of
23 court pursuant to other provisions of law.

24 * * *

25 E.(1) Whoever commits the crime of unlawful use of an unmanned aircraft
26 system as provided in ~~Paragraph~~ Subparagraph (A)(1)(a) of this Section shall be

fined not more than five hundred dollars, or imprisoned for not more than six months, or both.

(2) On a conviction for a second or subsequent offense as provided in ~~Paragraph~~ Subparagraph (A)(1)(a) of this Section, the offender shall be fined not less than five hundred dollars nor more than four thousand dollars, or imprisoned, with or without hard labor, for not less than six months nor more than two years, or both. In addition to the sentence imposed pursuant to this Paragraph, the court shall order the forfeiture of the unmanned aircraft system used in connection with the offense and provide for the destruction, sale, or other disposition of the unmanned aircraft system.

(3) Whoever commits the crime of unlawful use of an unmanned aircraft system as provided in Paragraph Subparagraph (A)(2) (1)(b) of this Section shall be fined not more than two thousand dollars, or imprisoned for not more than six months, or both.

(4) On a conviction for a second or subsequent offense as provided in ~~Paragraph~~ Subparagraph (A)(2) (1)(b) of this Section, the offender shall be fined not less than two thousand dollars nor more than five thousand dollars, or imprisoned, with or without hard labor, for not more than one year, or both.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 11

2024 Regular Session

HOUSE BILL NO. 12

BY REPRESENTATIVE JORDAN

1 AN ACT

2 To amend and reenact R.S. 14:283.2(A)(1) and to enact R.S. 14:283.2(C)(5), relative to the
3 nonconsensual disclosure of private images; to provide for elements of the offense;
4 to provide for a definition; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:283.2(A)(1) is hereby amended and reenacted and R.S.
7 14:283.2(C)(5) is hereby enacted to read as follows:

8 §283.2. Nonconsensual disclosure of a private image

9 A. A person commits the offense of nonconsensual disclosure of a private
10 image when all of the following occur:

11 (1) The person intentionally discloses an image of another person who is
12 seventeen years of age or older, who is identifiable from the image or information
13 displayed in connection with the image, and who is either engaged in a sexual
14 performance or whose intimate parts are exposed in whole or in part.

15 * * *

16 C. For purposes of this Section:

17 * * *

1 (5) "Sexual performance" means any performance or part thereof that
2 includes actual or simulated sexual intercourse, deviate sexual intercourse, sexual
3 bestiality, masturbation, sadomasochistic abuse, or lewd exhibition of the genitals
4 or anus.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 259

HOUSE BILL NO. 173

BY REPRESENTATIVES FONTENOT, MIKE JOHNSON, AND WILDER

1 AN ACT

2 To enact R.S. 14:109, relative to offenses affecting law enforcement; to create the crime of
3 approaching a peace officer lawfully engaged in law enforcement duties; to provide
4 for a definition; to provide for an affirmative defense; to provide for penalties; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:109 is hereby enacted to read as follows:

8 §109. Approaching a peace officer lawfully engaged in law enforcement duties

9 A. No person shall knowingly or intentionally approach within twenty-five
10 feet of a peace officer who is lawfully engaged in the execution of his official duties
11 after the peace officer has ordered the person to stop approaching or to retreat.

12 B. For the purposes of this Section, "peace officer" shall include all
13 individuals as defined in R.S. 14:112.4(B)(2) and R.S. 40:2402(3).

14 C. It shall be an affirmative defense to this crime if the defendant can
15 establish that the lawful order or command was neither received nor understood by
16 the defendant nor capable of being received or understood under the conditions and
17 circumstances that existed at the time of the issuance of the order.

1 D. Whoever violates the provisions of this Section shall be fined not more
2 than five hundred dollars, imprisoned for not more than sixty days, or both.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 65

2024 Regular Session

HOUSE BILL NO. 138

BY REPRESENTATIVE SCHLEGEL

1 AN ACT

2 To amend and reenact R.S. 14:283.2(A)(1) and (4) and (B)(3) and to enact R.S.
3 14:283.2(C)(5), relative to the nonconsensual disclosure of a private image; to
4 provide relative to the offense of nonconsensual disclosure of a private image; to
5 provide relative to the elements of the offense of nonconsensual disclosure of a
6 private image; to provide for exceptions; to provide for definitions; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:283.2(A)(1) and (4) and (B)(3) are hereby amended and reenacted
10 and R.S. 14:283.2(C)(5) is hereby enacted to read as follows:

11 §283.2. Nonconsensual disclosure of a private image

12 A. A person commits the offense of nonconsensual disclosure of a private
13 image when all of the following occur:

14 (1) The person intentionally discloses an image of another person ~~who is~~
15 ~~seventeen years of age or older~~, who is identifiable from the image or information
16 displayed in connection with the image; and either whose intimate parts are exposed
17 in whole or in part or who is engaged in sexual conduct.

18 * * *

19 (4) The person who discloses the image ~~has the intent to harass or cause~~
20 ~~emotional distress to the person in the image, and the person who commits the~~
21 ~~offense~~ knew or should have known that the disclosure could harass or cause
22 emotional distress to the person in the image.

1 B. Disclosure of an image under any of the following circumstances does not
2 constitute commission of the offense defined in Subsection A of this Section:

3 * * *

4 (3) When the person depicted in the image voluntarily or knowingly exposed
5 his or her intimate parts or engaged in sexual conduct in a public setting.

6 * * *

7 C. For purposes of this Section:

8 * * *

9 (5) "Sexual conduct" means actual or simulated vaginal, anal, or oral sexual
10 intercourse, deviant sexual intercourse, sexual bestiality, masturbation,
11 sadomasochistic abuse, or exhibition of the genitals.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

ACT No. 157

2024 Regular Session

HOUSE BILL NO. 734

BY REPRESENTATIVE VILLIO

1 AN ACT

2 To amend and reenact R.S. 14:130.1(B)(1) and (3) and to enact R.S. 14:130.1(A)(5), (B)(5),
3 and (C) and R.S. 46:1844(Y), relative to victim notification; to provide relative to
4 the elements of the crime of obstruction of justice; to provide relative to the penalties
5 for the crime of obstruction of justice; to provide for a definition; to provide relative
6 to the contacting of a victim's family in a case where the death penalty has been
7 imposed; to provide for notification procedures; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:130.1(B)(1) and (3) are hereby amended and reenacted and R.S.
10 14:130.1(A)(5), (B)(5), and (C) are hereby enacted to read as follows:

11 §130.1. Obstruction of justice

12 A. The crime of obstruction of justice is any of the following when
13 committed with the knowledge that such act has, reasonably may, or will affect an
14 actual or potential present, past, or future criminal proceeding as described in this
15 Section:

16 * * *

17 (5) Contacting a family member of the victim in a manner that knowingly
18 and intentionally violates the provisions of R.S. 46:1844(Y).

19 B. Whoever commits the crime of obstruction of justice shall be subject to
20 the following penalties:

21 (1) When the obstruction of justice involves a criminal proceeding in which
22 a sentence of death or life imprisonment may be imposed, except as provided in

Paragraph (5) of this Subsection, the offender shall be fined not more than one hundred thousand dollars, imprisoned for not more than forty years at hard labor, or both.

* * *

(3) When the obstruction of justice involves any other criminal proceeding, except as provided in ~~Paragraph (4)~~ Paragraphs (4) or (5) of this Subsection, the offender shall be fined not more than ten thousand dollars, imprisoned for not more than five years, with or without hard labor, or both.

* * *

(5) When the obstruction of justice is committed as described in Paragraph (A)(5) of this Section and involves a criminal proceeding in which the sentence imposed is a sentence of death, the offender shall be fined not more than five thousand dollars, imprisoned for not more than three years, with or without hard labor, or both.

C. For the purposes of this Section, "family member" shall have the same
meaning and definition as in R.S. 46:2132.

Section 2. R.S. 46:1844(Y) is hereby enacted to read as follows:

§1844. Basic rights for victim and witness

* * *

Y. Capital Cases.

(1) In cases where the sentence is the death penalty and the clemency process has commenced, the victim's family shall have the right to not be contacted by any of the following unless an appointment with the family has been requested, approved, and arranged through a victim service coordinator appointed by either the prosecuting agency or the Department of Public Safety and Corrections through its Louisiana Victim Outreach Program:

(a) The offender.

(b) Any family member or friend of the offender.

(c) Any legal representative of the offender.

1 (d) Any person or group who actually or purports to represent the offender
2 or the interests of the offender.

3 (2) Upon conviction in cases where the sentence is the death penalty, the
4 victim's family shall be notified by the victim service coordinator of their right to not
5 be contacted by any person, group, or entity who actually or purports to represent the
6 offender or the interests of the offender in subsequent clemency procedures, unless
7 an appointment has been requested, approved, and arranged through the victim
8 service coordinator. The victim service coordinator shall provide a form to the
9 victim's family to request that the victim's family not be contacted in any manner by
10 any person, group, or entity who actually or purports to represent the offender or the
11 interests of the offender related to clemency procedures. The victim service
12 coordinator shall provide notice of this document by United States mail to each party
13 in the case.

14 (3) Whoever violates the provisions of this Subsection shall be punished in
15 accordance with R.S. 14:130.1(B)(5).

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 358

BY SENATOR MIZELL

1 AN ACT

2 To amend and reenact R.S. 17:416(C)(2)(a),(b),(c), and (d)(i), relative to mandatory
3 expulsion; to provide with respect to grounds for expulsions for students in grades
4 six through twelve; to prohibit tobacco, alcohol, vaping products, certain knives, and
5 illegal narcotics on school property and buses and at school-sponsored events; to
6 provide for conditions for which a student may be expelled; to provide for the duties
7 of public school superintendents; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:416(C)(2)(a),(b),(c), and (d)(i) are hereby amended and reenacted
10 to read as follows:

11 §416. Discipline of students; suspension; expulsion

12 * * *

13 C. * * *

14 (2)(a)(i) Notwithstanding the provisions of Subsection B of this Section, any
15 student ~~sixteen years of age or older~~ **in grades six through twelve who is** found
16 guilty of being in possession of a firearm, **a knife with a blade equal to or in excess**
17 **of two and one-half inches in length, or any illegal narcotic, drug, or other**
18 **controlled substance** on school property, on a school bus, or ~~in actual possession~~
19 at a school-sponsored event, pursuant to a hearing as provided for by Paragraph (1)
20 of this Subsection, shall be expelled from school for a minimum period of four
21 complete school semesters and shall be referred to the district attorney for
22 appropriate action. However, the superintendent may modify the length of such

1 minimum expulsion requirement on a case-by-case basis, provided such modification
2 is in writing.

3 ~~(ii) Notwithstanding the provisions of Subsection B of this Section, any~~
4 ~~student sixteen years of age or older found guilty of possession of, or knowledge of~~
5 ~~and intentional distribution of, or possession with intent to distribute any illegal~~
6 ~~narcotic, drug, or other controlled substance on school property, on a school bus, or~~
7 ~~at a school-sponsored event pursuant to a hearing as provided for by Paragraph (1)~~
8 ~~of this Subsection shall be expelled from school for a minimum period of four~~
9 ~~complete school semesters.~~

10 ~~(b)(i) Any student who is under sixteen years of age and in grades six through~~
11 ~~twelve and who is found guilty of being in possession of a firearm on school~~
12 ~~property, on a school bus, or in actual possession at a school-sponsored event,~~
13 ~~pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be~~
14 ~~expelled from school for a minimum period of four complete school semesters, and~~
15 ~~shall be referred to the district attorney for appropriate action. However, the~~
16 ~~superintendent of a city, parish, or other local public school system may modify the~~
17 ~~length of such minimum expulsion requirement on a case-by-case basis, provided~~
18 ~~such modification is in writing.~~ **Notwithstanding the provisions of Subsection B**
19 **of this Section, any student in grades six through twelve found guilty of being**
20 **in possession of tobacco, alcohol, or vaping product on school property, on a**
21 **school bus, or at a school-sponsored event, may be recommended for expulsion.**

22 ~~(ii) Any student who is under sixteen years of age and in grades six through~~
23 ~~twelve and who is found guilty of possession of, or knowledge of and intentional~~
24 ~~distribution of, or possession with intent to distribute any illegal narcotic, drug, or~~
25 ~~other controlled substance on school property, on a school bus, or at a school-~~
26 ~~sponsored event pursuant to a hearing as provided for by Paragraph (1) of this~~
27 ~~Subsection shall be expelled from school for a minimum period of two complete~~
28 ~~school semesters.~~

29 ~~(c)(i) Any case involving a student in kindergarten through grade five found~~
30 ~~guilty of being in possession of a firearm on school property, on a school bus, or in~~

1 actual possession at a school-sponsored event, pursuant to a hearing as provided for
2 by Paragraph (1) of this Subsection, shall be expelled from school for a minimum
3 period of two complete school semesters and shall be referred to the district attorney
4 for appropriate action. However, the superintendent may modify the length of such
5 minimum expulsion requirement on a case-by-case basis, provided such modification
6 is in writing. **Notwithstanding any public school state or local policies, a public**
7 **school student in grades six through twelve who is suspended a third time within**
8 **the same school year for any offense, excluding those related to dress codes or**
9 **tardiness, shall be recommended for expulsion.**

10 (ii) Any case involving a student in kindergarten through grade five found
11 guilty of possession of, or knowledge of and intentional distribution of, or possession
12 with intent to distribute any illegal narcotic, drug, or other controlled substance on
13 school property, on a school bus, or at a school-sponsored event pursuant to a
14 hearing as provided for by Paragraph (1) of this Subsection shall be referred to the
15 city, parish, or other local public school board where the student attends school
16 through a recommendation for action from the superintendent.

17 (d)(i) Any student expelled from school may be readmitted on a probationary
18 basis to school at any time during the specified period of expulsion on such terms
19 and conditions as may be stipulated by the city, parish, or other local public school
20 board **superintendent** and agreed to in writing by the student and by the student's
21 parent or other person responsible for the student's school attendance. However, any
22 such written agreement shall include a provision that upon the school principal or
23 superintendent of schools making a determination that the student has violated any
24 term or condition agreed to, the student shall be immediately removed from the
25 school premises without the benefit of any hearing or other procedure applicable to
26 student out-of-school suspensions and expulsions and returned to the school system's
27 alternative school setting. As soon thereafter as possible, the principal or his
28 designee shall provide verbal notice to the superintendent of schools of any such
29 determination and also shall attempt to provide such verbal notice to the student's
30 parent or other person responsible for the student's school attendance. The principal

3 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED: _____

SENATE BILL NO. 420

BY SENATORS HODGES, CLOUD AND KLEINPETER AND REPRESENTATIVE
WILDER

1 AN ACT

2 To amend and reenact R.S. 18:1461.2(B) and to enact R.S. 14:133.1.1, relative to election
3 offenses affecting registration and election fraud; to create the crime of election
4 fraud or forgery; to provide penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:133.1.1 is hereby enacted to read as follows:

7 **§133.1.1. Election fraud or forgery**8 **A. No person shall knowingly, willfully, or intentionally:**9 **(1) Vote or attempt to vote more than once in an election.**

10 **(2) Vote or attempt to vote, knowing that he is not qualified, or influence**
11 **or attempt to influence another to vote, knowing that voter to be unqualified or**
12 **the vote to be fraudulent.**

13 **(3) Register, vote, or attempt to register or vote in the name of another**
14 **or in an assumed or fictitious name, or in any manner other than as provided**
15 **in the Louisiana Election Code.**

16 **(4) Forge the name of another or use a fictitious name on an affidavit or**
17 **document required by the Louisiana Election Code.**

18 **(5) Procure or submit voter registration applications that are known by**
19 **the person to be materially false, fictitious, or fraudulent.**

20 **(6) Forge, alter, add to, deface, take, destroy, or remove from proper**
21 **custodial care any book, card, record, voter registration application, election**
22 **return, nomination papers, withdrawals of candidacy, election supplies, election**
23 **paraphernalia, or any affidavit or other document required or provided for**
24 **under the provisions of the Louisiana Election Code, unless required to be**
25 **removed by a court of competent jurisdiction for inspection and photostatic**
26 **copying for the court record.**

1 (7) Have in his possession an official ballot in violation of any provision
 2 of the Louisiana Election Code.

3 (8) Have in his possession the registration certificate of another with
 4 intent to violate any provision of the Louisiana Election Code.

5 (9) For purposes other than fulfilling the person's duties relative to
 6 registration of voters as provided by law, copy or reproduce a voter registration
 7 application that has been submitted by an applicant.

8 B. Whoever violates any provision of this Section shall be fined not more
 9 than two thousand dollars or be imprisoned, with or without hard labor, for not
 10 more than two years, or both, for the first offense. On a second offense, or any
 11 subsequent offense, the penalty shall be a fine of not more than five thousand
 12 dollars or imprisonment at hard labor for not more than five years, or both.

13 Section 2. R.S. 18:1461.2(B) is hereby amended and reenacted to read as follows:

14 §1461.2. Election offenses affecting registration and election fraud or forgery;
 15 penalties

16 * * *

17 ~~B. Whoever violates any provision of this Section shall be fined not more~~
 18 ~~than two thousand dollars or be imprisoned, with or without hard labor, for not more~~
 19 ~~than two years, or both, for the first offense. On a second offense, or any subsequent~~
 20 ~~offense, the penalty shall be a fine of not more than five thousand dollars or~~
 21 ~~imprisonment at hard labor for not more than five years, or both~~ **Whoever violates**
 22 **any provision of this Section shall be subject to the penalty provisions of R.S.**
 23 **14:133.1.1.**

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 226
BY REPRESENTATIVE MANDIE LANDRY

ACT No. 370

1 AN ACT
2 To amend and reenact R.S. 14:118(C)(1), relative to offenses against organized government;
3 to provide relative to the penalties for public bribery; and to provide for related
4 matters.
5 Be it enacted by the Legislature of Louisiana:
6 Section 1. R.S. 14:118(C)(1) is hereby amended and reenacted to read as follows:
7 §118. Public bribery
8 * * *
9 C.(1) Whoever commits the crime of public bribery shall be fined not more
10 than ~~one~~ two thousand dollars, or imprisoned, with or without hard labor, for not
11 more than ~~five~~ ten years, or both.
12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 431

HOUSE BILL NO. 541

BY REPRESENTATIVES LYONS, BILLINGS, BOYD, FISHER, FREEMAN, GREEN,
JACKSON, LAFLEUR, NEWELL, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 14:283.2(A)(2) and to enact R.S. 14:283.2(C)(5), relative to the
3 nonconsensual disclosure of a private image; to provide relative to the elements of
4 the offense of nonconsensual disclosure of a private image; to provide for a
5 definition; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:283.2(A)(2) is hereby amended and reenacted and R.S.
8 14:283.2(C)(5) is hereby enacted to read as follows:

9 §283.2. Nonconsensual disclosure of a private image

10 A. A person commits the offense of nonconsensual disclosure of a private
11 image when all of the following occur:

12 * * *

13 (2) The person who discloses the image obtained it through unauthorized
14 access or under circumstances in which a reasonable person would know or
15 understand that the image was to remain private.

16 * * *

17 C. For purposes of this Section:

18 * * *

2024 Regular Session

ACT No. 456

HOUSE BILL NO. 852

BY REPRESENTATIVE MANDIE LANDRY

1 AN ACT

2 To amend and reenact R.S. 14:134(C)(1), relative to the crime of malfeasance in office; to

3 provide relative to the penalties for malfeasance in office; and to provide for related

4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:134(C)(1) is hereby amended and reenacted to read as follows:

7 §134. Malfeasance in office

8 * * *

9 C.(1) Whoever commits the crime of malfeasance in office shall be

10 imprisoned for not more than ~~five~~ ten years, with or without hard labor, ~~or shall be~~

11 fined not more than five thousand dollars, or both.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 728

2024 Regular Session
HOUSE BILL NO. 816

BY REPRESENTATIVES WILFORD CARTER, DOMANGUE, FISHER, JACKSON,
LARVADAIN, AND ROMERO AND SENATORS ABRAHAM AND BARROW

1 AN ACT

2 To amend and reenact R.S. 14:202.1(D) and to enact R.S. 14:202.1(E), relative to
3 residential contractor fraud; to provide for penalties; to provide for a definition; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:202.1(D) is hereby amended and reenacted and R.S. 14:202.1(E)
7 is hereby enacted to read as follows:

8 §202.1. Residential contractor fraud; penalties

9 * * *

10 D.(1) In addition to the penalties provided by the provisions of this Section
11 in Subsection C of this Section, a person convicted of residential contractor fraud
12 shall be ordered to make full restitution to the victim and any other person who has
13 suffered a financial loss as a result of the offense. For the purposes of this
14 Subsection, restitution to the victim shall include the cost of repairing work
15 fraudulently performed by the contractor and the cost of completing work for which
16 the contractor was paid but did not complete.

17 (2) A person sentenced under the provisions of Paragraph (C)(2), (3), or (4)
18 of this Section when the victim is sixty-five years of age or older, in addition to any
19 other penalties imposed pursuant to this Section, shall be imprisoned, with or without
20 hard labor, for not more than five years to be served concurrently with the sentence
21 imposed.

1 E. Nothing in this Section shall preclude a victim from pursuing civil
2 remedies pursuant to R.S. 9:4856 or any other applicable provision of law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 388

BY SENATORS HODGES, ABRAHAM, BASS, CLOUD, COUSSAN, EDMONDS, FESI,
HENRY, KLEINPETER, MIGUEZ, MORRIS, PRESSLY, SEABAUGH,
STINE AND TALBOT AND REPRESENTATIVES AMEDEE,
BAYHAM, BILLINGS, CARRIER, COX, DICKERSON,
EDMONSTON, HORTON, MIKE JOHNSON, JACOB LANDRY,
OWEN, SCHAMERHORN, THOMPSON, WILDER AND WYBLE

AN ACT

To enact Subpart E of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:112.21 through 112.23, and R.S. 49:216, relative to offenses affecting the public; to deter unlawful entry into this state by certain persons; to create the crime of unlawful entry or reentry by an alien; to prohibit abatement or termination of prosecutions under certain circumstances; to provide definitions; to provide penalties; to authorize the governor to develop and negotiate an interstate compact to deter unlawful entry or reentry into this state with the assistance of the attorney general; to provide for severability; to provide for effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart E of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:112.21 through 112.23, is hereby enacted to read as follows:

SUBPART E. UNLAWFUL ENTRY INTO THIS STATE BY AN ALIEN**§112.21. Definitions****For purposes of this Subpart:****(1) "Alien" shall have the same meaning as "alien" as defined by 8****U.S.C. 1101.****(2) "Lawfully present in this state" or "lawful presence in this state"**

1 refers to a person within the borders of this state who is either:

2 (a) A natural person who is a United States citizen, regardless of whether
3 the United States citizenship was acquired by birth or granted because the
4 person has met the requirements for asylum established by the United States
5 Congress in the Immigration and Nationality Act, in particular 8 U.S.C. 1158.

6 (b) Legally present in this state by virtue of authorization by the United
7 States Department of Homeland Security on the basis of any one of the
8 following:

9 (i) The person is a permanent legal resident.

10 (ii) The person holds an unexpired student visa.

11 (iii) The person holds an unexpired work permit.

12 (c) Legally present or entitled to be present in the United States pursuant
13 to an unexpired visitor or tourist visa, or pursuant to any other provision of
14 federal law.

15 (3) "Unlawful entry" refers to an alien who is found entering or has
16 entered into this state by automobile, watercraft, airplane, or any other method
17 of entry or means of conveyance, whether or not entry is made directly from a
18 foreign nation or indirectly from another state, without lawful presence in this
19 state.

20 (4) "Unlawful reentry" refers to an alien who has entered, attempted to
21 enter, or at any time is found in this state after the alien has been found to have
22 been subject to any of the following:

23 (a) Denied admission, excluded, deported, or otherwise removed from
24 the United States.

25 (b) Departed from the United States while an order of exclusion,
26 deportation, or removal is outstanding.

27 (5) "Unlawfully present in this state" or "unlawful presence in this state"
28 refers to an alien who is not lawfully present in this state because the alien does
29 not meet the definition in this Section of "lawfully present in this state" or
30 "lawful presence in this state".

1 §112.22. Unlawful entry or reentry into the state of Louisiana by an alien

2 A. The crime of unlawful entry or unlawful reentry is committed when
3 an alien enters or reenters into this state and is unlawfully present in this state.

4 B.(1) Whoever commits the crime of unlawful entry or unlawful reentry
5 into this state by an alien upon a first offense shall be imprisoned for not more
6 than six months, fined not more than one thousand dollars, or both.

7 (2) Whoever commits the crime of unlawful entry or unlawful reentry
8 into this state by an alien upon a second or subsequent offense shall be
9 imprisoned, with or without hard labor, for not less than one year nor more
10 than two years, fined not more than ten thousand dollars, or both.

11 C. It shall be an affirmative defense to a prosecution to the crime of
12 unlawful entry or unlawful reentry into this state by an alien that either:

13 (1) The defendant is lawfully present in this state because the federal
14 government has granted the defendant lawful presence in the United States or
15 asylum pursuant to 8 U.S.C. Section 1158.

16 (2) The defendant's conduct does not constitute a violation of 8 U.S.C.
17 Section 1325(a), relative to illegal entry into the United States.

18 D. This Section shall not apply to an alien unlawfully present in the
19 United States if he has been a necessary witness to or victim of a crime of
20 domestic violence, rape, sexual exploitation, sexual assault, murder,
21 manslaughter, assault, battery, human trafficking, kidnapping, false
22 imprisonment, involuntary servitude, fraud in foreign labor contracting,
23 blackmail, extortion, or witness tampering.

24 §112.23. Abatement or termination of prosecution on basis of an immigration
25 status determination

26 No court shall abate or terminate the prosecution of an offense pursuant
27 to this Subpart on the basis that a federal determination regarding the
28 immigration status of the defendant has not been determined or may possibly
29 be initiated at a future date.

30 Section 2. R.S. 49:216 is hereby enacted to read as follows:

**§216. Interstate compact for border security; deterrence of unlawful entry into
this state; procedures; assistance; approval; purposes; legislative
findings**

A. This Section shall be known and may be cited as the "Interstate Compact for Border Security Act".

B. The purpose of this compact is to deter unlawful entry and unlawful reentry into this state by an alien, as defined by R.S. 14:112.21, and to join with other states in mutual assistance in order for border states to control the influx with respect to illegal immigration that consequentially threatens the safety and security of Louisiana citizens.

C. The legislature finds all of the following:

(1) In 2024, an executive order was issued by Governor Jeff Landry, JML 24-05, entitled "Identifying, Qualifying, and Mitigating the Adverse Effects of Illegal Immigration on Louisiana" and provided findings, as follows:

(a) "[I]llegal entry and reentry to the United States, as well as the encouragement and inducement of illegal entry and transportation of illegal aliens within the United States, are criminal offenses under federal law, and those who aid and abet these offenses also commit a criminal act."

(b) "[T]he United States Supreme Court has recognized States 'bear[] many of the consequences of unlawful immigration.' *Arizona v. United States*, 567 U.S. 387, 397 (2012)."

(c) As a result of the federal government's "non-enforcement policies, large numbers of aliens who commit subsequent crimes are [being] released into communities across the United States," including Louisiana, "rather than being detained or removed, allowing these criminal aliens to commit additional crimes and increase the number of victims".

(d) "[S]tates are financially burdened by the cost of incarcerating illegal aliens in their prison systems. Although the U.S. Department of Justice provides limited funding to the states to offset some of these costs...reimbursements are usually less than one percent of the total cost of incarcerating aliens, leaving the

1 states," including Louisiana, "to pay the balance".

2 (e) "Article I, Section 1 of the Louisiana Constitution declares that
3 government is instituted by the people 'to protect the rights of the individual
4 and for the good of the whole. Its only legitimate ends are to secure justice for
5 all, preserve peace, protect the rights, and promote the happiness and general
6 welfare of the people.'"

7 (2) In his executive order, the governor directed the head of every
8 executive branch agency, department, office, commission, board, or entity of the
9 State of Louisiana shall . . .review the expenditures of public funds directly or
10 indirectly to, or for the benefit of illegal aliens.

11 (3) In the 2024 Second Extraordinary Session of the Louisiana
12 Legislature, the legislature appropriated funds and the governor issued an
13 executive order to deploy the Louisiana National Guard to assist the state of
14 Texas in securing the southern border of the United States of America to curb
15 the invasion by illegal immigrants at the international border in South Texas.

16 (4) The economic and human costs borne by the taxpayers and citizens
17 of Louisiana include all of the following:

18 (a) Increased violent crimes are being committed against Louisiana
19 citizens by illegal immigrants. Each murder committed by an illegal alien is one
20 hundred percent preventable if that illegal alien had been barred from entering
21 the state by the federal government, which has been derelict in its duty to
22 enforce immigration laws.

23 (b) Schools and school teachers have been overburdened by the
24 unfunded mandates forced on Louisiana schools by the federal government. The
25 letter grades for certain school districts have been substantially lowered due to
26 school overcrowding, the lack of certified teachers who are bilingual, and the
27 lack of a local tax base needed to pay the bilingual teachers even if they were
28 available.

29 D. The governor, with the legal assistance of the attorney general, is
30 hereby authorized to negotiate and assist the state of Texas in an interstate

1 compact for border security among interested states with the governor of the
2 state of Texas in securing the southern border of the United States of America.

3 E. Any interstate compact that may be developed and executed under the
4 authority of this Section shall, in order to take effect, represent a voluntary
5 association of sovereign states of this United States of America, with the
6 understanding that any such interstate compact shall not in any way increase
7 the political authority of the compacting states in relation to the federal
8 government or in any other manner that violates the Constitution of the United
9 States of America.

10 F. The interstate compact authorized by this Section shall provide for
11 joint action among the states that participate in the compact to pursue all
12 security priorities, as follows:

13 (1) Sharing of law enforcement intelligence on illegal activity occurring
14 at or in proximity to the United States-Mexico border.

15 (2) Sharing of state resources in order to build physical barriers,
16 comprehensive technological surveillance systems, or combinations of barriers
17 and surveillance systems on state property for the purposes of deterring and
18 detecting illegal activity at or in proximity to the United States-Mexico border.

19 (3) Sharing of other law enforcement resources to ensure the protection
20 of personnel and property of citizens of the states participating in the compact.

21 G. Once the governor, with the assistance of the attorney general,
22 negotiates and assists the governor of the state of Texas with preparation and
23 finalization of the compact to secure the United States-Mexico border, the
24 governor shall promptly submit the Interstate Compact for Border Security to
25 the legislature for approval and the appropriation of necessary funds to fulfill
26 the purposes provided for in Subsection F of this Section.

27 Section 3. If any provision or item of this Act, or the application thereof, is held
28 invalid, such invalidity shall not affect other provisions, items, or applications of the Act
29 which can be given effect without the invalid provision, item, or application and to this end
30 the provisions of this Act are hereby declared severable.

Section 4. The provisions of this Section and Section 1 shall take effect on and become effective immediately upon, and to the extent permitted, by the occurrence of any of the following circumstances:

(A) Any decision of the Supreme Court of the United States in the case of *United States v. Texas*, Docket No. 23A814, which affirms the Act which originated as Texas Senate Bill No. 4 of the 2023 88th Legislature Fourth Called Legislative Session of the Texas Legislature, which enacted Texas Penal Code Section 51.01 et seq, entitled "Illegal Entry Into the State", that recognizes the right of states to protect their citizens of their respective states when "actually invaded, or in such imminent Danger as will not admit delay", pursuant to Article 1, Section 10 of the Constitution of the United States of America.

(B) Adoption of an amendment to the Constitution of the United States of America that, in whole or in part, restores or increases the authority of the state of Louisiana to prohibit or limit the unlawful entry or reentry by an alien without lawful presence in this state should the Supreme Court of the United States fail to affirm the provisions of Subsection A of this Section.

Section 5. The provisions of this Section and Section 2 of this Act shall become effective upon any executive order or other such executive action by the governor of the state of Texas in furtherance of the Act which originated as Texas Senate Bill No. 1403 of the 2023 Regular Session of the 88th Texas Legislature, which enacted Texas Government Code Section 794 et seq, entitled "Interstate Compact for Border Security" which authorizes the governor of the state of Texas to develop and execute an interstate compact for border security for among interested states.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 263

2024 Regular Session

HOUSE BILL NO. 269

BY REPRESENTATIVE MUSCARELLO

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 611(C) and R.S. 14:110(A)(2),
3 (B)(3), and (E) and to enact Code of Criminal Procedure Article 611(E) and R.S.
4 14:110(A)(4), relative to the crime of simple escape; to provide relative to venue; to
5 provide for an alternative element of the offense; to provide for a violation of this
6 offense; to provide relative to a penalty; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 611(C) is hereby amended and
9 reenacted and Code of Criminal Procedure Article 611(E) is hereby enacted to read as
10 follows:

11 Art. 611. Venue; trial where offense committed

12 * * *

13 C. If the offender is charged with any of the following offenses, the offense
14 is deemed to have been committed either in the parish where the offense occurred or
15 where the victim resides:

16 (1) ~~R.S. 14:67.3, unauthorized use of an access card.~~

17 ~~(2)~~ R.S. 14:67.16, identity theft.

18 ~~(3)~~ (2) R.S. 14:70.4, access device fraud.

19 ~~(4)~~ (3) R.S. 14:70.8, illegal transmission of monetary funds.

20 ~~(5)~~ (4) R.S. 14:71.1, bank fraud.

21 ~~(6)~~ (5) R.S. 14:72, forgery.

22 ~~(7)~~ (6) R.S. 14:72.2, monetary instrument abuse.

23 * * *

1 E. If the offender is charged with a violation of R.S. 14:110, the offense is
2 deemed to have been committed in either of the following:

3 (1) The parish of the court that ordered or sentenced home incarceration,
4 confinement, or any other legal restraint.

5 (2) The parish where any act or element occurs in violation of R.S. 14:110.

6 Section 2. R.S. 14:110(A)(2), (B)(3), and (E) are hereby amended and reenacted and
7 R.S. 14:110(A)(4) is hereby enacted to read as follows:

8 §110. Simple escape; aggravated escape

9 A. Simple escape shall mean any of the following:

10 * * *

11 (2) The failure of a ~~criminal~~ person serving a sentence and participating in
12 a work release program authorized by law to report or return from his planned
13 employment or other activity under the program at the appointed time.

14 * * *

15 (4) The intentional alteration, destruction, removal, or disabling of electronic
16 monitoring equipment while participating in a home incarceration program.

17 B.

18 * * *

19 (3) A person participating in a home incarceration program ~~under the~~
20 ~~jurisdiction and control of the sheriffs of the respective parishes who commits the~~
21 ~~crime of simple escape~~ violates the provisions of Paragraph (A)(4) of this Section
22 shall be imprisoned with or without hard labor for not less than six months nor more
23 than five years, and such sentence shall not run concurrently with any other sentence.

24 * * *

25 E. The provisions of this Section shall be applicable to all penal,
26 correctional, rehabilitational, and work release centers and any and all prison
27 facilities under the control of the ~~sheriffs~~ law enforcement of the respective parishes
28 of the state of Louisiana. The prison facilities shall include but are not limited to
29 parish jails, correctional centers, home incarceration, work release centers, and
30 rehabilitation centers, hospitals, clinics, and any and all facilities where inmates are

1 confined under the jurisdiction and control of the ~~sheriffs~~ law enforcement of the
2 respective parishes.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 276

2024 Regular Session
HOUSE BILL NO. 639
BY REPRESENTATIVE FONTENOT

1 AN ACT
2 To enact R.S. 14:108(B)(1)(f), relative to the crime of resisting an officer; to provide relative
3 to the definition of "obstruction of" an officer; and to provide for related matters.
4 Be it enacted by the Legislature of Louisiana:
5 Section 1. R.S. 14:108(B)(1)(f) is hereby enacted to read as follows:
6 §108. Resisting an officer
7 * * *
8 B.(1) The phrase "obstruction of" as used herein shall, in addition to its
9 common meaning, signification, and connotation mean the following:
10 * * *
11 (f) Failure to provide or display the person's state issued driver's license or
12 identification on the officer's request when the person is an operator of a motor
13 vehicle, the person has been lawfully detained for an alleged violation of a law, and
14 the officer has exhausted all resources at his disposal to verify the identity of the
15 person.
16 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 184

BY SENATOR KLEINPETER

1 AN ACT

2 To amend and reenact R.S. 14:108.1(E), relative to offenses affecting law enforcement; to
3 provide relative to the crime of aggravated flight from an officer; to increase the
4 penalties for aggravated flight from an officer; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:108.1(E) is hereby amended and reenacted to read as follows:

7 §108.1. Flight from an officer; aggravated flight from an officer

8 * * *

9 E.(1) ~~Whoever~~ **Except as provided in Paragraph (2) of this Subsection,**
10 **whoever** commits aggravated flight from an officer shall be imprisoned at hard labor
11 for not more than ~~five~~ **ten** years and may be fined not more than two thousand
12 dollars.

13 (2)~~(a)~~ Whoever commits the crime of aggravated flight from an officer that
14 results in serious bodily injury shall be imprisoned at hard labor for not more than
15 ~~ten~~ **fifteen** years and may be fined not more than two thousand dollars.

16 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 130

2024 Regular Session

HOUSE BILL NO. 175

BY REPRESENTATIVE MCMAKIN

1 AN ACT

2 To amend and reenact R.S. 14:107.4(A) and (C) and to enact R.S. 14:107.4(F), relative to
3 unlawful posting of criminal activity for notoriety and publicity; to provide relative
4 to the elements of the offense; to provide for a definition; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:107.4(A) and (C) are hereby amended and reenacted and R.S.
8 14:107.4(F) is hereby enacted to read as follows:

9 §107.4. Unlawful posting of criminal activity for notoriety and publicity

10 A. It shall be unlawful for a person who is either a principal or accessory to
11 a crime to obtain an image, live-stream, or video of the commission of the crime
12 using any camera, videotape, photo-optical, photo-electric, or any other image
13 recording device and to transfer that image, live-stream, or video obtained during the
14 commission of the crime by the use of a computer online service, Internet service,
15 or any other means of electronic communication, including but not limited to a local
16 bulletin board service, Internet chat room, electronic mail, or online messaging
17 service for the purpose of gaining notoriety, publicity, or the attention of the public.

18 * * *

19 C. The provisions of this Section shall not apply to any of the following:

20 (1) The obtaining, use, or transference of such images, live-streams, or
21 videos by a telephone company, cable television company, or any of its affiliates, an
22 Internet provider, or commercial online service provider, or to the carrying,
23 broadcasting, or performing of related activities in providing telephone, cable

1 television, Internet, or commercial online services or in the production, exhibition,
2 or presentation of an audiovisual work in any medium, including but not limited to
3 a motion picture or television program.

4 (2) The obtaining, use, or transference of such images, live-streams, or
5 videos by a law enforcement officer pursuant to investigation of criminal activity.

6 (3) The obtaining, use, or transference of such images, live-stream, or video
7 by any bona fide member of the news media broadcasting a news report through
8 television, cable television, or other telecommunication.

9 (4) The obtaining, use, or transference of such images, live-streams, or
10 videos for use in a feature-length film, short subject film, video, television series,
11 television program, public service announcement, or commercial.

12 * * *

13 F. For the purposes of this Section, "live-stream" shall mean a video of an
14 event distributed on the Internet while the event is taking place.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 661

HOUSE BILL NO. 737

BY REPRESENTATIVES DICKERSON, BACALA, BAYHAM, BILLINGS, BOYD,
BRASS, CARRIER, CHENEVERT, COATES, DEWITT, EDMONSTON, EGAN,
EMERSON, FISHER, HORTON, JACKSON, LAFLEUR, MACK, OWEN,
ROMERO, SELDERS, THOMPSON, AND WILDER

1 AN ACT

2 To enact R.S. 14:103.3, relative to offenses affecting general peace and order; to prohibit the
3 petitioning, picketing, or assembling with other persons near an individual's
4 residence for certain purposes; to provide for penalties; to provide for a definition;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:103.3 is hereby enacted to read as follows:

8 §103.3. Disturbing the peace; residences

9 A. No person shall petition, picket, demonstrate, or assemble with other
10 persons within fifty feet of an individual's residence in a manner which interferes,
11 disrupts, threatens to disrupt, or harasses the individual's right to control or use his
12 residence.

13 B. Whoever violates the provisions of this Section shall be fined not more
14 than five hundred dollars. Each day on which a violation occurs shall constitute a
15 separate offense.

1 C. For purpose of this Section, "residence" shall mean the dwelling, house,
2 apartment, or other structure used in whole or in part as a home or place of abode of
 any individual.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 476

BY SENATOR OWEN

1 AN ACT

2 To amend and reenact R.S. 14:102.5(B) and (C) and to enact R.S. 14:102.5(A)(7)(b)(iv) and
3 (D)(5), relative to the crime of dogfighting and training dogs for dogfighting; to
4 provide that the possession or use of a bait dog is admissible as evidence of
5 dogfighting; to provide an increase in the minimum fine for dogfighting; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. RS. 14:102.5(B) and (C) are hereby amended and reenacted and R.S.
9 14:102.5(A)(7)(b)(iv) and (D)(5) are hereby enacted to read as follows:

10 §102.5. Dogfighting; training and possession of dogs for fighting

11 A. * * *

12 (7) * * *

13 (b) The following activities shall be admissible as evidence of a violation of
14 this Paragraph:

15 * * *

16 (iv) Possession or use of a bait dog to train another dog for dogfighting.

17 B.(1) "Bait dog" means a dog that is used as bait to train another dog to
18 be more aggressive and accustomed to attacking other dogs for the purpose of
19 dogfighting.

20 (2) "Dogfighting" means an organized event wherein there is a display of
21 combat between two or more dogs in which the fighting, killing, maiming, or
22 injuring of a dog is the significant feature, or main purpose, of the event.

5 D. Nothing in this Section shall prohibit any of the following activities:

(5) Owning or possessing a former bait dog for the purpose of providing
it with rehabilitative care.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED: _____

ACT No. 551

2024 Regular Session

HOUSE BILL NO. 224

BY REPRESENTATIVES KERNER AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 14:102.1(A)(2)(a) and (b) and (B)(5), relative to the crime of
3 cruelty to animals; to provide for prohibition of owning or keeping an animal after
4 committing the offense of simple cruelty to animals or aggravated cruelty to animals;
5 to provide for penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:102.1(A)(2)(a) and (b) and (B)(5) are hereby amended and
8 reenacted to read as follows:

9 §102.1. Cruelty to animals; simple and aggravated

10 A.

11 * * *

12 (2)(a) Whoever commits the crime of simple cruelty to animals shall be fined
13 not more than one thousand dollars, or imprisoned for not more than six months, or
14 both. ~~In addition, the~~ The court may also order the offender to pay for any expenses
15 incurred for the housing of the animal and for medical treatment of the animal,
16 pursuant to Code of Criminal Procedure Article 883.2. In addition, the court may
17 issue an order prohibiting the defendant from owning or keeping animals for a period
18 of not more than one year.

19 (b) Whoever commits a second or subsequent offense of simple cruelty to
20 animals shall be fined not less than five thousand dollars nor more than twenty-five
21 thousand dollars or imprisoned, with or without hard labor, for not less than one year
22 nor more than ten years, or both. In addition, the court ~~shall~~ may issue an order

1 prohibiting the defendant from owning or keeping animals for a period of ~~time~~
2 ~~deemed appropriate by the court~~ not more than five years.

3 * * *

4 B.

5 * * *

6 (5) In addition to any other penalty imposed for a violation of this
7 Subsection, the offender shall be ordered to undergo a psychological evaluation and
8 subsequently recommended psychological treatment and ~~shall~~ may be banned by
9 court order from owning or keeping animals for a period of ~~time deemed appropriate~~
10 ~~by the court~~ not more than ten years. Any costs associated with any evaluation or
11 treatment ordered by the court shall be borne by the defendant.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 256

HOUSE BILL NO. 60

BY REPRESENTATIVES EDMONSTON, AMEDEE, WILFORD CARTER, COX,
CREWS, DAVIS, EGAN, LAFLEUR, MCCORMICK, MELERINE, MOORE,
NEWELL, SELDERS, THOMPSON, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 14:101.2(D), relative to the unauthorized use of sperm, ovum,
3 or embryo; to provide for an exception; to provide for an effective date; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:101.2(D) is hereby amended and reenacted to read as follows:

7 §101.2. Unauthorized use of sperm, ovum, or embryo

8 * * *

9 D. This Section shall not apply to ~~the~~ any of the following:

10 (1) The use by a surviving spouse of the human ova or sperm of the deceased
11 spouse in order to conceive a child; ~~provided that prior to his death the deceased~~
12 ~~spouse signed a consent form authorizing such a donation.~~

13 (2) The use by a spouse of the human ova or sperm of the other spouse in
14 order to conceive a child.

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 367

BY SENATORS BASS AND MILLER

1 AN ACT
2 To amend and reenact R.S. 14:98(F)(4)(c), the heading of Part IV of Chapter 11 of Title 22
3 of the Louisiana Revised Statutes of 1950, and R.S. 22:2161 and 2242(A) and (B),
4 R.S. 36:694.1(C), and R.S. 40:1428(A)(4)(a) and (C) and to repeal Part II of Chapter
5 11 of Title 22 of the Louisiana Revised Statutes of 1950 comprised of R.S. 22:2131
6 through 2135, and Part V of Chapter 11 of Title 22 of the Louisiana Revised Statutes
7 of 1950, comprised of R.S. 22:2171, and R.S. 36:686(C)(1), (3), and (4), and R.S.
8 40:1421(12), relative to the boards and commissions; to authorize the commissioner
9 to create boards and commissions; to provide for duties; to provide for membership;
10 to provide for reporting; to repeal certain boards and commissions; and to provide
11 for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 14:98(F)(4)(c) is hereby amended and reenacted to read as follows:

14 §98. Operating a vehicle while intoxicated

15 * * *

16 F.(1) * * *

17 (4) The proceeds of the sale shall first be used to pay court costs and towing
18 and storage costs, and the remainder shall be allocated as follows:

19 * * *

20 (c) Twenty percent of the funds shall go to the ~~Louisiana Property and~~
21 ~~Casualty Insurance Commission~~ **department** for its use in studying ways to reduce

1 drunk driving and insurance rates.

2 * * *

3 Section 2. The heading of Part IV of Chapter 11 of Title 22 of the Louisiana Revised
4 Statutes of 1950, and R.S. 22:2161 and 2242(A) and (B) are hereby amended and reenacted
5 to read as follows:

6 PART IV. ~~LOUISIANA HEALTH CARE COMMISSION~~

7 DEPARTMENT ADVISORY BOARDS

8 §2161. ~~Louisiana Health Care Commission; creation~~ **Powers of the commissioner;**
9 **creation of advisory boards**

10 A. ~~There is hereby created the Louisiana Health Care Commission within the~~
11 ~~Department of Insurance. The commission shall be domiciled in Baton Rouge, and~~
12 ~~its members shall serve for terms of two years. The functions, duties, and~~
13 ~~responsibilities of the commission shall be to review and study the availability,~~
14 ~~affordability, and delivery of quality health care in the state. The commission shall~~
15 ~~specifically examine the rising costs of health care in the state, including but not~~
16 ~~limited to the cost of administrative duplication, the costs associated with excess~~
17 ~~capacity and duplication of medical services, and the costs of medical malpractice~~
18 ~~and liability and shall examine the adequacy of consumer protections, as well as the~~
19 ~~formation and implementation of insurance pools that better assure citizens the~~
20 ~~ability to obtain health insurance at affordable costs and encourage employers to~~
21 ~~obtain health care benefits for their employees by increased bargaining power and~~
22 ~~economies of scale for better coverage and benefit options at reduced costs. Further,~~
23 ~~the commission shall examine the implementation issues related to national health~~
24 ~~care reform initiatives. Of the members of the commission, three members shall be~~
25 ~~appointed from a list of nominees submitted by the governing boards of state~~
26 ~~colleges and universities and by a dean from the business schools represented by the~~
27 ~~Louisiana Association of Independent Colleges and Universities. One member of the~~
28 ~~Senate Committee on Insurance shall be appointed by the president of the Senate and~~
29 ~~one member of the House Committee on Insurance shall be appointed by the speaker~~
30 ~~of the House of Representatives to the commission to act as ex officio, nonvoting~~

1 members. One member of the commission shall be appointed by the secretary of the
2 Louisiana Department of Health. The commissioner of insurance shall appoint five
3 at-large members to the commission. The remainder of the members shall be
4 appointed by the commissioner of insurance from a list of nominees, one nominee
5 to be submitted by each of the following:

- 6 (1) ~~The Louisiana Insurers' Conference.~~
- 7 (2) ~~Louisiana Association of Health Plans.~~
- 8 (3) ~~America's Health Insurance Plans.~~
- 9 (4) ~~A domestic mutual, nonprofit health service and indemnity company.~~
- 10 (5) ~~Louisiana State Medical Society.~~
- 11 (6) ~~Louisiana Association for Justice.~~
- 12 (7) ~~Health Agents for America.~~
- 13 (8) ~~Agenda for Children.~~
- 14 (9) ~~Independent Insurance Agents & Brokers of Louisiana.~~
- 15 (10) ~~AARP Louisiana.~~
- 16 (11) ~~The National Federation of Independent Businesses.~~
- 17 (12) ~~Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.~~
- 18 (13) ~~Louisiana Independent Pharmacies Association.~~
- 19 (14) ~~AARP, the nominee of which shall be a volunteer representative.~~
- 20 (15) ~~Louisiana Association of Business and Industry.~~
- 21 (16) ~~Louisiana Health Plan.~~
- 22 (17) ~~NAIFA Louisiana.~~
- 23 (18) ~~League of Women Voters.~~
- 24 (19) ~~Louisiana Hospital Association.~~
- 25 (20) ~~Louisiana Primary Care Association.~~
- 26 (21) ~~Repealed by Acts 2014, No. 90, §2, eff. August 1, 2014.~~
- 27 (22) ~~A domestic commercial health insurance issuer.~~
- 28 (23) ~~Chiropractic Association of Louisiana.~~
- 29 (24) ~~Louisiana AFL-CIO.~~
- 30 (25) ~~Louisiana Physical Therapy Association.~~

1 ~~(26) Louisiana State Nurses Association.~~

2 ~~(27) Louisiana Dental Association.~~

3 ~~(28) Louisiana Nursing Home Association.~~

4 ~~(29) Louisiana's Medicare Peer Review Organization as designated by the~~
5 ~~Health Care Financing Administration.~~

6 ~~(30) Louisiana Business Group on Health.~~

7 ~~(31) Louisiana Association of Health Underwriters.~~

8 ~~(32) Louisiana Psychological Association.~~

9 ~~(33) Optometry Association of Louisiana.~~

10 ~~(34) Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.~~

11 ~~(35) National Medical Association.~~

12 ~~(36) National Association for the Advancement of Colored People.~~

13 ~~(37) Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.~~

14 ~~(38) Louisiana Council on Human Relations.~~

15 ~~(39) National Dental Association.~~ **The commissioner may create one or**
16 **more advisory boards consisting of representatives of insurers, insurance**
17 **producers, consumers of insurance products not otherwise connected with the**
18 **insurance industry, and other appropriate persons.**

19 ~~B. The commissioner of insurance, or his designee, shall serve ex officio on~~
20 ~~the commission and the commissioner shall appoint a chairman and vice chairman~~
21 ~~to serve terms of two years.~~ **The commissioner shall appoint the members of any**
22 **advisory board created pursuant to this Section. The commissioner shall ensure**
23 **that his appointments demonstrate race, gender, ethnic, and geographical**
24 **diversity. The commissioner shall promulgate rules and regulations in**
25 **accordance with the Administrative Procedure Act providing for the creation,**
26 **governance, duties, and termination of any advisory board created pursuant to**
27 **this Section.**

28 ~~C. Each appointment by the commissioner shall be confirmed by the Senate.~~
29 **Advisory boards created pursuant to this Section shall advise the commissioner**
30 **with respect to the availability and affordability of insurance and other matters**

1 as the commissioner may submit to the advisory board or commission.

2 D. ~~The members of the commission shall serve without compensation.~~ The
3 commissioner shall report on the activities of advisory boards created pursuant
4 to this Section as part of the annual report of the department. The
5 commissioner may submit special reports and recommendations to the
6 legislature on behalf of an advisory board created pursuant to this Section.

7 E. ~~Vacancies in the offices of the members shall be filled in the same manner~~
8 ~~as the original appointments for the unexpired portion of the term of the office~~
9 ~~vacated.~~

10 F. ~~A quorum for the transaction of business by the commission shall be forty~~
11 ~~percent of the membership of the commission. All official actions of the commission~~
12 ~~shall require the affirmative vote of a majority of a quorum of the commission~~
13 ~~present and voting during meetings of the commission.~~

14 G. ~~The commission shall meet twice in any one calendar year and may meet~~
15 ~~on the call of the chairman or upon the request of any three members.~~

16 H. ~~The commission shall serve as an advisory body to the commissioner and~~
17 ~~shall submit to the commissioner its recommendations on all matters which it is~~
18 ~~charged to examine pursuant to Subsection A of this Section. The commission may~~
19 ~~conduct public hearings to receive testimony about the availability and affordability~~
20 ~~of health care in the state. The commission shall also be permitted to receive further~~
21 ~~information and testimony from regional and national experts on health care access~~
22 ~~issues.~~

23 I. ~~The commissioner shall submit a yearly report on health care and health~~
24 ~~insurance, which takes into consideration the recommendations, actions, and studies~~
25 ~~of the commission, to the legislature prior to each annual regular session.~~

26 J. ~~The commissioner shall conduct the daily affairs of the commission as~~
27 ~~specified in this Section.~~

28 * * *

29 §2242. Authorization to develop pilot programs

30 A. The ~~Department of Insurance~~ **department** is authorized to may establish

1 pilot health insurance programs to increase access to affordable health insurance for
 2 small employers and for individuals. In conjunction with the Louisiana Department
 3 of Health ~~and after consultation with the Louisiana Health Care Commission~~, the
 4 department ~~is authorized to~~ may develop private health insurance coverage for small
 5 employers and individuals, as further provided in R.S. 22:2243 and 2244.

6 B. ~~In conjunction with the Louisiana Business Group on Health and the~~
 7 ~~Louisiana Health Care Commission, the~~ The department ~~is hereby authorized to~~ may
 8 establish employer purchasing cooperatives and other pilot programs that increase
 9 access to affordable group and individual health insurance coverage that meets the
 10 minimum requirements of R.S. 22:984 and 1061 through ~~1079~~ 1080, as further
 11 provided in R.S. 22:2245.

12 * * *

13 Section 3. R.S. 36:694.1(C) is hereby amended and reenacted to read as follows:

14 §694.1. Office of policy, innovation, and research; functions

15 * * *

16 C. In addition to the deputy commissioner of policy, innovation, and
 17 research, the commissioner of insurance may also employ such persons, including
 18 four unclassified employees, as necessary to carry out the provisions of this Section.
 19 ~~and to provide necessary staff support for the following entities:~~

20 ~~(1) The Louisiana Health Care Commission.~~

21 ~~(2) The Louisiana Automobile Theft and Insurance Fraud Prevention~~
 22 ~~Authority.~~

23 ~~(3) The Louisiana Property and Casualty Insurance Commission.~~

24 Section 4. R.S. 40:1428(A)(4)(a) and (C) are hereby amended and reenacted to read
 25 as follows:

26 §1428. Special assessment; creation of dedicated fund account

27 A.(1) * * *

28 (4)(a) Prior to making the allocations specified in Subparagraph (b) of this
 29 Paragraph, the commissioner of insurance ~~is authorized to~~ may withhold the sum of
 30 thirty thousand dollars per year from the fees collected pursuant to this Section to

1 defray the expense of collection of the fees, enforcement of this Subpart, and
2 operation of the Department of Insurance ~~and shall withhold one hundred eighty-~~
3 ~~seven thousand dollars to fund the Louisiana Automobile Theft and Insurance Fraud~~
4 ~~Prevention Authority pursuant to R.S. 22:2134.~~

5 * * *

6 C. After compliance with the requirements of Article VII, Section 9(B) of the
7 Constitution of Louisiana relative to the Bond Security and Redemption Fund, an
8 amount equal to that deposited as required by Subsection B of this Section shall be
9 credited to a special statutorily dedicated fund account ~~hereby~~ created in the state
10 treasury to be known as the Insurance Fraud Investigation Dedicated Fund Account,
11 hereafter referred to in this Subsection as the "account". The monies shall be
12 irrevocably dedicated and deposited in the account and shall be used solely as
13 provided in Subsection A of this Section and only in the amounts appropriated by the
14 legislature. Monies in the account shall be appropriated, administered, and used
15 solely and exclusively for purposes of the fraud unit, fraud support unit, insurance
16 fraud section, ~~LATHFA~~, and as further provided in this Section. All unexpended and
17 unencumbered monies in the account at the end of the fiscal year shall be refunded
18 to each insurer licensed by the Department of Insurance to conduct business in this
19 state assessed a fee pursuant to this Section on a pro-rata basis based on each
20 insurer's proportionate share of the total fees collected pursuant to this Section.
21 Monies deposited into the account shall be categorized as fees and self-generated
22 revenue for the sole purpose of reporting related to the executive budget, supporting
23 documents, and general appropriation bills and shall be available for annual
24 appropriation by the legislature.

25 * * *

26 Section 5. Part II of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950,
27 comprised of R.S. 22:2131 through 2135, and Part V of Chapter 11 of Title 22 of the
28 Louisiana Revised Statutes of 1950, comprised of R.S. 22:2171, R.S. 36:686(C)(1), (3), and
29 (4) and R.S. 40:1421(12) are hereby repealed in their entirety.

30 Section 6. Upon the effective date of this Act, any remaining funds in the Automobile

1 Theft and Insurance Fraud Prevention Authority Dedicated Fund Account repealed herein
2 shall be transferred to the Department of Insurance for the purpose of fraud prevention,
3 detection, and education.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 678

2024 Regular Session

HOUSE BILL NO. 97

BY REPRESENTATIVE MCMAKIN

1 AN ACT

2 To amend and reenact R.S. 14:97.1(A) and to enact R.S. 14:97.1(C), relative to solicitation
3 on certain highways and streets; to provide relative to the elements of the offense;
4 to provide for a definition; to provide for a statement of legislative intent; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. The legislature finds that the practices of solicitation and offering or
8 donating to persons on public roadways or rights-of-way and interstate highways creates an
9 unsafe situation for the well-being of both pedestrians and motorists within this state and all
10 will be well served by implementation of this Act.

11 Section 2. R.S. 14:97.1(A) is hereby amended and reenacted and R.S. 14:97.1(C) is
12 hereby enacted to read as follows:

13 §97.1. Solicitation on an interstate highway or in a public right-of-way

14 A. Solicitation on an interstate highway or in a public right-of-way is the
15 intentional act of soliciting, begging, panhandling, or otherwise requesting anything
16 of value on any interstate highway, public right-of-way, or any entrance or exit ramp
17 of an interstate highway.

18 * * *

1 C. For the purposes of this Section, "anything of value" means cash,
2 currency, coin, or any other financial instrument given to a person not exempted by
3 R.S. 32:218.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 542

2024 Regular Session

HOUSE BILL NO. 127

BY REPRESENTATIVE BAYHAM

1 AN ACT

2 To amend and reenact R.S. 14:97, relative to the crime of simple obstruction of a highway

3 of commerce; to provide relative to the elements of the offense; to provide relative

4 to penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:97 is hereby amended and reenacted to read as follows:

7 §97. Simple obstruction of a highway of commerce

8 A. Simple obstruction of a highway of commerce is either of the following:

9 (1) the The intentional or criminally negligent placing of anything or the

10 intentional or criminally negligent performance of any act on any railway, railroad,

11 navigable waterway, road, highway, thoroughfare, or runway of an airport, which

12 will render movement thereon more difficult.

13 (2) The conspiracy or aiding and abetting of other individuals to commit

14 either the intentional or criminally negligent placing of anything or the intentional

15 or criminally negligent performance of any act on any railway, railroad, navigable

16 waterway, road, highway, thoroughfare, or runway of an airport, which will render

17 movement thereon more difficult.

18 B. Whoever commits the crime of simple obstruction of a highway of

19 commerce in a manner that violates the provisions of this Section shall be fined not

20 more than ~~two~~ seven hundred fifty dollars, or imprisoned for not more than six

21 months, or both.

1 C. The provisions of this Section shall not apply to an employee or
2 contractor of any public utility or a provider of electric utility services,
3 communications, telecommunications, video, or information services, to the extent
4 that the employee or contractor is acting on behalf of such entity in a road, highway,
5 or thoroughfare.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 152

BY SENATOR MIGUEZ

1 AN ACT

2 To amend and reenact R.S. 9:2793.12(B) as enacted by Section 1 of Act 2 of the 2024
3 Second Extraordinary Session, the introductory paragraph of R.S. 14:95(M), R.S.
4 14:95(N) as enacted by Section 1 of Act 1 of the 2024 Second Extraordinary Session,
5 and R.S. 40:1379.3(I)(1) and (2) and the introductory paragraph of 1379.3(I)(3),
6 relative to the illegal carrying of weapons; to provide relative to exceptions; to make
7 technical changes; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 9:2793.12(B), as enacted by Section 1 of Act 2 of the 2024 Second
10 Extraordinary Session, is hereby amended and reenacted to read as follows:

11 §2793.12. Limitation of liability; concealed handgun permit; definitions; exceptions

12 * * *

13 B. An authorized person as defined in this Section shall not be liable for
14 damages for any injury, death, or loss suffered by a perpetrator when the injury,
15 death, or loss is caused by a justified use of force or self-defense through the
16 discharge of ~~the handgun~~ **a firearm** by the authorized person. This provision shall
17 preclude any right of action by the perpetrator, his survivors, or his heirs.

18 * * *

19 Section 2. The introductory paragraph of R.S. 14:95(M) is hereby amended and
20 reenacted to read as follows:

21 §95. Illegal carrying of weapons

22 * * *

23 M. The provisions of ~~Paragraph~~ **Subparagraph** (A)(1)**(a)** of this Section
24 shall not apply to a resident of Louisiana if all of the following conditions are met:

25 * * *

26 Section 3. R.S. 14:95(N), as enacted by Section 1 of Act 1 of the 2024 Second
27 Extraordinary Session, is hereby amended and reenacted to read as follows:

§95. Illegal carrying of weapons

* * *

N. Any person lawfully carrying a handgun pursuant to Subsection M of this Section shall be subject to the restrictions contained in R.S. 40:1379.3(I), (L), (M), (N), and (O).

Section 4. R.S. 40:1379.3(I)(1) and (2) and the introductory paragraph of 1379.3(I)(3) are hereby amended and reenacted to read as follows:

§1379.3. Statewide permits for concealed handguns; application procedures; definitions

* * *

I.(1) No individual to whom a concealed handgun permit is issued or a person carrying a ~~weapon~~ **handgun** pursuant to R.S. 14:95(M) may carry and conceal such handgun while under the influence of alcohol or a controlled dangerous substance. While a permittee is under the influence of alcohol or a controlled dangerous substance, an otherwise lawful permit is considered automatically suspended and is not valid. A permittee **or person carrying a handgun** shall be considered under the influence as evidenced by a blood alcohol reading of .05 percent or greater by weight of alcohol in the blood, or when a blood test or urine test shows any confirmed presence of a controlled dangerous substance as defined in R.S. 40:961 and 964.

(2) A permittee armed with a handgun in accordance with this Section or a person carrying a ~~weapon~~ **handgun** pursuant to R.S. 14:95(M) shall notify any police officer who approaches the permittee **or person carrying a handgun pursuant to R.S. 14:95(M)** in an official manner or with an identified official purpose that he has a weapon on his person, submit to a pat down, and allow the officer to temporarily disarm him. Whenever a law enforcement officer is made aware that an individual is carrying a concealed handgun and the law enforcement officer has reasonable grounds to believe that the individual is under the influence of either alcohol or a controlled dangerous substance, the law enforcement officer may take temporary possession of the handgun and request submission of the individual to a department-certified chemical test for determination of the chemical

status of the individual. Whenever a law enforcement officer is made aware that an individual is behaving in a criminally negligent manner as defined under the provisions of this Section, or is negligent in the carrying of a concealed handgun as provided for in R.S. 40:1382, the law enforcement officer may seize the handgun, until adjudication by a judge, if the individual is issued a summons or arrested under the provisions of R.S. 40:1382. Failure by the permittee to comply with the provisions of this Paragraph shall result in a six-month automatic suspension of the permit. **A person carrying a concealed handgun pursuant to R.S. 14:95(M) who fails to comply with the provisions of this Paragraph shall be subject to the penalties set forth in Subsection L of this Section.**

(3) The permit to carry a concealed ~~weapon~~ **handgun** shall be revoked by the deputy secretary when the permittee is carrying and concealing a handgun under any of the following circumstances:

* * *

Section 5. This Act shall become effective on July 4, 2024; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval by the legislature or July 4, 2024, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 233

BY SENATOR MIGUEZ

1 AN ACT

2 To amend and reenact R.S. 14:95(H)(2) and to enact R.S. 40:1379.1.3(D),(E),(F), and (G)
3 and 1379.1.4(F),(G),(H), and (I), relative to carrying of concealed firearms; to
4 provide relative to carrying of concealed firearms by qualified law enforcement
5 officers and retired law enforcement officers and certain state officials; to provide
6 relative to penalties for violation of concealed carry provisions; to provide relative
7 to authority of attorney general to bring civil actions; to provide for court costs and
8 attorney fees; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 14:95(H)(2) is hereby amended and reenacted to read as follows:

11 §95. Illegal carrying of weapons

12 * * *

13 H.

14 * * *

15 (2) Nothing in this Subsection shall permit the carrying of a weapon in the
16 state capitol building- with the exception of the following state officials if they are
17 annually qualified in the use of firearms by the Council on Peace Officer
18 Standards and Training:

19 (a) The attorney general and members of his Louisiana Bureau of
20 Investigation security detail.

21 (b) Members of the legislature.

22 * * *

23 Section 2. R.S. 40:1379.1.3(D),(E),(F), and (G) and 1379.1.4(F),(G),(H), and (I) are
24 hereby enacted to read as follows:

25 §1379.1.3. Carrying of concealed firearms by qualified law enforcement officers

26 * * *

1 D. No business organization shall deny entry or otherwise prohibit a
2 qualified law enforcement officer who is lawfully carrying a concealed firearm
3 from entering a venue.

4 E. As used in this Section:

5 (1) "Business organization" means a sole proprietorship, partnership,
6 corporation, limited liability company, or other business association recognized
7 by the Internal Revenue Service.

8 (2) "Venue" means a physical location open to the public that is
9 operated, managed, owned by, or otherwise under the control or authority of
10 a business organization.

11 F. A business organization operating a venue shall be subject to a civil
12 fine of one thousand dollars per occurrence to be paid to the Department of
13 Justice for each violation of the provisions of Subsection D of this Section. Each
14 violation of Subsection D of this Section shall constitute a separate offense. The
15 attorney general shall have the authority to bring a civil action arising out of
16 any violation of the provisions of Subsection D of this Section, in addition to any
17 other authority granted by the Constitution of Louisiana and laws of this state.

18 G. The court shall assess all court costs, including attorney fees, incurred
19 in the institution of the action authorized by Subsection F of this Section against
20 the subject of the action for any violation of the provisions of Subsection D of
21 this Section.

22 §1379.1.4. Carrying of concealed firearms by qualified retired law enforcement
23 officers

24 * * *

25 F. No business organization shall deny entry or otherwise prohibit a
26 qualified retired law enforcement officer who is lawfully carrying a concealed
27 firearm from entering a venue.

28 G. As used in this Section:

29 (1) "Business organization" means a sole proprietorship, partnership,
30 corporation, limited liability company, or other business association recognized

1 by the Internal Revenue Service.

2 (2) "Venue" means a physical location open to the public that is
3 operated, managed, owned by, or otherwise under the control or authority of
4 a business organization.

5 H. A business organization operating a venue shall be subject to a civil
6 fine of one thousand dollars per occurrence to be paid to the Department of
7 Justice for each violation of the provisions of Subsection F of this Section. Each
8 violation of Subsection F of this Section shall constitute a separate offense. The
9 attorney general shall have the authority to bring a civil action arising out of
10 any violation of the provisions of Subsection F of this Section, in addition to any
11 other authority granted by the Constitution of Louisiana and laws of this state.

12 I. The court shall assess all court costs, including attorney fees, incurred
13 in the institution of the action authorized by Subsection H of this Section against
14 the subject of the action for any violation of the provisions of Subsection F of
15 this Section.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 189

2024 Regular Session

HOUSE BILL NO. 67

BY REPRESENTATIVE DOMANGUE

1 AN ACT

2 To amend and reenact R.S. 14:95(H)(1) and (K), relative to the crime of illegal carrying of
3 weapons; to provide an exception to illegal carrying of weapons for certain persons;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95(H)(1) and (K) are hereby amended and reenacted to read as
7 follows:

8 §95. Illegal carrying of weapons

9 * * *

10 H.(1) Except as provided in Paragraph (A)(4) of this Section and in
11 Paragraph (2) of this Subsection, the provisions of this Section shall not prohibit
12 active justices or judges of the supreme court, courts of appeal, district courts, parish
13 courts, juvenile courts, family courts, city courts, federal courts domiciled in the state
14 of Louisiana, and traffic courts; members of either house of the legislature; officers
15 of either house of the legislature; the legislative auditor; designated investigative
16 auditors; constables; coroners; designated coroner investigators; district attorneys
17 and designated assistant district attorneys; United States attorneys and assistant
18 United States attorneys and investigators; the governor; the lieutenant governor; the
19 secretary of state; the treasurer; the commissioner of agriculture; the commissioner
20 of insurance; the attorney general; designated assistant attorneys general; city
21 prosecutors; designated assistant city prosecutors; a United States representative
22 from Louisiana and his designated, employed congressional staffer; a United States
23 senator from Louisiana and his designated, employed congressional staffer; ~~and~~
24 justices of the peace; parish presidents; and mayor-presidents from possessing and

1 concealing a handgun on their person when such persons are qualified annually in
2 the use of firearms by the Council on Peace Officer Standards and Training.

3 * * *

4 K.(1) The provisions of this Section shall not prohibit a retired or former
5 justice or judge of the supreme court, courts of appeal, district courts, parish courts,
6 juvenile courts, family courts, city courts, federal courts; former governor; former
7 lieutenant governor; former secretary of state; former treasurer; former commissioner
8 of agriculture; former commissioner of insurance; retired or former attorney general;
9 retired or former assistant attorneys general; retired or former district attorneys;
10 retired or former assistant district attorneys; retired or former United States
11 attorneys, retired or former assistant United States attorneys, or retired or former
12 federal investigators; retired or former justices of the peace; retired or former
13 members of the United States Congress; and former members of either house of the
14 legislature from possessing and concealing a handgun on their person provided that
15 such retired person or former member of the legislature is qualified annually, at their
16 expense, in the use of firearms by the Council on Peace Officer Standards and
17 Training and has on their person valid identification showing proof of their status as
18 a former member of the legislature or as a retired or former justice, judge, governor,
19 lieutenant governor, secretary of state, treasurer, commissioner of agriculture,
20 commissioner of insurance, attorney general, assistant attorney general, district
21 attorney, assistant district attorney, United States attorney, or assistant United States
22 attorney or federal investigator, or retired justice of the peace. For a former member
23 of the legislature, the valid identification showing proof of status as a former
24 legislator required by the provisions of this Paragraph shall be a legislative badge
25 issued by the Louisiana Legislature that shall include the former member's name, the
26 number of the district that the former member was elected to represent, the years that
27 the former member served in the legislature, and words that indicate the person's
28 status as a former member of the legislature.

29 (2) The retired or former justice, judge, governor, lieutenant governor,
30 secretary of state, treasurer, commissioner of agriculture, commissioner of insurance,

attorney general, assistant attorney general, district attorney, assistant district attorney, justice of the peace, or former member of the United States Congress or either house of the legislature shall be qualified annually in the use of firearms by the Council on Peace Officer Standards and Training and have proof of qualification.

~~However, this~~

(3) This Subsection shall not apply to a retired or former justice, judge, governor, lieutenant governor, secretary of state, treasurer, commissioner of agriculture, commissioner of insurance, attorney general, assistant attorney general, district attorney, assistant district attorney, United States attorney, assistant United States attorney or federal investigator, retired justice of the peace, or to a former member of the legislature or the United States Congress who is medically retired based upon any mental impairment, or who has entered a plea of guilty or nolo contendere to or been found guilty of a felony offense.

~~(3)~~ (4) For the purposes of this Subsection:

(a) "Retired assistant United States attorney" or "retired federal investigator" means an assistant United States attorney or investigator receiving retirement benefits from the Federal Employees Retirement System.

(b) "Retired district attorney" or "retired assistant district attorney" means a district attorney or an assistant district attorney receiving retirement benefits from the District Attorneys' Retirement System.

(c) "Retired United States attorney" means a presidentially appointed United States attorney who separated from service in good standing.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 451

HOUSE BILL NO. 823

BY REPRESENTATIVE BACALA

1 AN ACT

2 To enact R.S. 14:95(A)(5), relative to unlawful carrying of firearms; to provide relative to
3 the unlawful carrying of weapons; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:95(A)(5) is hereby enacted to read as follows:

6 §95. Illegal carrying of weapons

7 A. Illegal carrying of weapons is any of the following:

8 * * *

9 (5)(a) The intentional possession or use of a dangerous weapon by any
10 person in any of the following locations:

11 (i) A law enforcement office, station, or building.

12 (ii) A detention facility, prison, or jail.

13 (iii) A courthouse or courtroom, provided that a judge may carry such a
14 weapon in his own courtroom.

15 (iv) The state capitol building.

16 (b) The provisions of this Paragraph shall not apply to a peace officer as
17 defined by R.S. 40:2402(3) in the performance of his official duties.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 214

BY SENATOR MIGUEZ

1 AN ACT

2 To amend and reenact R.S. 14:95.5(C)(2), relative to the illegal carrying of weapons; to
3 provide an exception for the lawful concealed carry of a handgun in a restaurant that
4 serves alcoholic beverages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95.5(C)(2) is hereby amended and reenacted to read as follows:

7 §95.5. Possession of firearm on premises of alcoholic beverage outlet

8 * * *

9 C.(1) * * *

10 (2) The provisions of this Section shall not apply to a person possessing a
11 firearm in accordance with a concealed handgun permit issued pursuant to R.S.
12 40:1379.1 or 1379.3, **or pursuant to R.S. 14:95(M)** on the premises of an alcoholic
13 beverage outlet which has been issued a Class A-Restaurant permit, as defined in
14 Part II of Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised
15 Statutes of 1950.

16 * * *

17 Section 2. This Act shall become effective on July 4, 2024; if vetoed by the governor
18 and subsequently approved by the legislature, this Act shall become effective on the day
following such approval by the legislature or July 4, 2024, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 132

BY SENATOR MILLER

1 AN ACT

2 To amend and reenact R.S. 14:95.2.1(A) and 95.2.2(C)(2), relative to offenses affecting the
3 public; to provide relative to the crimes of illegal carrying of a firearm at a parade
4 and reckless discharge of a firearm at a parade; to provide relative to penalties; to
5 provide relative to exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.2.1(A) and 95.2.2(C)(2) are hereby amended and reenacted to
8 read as follows:

9 §95.2.1. Illegal carrying of a firearm at a parade with any firearm used in the
10 commission of a crime of violence

11 A.(1) Whoever commits the crime of illegal carrying of weapons pursuant to
12 R.S. 14:95 with any firearm used in the commission of a crime of violence as defined
13 in R.S. 14:2(B), within one thousand feet of any parade or demonstration for which
14 a permit is issued by a governmental entity, shall be fined not more than two
15 thousand dollars, or imprisoned, with or without hard labor, for not less than one
16 year nor more than five years, or both. **The entire sentence of imprisonment, not**
17 **to exceed the first three years for sentences greater than three years, shall be**
18 **served without benefit of parole, probation, or suspension of sentence.**

19 (2) Any sentence issued pursuant to the provisions of this Subsection and any
20 sentence issued pursuant to a violation of a crime of violence as defined in R.S.
21 14:2(B) shall be served consecutively.

22 * * *

23 §95.2.2. Reckless discharge of a firearm at a parade or demonstration

24 * * *

25 C. The provisions of this Section shall not apply to:

26 * * *

27 (2) The possession of a firearm occurring within one thousand feet of a public

1 gathering entirely within a private residence or in accordance with a concealed
2 handgun permit issued pursuant to R.S. 40:1379.1 **and 1379.3**.
3 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 413

2024 Regular Session

HOUSE BILL NO. 128

BY REPRESENTATIVE FONTENOT

1 AN ACT

2 To amend and reenact R.S. 14:95.1(B), relative to possession of a firearm or carrying of a
3 concealed weapon by a felon; to provide for penalties; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95.1(B) is hereby amended and reenacted to read as follows:

7 §95.1. Possession of firearm or carrying concealed weapon by a person convicted
8 of certain felonies

9 * * *

10 B.(1) Whoever is found guilty of violating the provisions of this Section
11 shall be imprisoned at hard labor for not less than five nor more than twenty years
12 without the benefit of probation, parole, or suspension of sentence and be fined not
13 less than one thousand dollars nor more than five thousand dollars.

14 (2) Notwithstanding the provisions of R.S. 14:27, whoever is found guilty
15 of attempting to violate the provisions of this Section shall be imprisoned at hard
16 labor for not more than seven and one-half years and fined not less than five hundred
17 dollars nor more than two thousand five hundred dollars.

18 (3) If the offender is found guilty of violating the provisions of this Section
19 while on probation or parole, the sentence imposed pursuant to this Subsection shall

SENATE BILL NO. 105

BY SENATOR SEABAUGH

1 AN ACT

2 To amend and reenact R.S. 14:95.1(B) and (D), relative to the crime of possession of
3 firearms or carrying concealed weapons by a person convicted of certain crimes; to
4 make the crime applicable to a person convicted of any felony; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.1(B) and (D) are hereby amended and reenacted to read as
8 follows:

9 §95.1. Possession of firearm or carrying concealed weapon by a person convicted of
10 certain felonies

11 * * *

12 B. Whoever is found guilty of violating the provisions of this Section shall
13 be imprisoned at hard labor for not less than five nor more than twenty years without
14 the benefit of probation, parole, or suspension of sentence and be fined not less than
15 one thousand dollars nor more than five thousand dollars. ~~Notwithstanding the~~
16 ~~provisions of R.S. 14:27, whoever~~ **Whoever** is found guilty of attempting to violate
17 the provisions of this Section shall be imprisoned at hard labor for not **less than one**
18 **year nor** more than seven and one-half years and fined not less than ~~five hundred~~
19 **one thousand** dollars nor more than ~~two thousand five hundred~~ **five thousand**
20 dollars.

21 * * *

5 * *

GOVERNOR OF THE STATE OF LOUISIANA

Page 2 of 2

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

SENATE BILL NO. 377

BY SENATOR KLEINPETER

AN ACT

To amend and reenact R.S. 14:95.1(A), relative to illegal possession of a firearm or concealed carry of a weapon; to prohibit possession of a firearm or carrying a concealed weapon by persons convicted of certain felonies; to provide for consideration of certain juvenile offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95.1(A) is hereby amended and reenacted to read as follows:

§95.1. Possession of firearm or carrying concealed weapon by a person convicted of certain felonies

A.~~(1)~~ It is unlawful for any person who has been convicted of, or has been found not guilty by reason of insanity for, a crime of violence as defined in R.S. 14:2(B) which is a felony or simple burglary, ~~burglary of a pharmacy~~, burglary of an inhabited dwelling, unauthorized entry of an inhabited dwelling, felony illegal use of weapons or dangerous instrumentalities, manufacture or possession of a delayed action incendiary device, manufacture or possession of a bomb, or possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance, or any violation of the Uniform Controlled Dangerous Substances Law which is a felony, or any crime which is defined as a sex offense in R.S. 15:541, or any crime defined as an attempt to commit one of the above-enumerated offenses under the laws of this state, or who has been convicted under the laws of any other state or of the United States or of any foreign government or country of a crime which, if committed in this state, would be one of the above-enumerated crimes, to possess a firearm or carry a concealed weapon.

(2)(a) This Section shall also apply to any person who committed a felony-grade delinquent act described in Paragraph (1) of this Subsection while in possession of a firearm, if adjudicated when that person was fifteen or sixteen years of age, and the person is under the age of twenty-two years at the time of

1 the violation of this Section.

2 **(b) The provisions of this Paragraph shall not apply to any person who**
3 **has been accepted into military service as a member of any of the branches of**
4 **the armed forces of the United States as defined by 10 U.S.C. 101(a)(4), the**
5 **reserve components of the armed forces of the United States as defined by 10**
6 **U.S.C. 10101, or the Louisiana National Guard.**

7 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 50

BY SENATOR REESE

1 AN ACT

2 To enact R.S. 14:90.8, relative to sports wagering; to prohibit certain persons from wagering
3 on sports events; to provide for definitions; to provide for penalties; to provide for
4 exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:90.8 is hereby enacted to read as follows:

7 **§90.8. Unlawful wagering; prohibited player**

8 **A.(1) It is unlawful for a prohibited player to wager on a sports event,**
9 **personally or through another individual or proxy.**

10 **(2) It is unlawful for a person or entity to facilitate or place a sports**
11 **wager on behalf of a prohibited player.**

12 **B. For purposes of this Section, "prohibited player" means a person who**
13 **is prohibited from placing a wager on a sports event by any of the following:**

14 **(1) Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950,**
15 **particularly R.S. 27:608, or Louisiana Administrative Code Title 42, Part VI.**

16 **(2) Participation in a self-restriction or self-exclusion program in**
17 **accordance with R.S. 27:27.1 or Louisiana Administrative Code Title 42, Part**
18 **III, Chapter 3.**

19 **(3) Any other law, administrative rule, or policy of any jurisdiction, the**
20 **sports wagering operator, the sports book, or a sports governing body.**

21 **C. Whoever violates the provisions of this Section shall be fined not more**
22 **than five hundred dollars, or imprisoned for not more than six months, or both.**
23 **Upon a second or subsequent conviction for a violation of this Section, the**
24 **penalty shall be a fine of one thousand dollars, or imprisonment with or without**
25 **hard labor for not more than one year, or both.**

1 D. Whoever conducts, finances, manages, supervises, directs, leases, or
2 owns all or part of a business when the person knowingly allows a prohibited
3 player to wager on a sports event shall be fined not more than twenty thousand
4 dollars, or imprisoned, with or without hard labor, for not more than five years,
5 or both.

6 E.(1) A person, business, or entity licensed or sports wagering operator
7 permitted pursuant to the provisions of Chapter 10 of Title 27 of the Louisiana
8 Revised Statutes of 1950 shall not be subject to the penalty contained in
9 Subsection D of this Section if the licensee or permittee has taken commercially
10 reasonable methods to prevent a prohibited player from placing a wager on a
11 sports event in person, on a sports wagering mechanism, or through a mobile
12 application.

13 (2) A sports wagering platform provider permitted pursuant to the
14 provisions of Chapter 10 of Subtitle XI of Title 47 of the Louisiana Revised
15 Statutes of 1950 shall not be subject to the penalty contained in Subsection D of
16 this Section if the permittee has taken commercially reasonable methods to
17 prevent a prohibited player from placing a wager on a sports event on a sports
18 wagering mechanism or through a mobile application.

19 Section 2. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 276

BY SENATORS PRESSLY, ABRAHAM, ALLAIN, BARROW, BASS, CATHEY, CLOUD, CONNICK, EDMONDS, FESI, HENRY, HODGES, KLEINPETER, LAMBERT, MCMATH, MIGUEZ, MILLER, MIZELL, MORRIS, REESE, SEABAUGH, STINE, TALBOT AND WOMACK AND REPRESENTATIVES AMEDEE, BAMBURG, BAYHAM, BERAULT, BUTLER, CHENEVERT, CREWS, DICKERSON, EGAN, EMERSON, FIRMENT, GLORIOSO, HORTON, MACK, OWEN, SCHAMERHORN, THOMPSON AND WYBLE

AN ACT

To amend and reenact R.S. 14:87.1(1)(a) and R.S. 40:969(C) and to enact R.S. 14:87.6.1, R.S. 15:1352(A)(71), and R.S. 40:964(Schedule IV)(F), relative to abortion; to create the crime of coerced criminal abortion by means of fraud; to provide relative to the crime of criminal abortion by means of abortion-inducing drugs; to provide penalties; to provide relative to the definition of crime racketeering activity; to add certain substances to Schedule IV of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:87.1(1)(a) is hereby amended and reenacted and R.S. 14:87.6.1 is hereby enacted to read as follows:

§87.1. Definitions

Wherever used in this Subpart, unless a different meaning clearly appears in the context, the following terms, whether used in the singular or plural, shall have the following meanings:

(1)(a) "Abortion" or "induced abortion" means the performance of any act with the intent to terminate a clinically diagnosable pregnancy with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child, **whether or not the child survives**, by one or more of the following means:

* * *

§87.6.1. Coerced criminal abortion by means of fraud

A. Coerced criminal abortion by means of fraud is committed when a

1 person knowingly and intentionally engages in the use of an abortion-inducing
2 drug on a pregnant woman, without her knowledge or consent, with the intent
3 to cause an abortion.

4 B.(1) Except as provided in Paragraph (2) of this Subsection, whoever
5 commits the crime of coerced criminal abortion by means of fraud shall be
6 imprisoned at hard labor for not less than five nor more than ten years, fined
7 not less than ten thousand nor more than seventy-five thousand dollars, or both.

8 (2) Whoever commits the crime of coerced criminal abortion by means
9 of fraud when the unborn child is more than three months of gestational age
10 shall be imprisoned at hard labor for not less than ten nor more than twenty
11 years, fined not less than fifty thousand nor more than one hundred thousand
12 dollars, or both.

13 C. The prosecution of a person pursuant to this Section shall not be a
14 defense against the prosecution under any other provision of law, including
15 murder or attempted murder, should the person commit the crime of coerced
16 criminal abortion by means of fraud and the use of an abortion-inducing drug
17 results in the death or serious bodily injury of the pregnant woman.

18 Section 2. R.S. 15:1352(A)(71) is hereby enacted to read as follows:

19 §1352. Definitions

20 A. As used in this Chapter, "racketeering activity" means committing,
21 attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating
22 another person to commit any crime that is punishable under the following
23 provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform
24 Controlled Dangerous Substances Law, or the Louisiana Securities Law:

25 * * *

26 (71) R.S. 14:87.9 (Criminal abortion by means of abortion-inducing
27 drug)

28 * * *

29 Section 3. R.S.40:969(C) is hereby amended and reenacted and R.S. 40:964(Schedule
30 IV)(F) is hereby enacted to read as follows:

§964. Composition of schedules

Schedules I, II, III, IV, and V shall, unless and until added pursuant to R.S. 40:962, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated:

* * *

SCHEDULE IV

* * *

F. Mifepristone, Misoprostol. Unless listed in another schedule, any material, compound, mixture, or preparation containing any detectable quantity of mifepristone or misoprostol.

* * *

§969. Prohibited acts--Schedule IV; penalties

* * *

C.**(1)** Possession. It is unlawful for any person knowingly or intentionally to possess a controlled dangerous substance classified in Schedule IV unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, or as provided in R.S. 40:978, while acting in the course of his professional practice or except as otherwise authorized by this Part. Any person who violates this Subsection with respect to:

~~(1)~~**(a)** Flunitrazepam shall be imprisoned, with or without hard labor, for not less than one year nor more than ten years, and may, in addition, be required to pay a fine of not more than five thousand dollars.

~~(2)~~**(b)** Any other controlled dangerous substance shall be imprisoned with or without hard labor for not less than one year nor more than five years and, in addition, may be required to pay a fine of not more than five thousand dollars.

(2) It shall not be a violation of this Subsection for a pregnant woman to possess mifepristone or misoprostol for her own consumption.

* * *

Section 4. This Act shall become effective on October 1, 2024.

Section 5. This Act shall be cited and referred to as "The Catherine and Josephine

1 Herring Act".

2 Section 6. The Board of Pharmacy is directed to notify all pharmacists in Louisiana
3 about the provisions of this law and that lawful prescriptions for mifepristone and
4 misoprostol may be filled in accordance with R.S. 14:87.9(C)(6).

5 Section 7. The Louisiana Department of Health is directed to notify all healthcare
6 practitioners and providers in Louisiana about the provisions of this law and that
7 mifepristone and misoprostol may be prescribed and administered in accordance with R.S.
8 14:87.9(C)(6).

9 Section 8. If any provision of this Act or the application thereof is held invalid, such
10 invalidity shall not affect other provisions or applications of this Act which can be given
11 effect without the invalid provisions or applications, and to this end the provisions of this
12 Act are hereby declared severable.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 107

BY SENATORS MIZELL, ABRAHAM, BARROW, HODGES, KLEINPETER, MIGUEZ
AND MORRIS AND REPRESENTATIVES ADAMS, BERAULT,
BILLINGS, CHENEVERT, COATES, COX, DICKERSON,
DOMANGUE, EDMONSTON, FONTENOT, HORTON, KERNER,
KNOX, LAFLEUR, MACK, OWEN, SCHLEGEL, THOMPSON,
VILLIO, WALTERS, WILEY AND WYBLE

1 AN ACT

2 To enact R.S. 14:81.6, relative to offenses affecting the public morals; to create the crime
3 of possessing, trafficking, or importing a child sex doll; to provide definitions; to
4 provide penalties; to provide relative to reporting; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:81.6 is hereby enacted to read as follows:

7 **§81.6. Possessing, trafficking, or importing a child sex doll; reporting**

8 **A.(1) A person commits the crime of possessing a child sex doll by**
9 **intentionally or knowingly possessing a child sex doll.**

10 **(2) A person commits the crime of trafficking a child sex doll by**
11 **knowingly manufacturing, distributing, selling, transferring, offering to sell,**
12 **advertising, providing, shipping, delivering for shipment, offering to deliver for**
13 **shipment, or possessing with the intent to manufacture, distribute, sell, ship, or**
14 **transfer a child sex doll.**

15 **(3) A person commits the crime of importing a child sex doll by**
16 **knowingly transporting, or causing to be transported, a child sex doll into this**
17 **state by any means with the intent to distribute, sell, or transfer the child sex**
18 **doll to another, whether or not the person has taken actual possession of the**
19 **child sex doll.**

20 **B. For purposes of this Section, "child sex doll" means an anatomically**
21 **correct doll, mannequin, or robot that both:**

22 **(1) Has the features of or features that resemble those of an infant or a**
23 **child under eighteen years of age.**

24 **(2) Is intended to be used for sexual stimulation or gratification.**

1 C. In a prosecution for a violation of Paragraph (A)(2) of this Section, the
2 possession of two or more child sex dolls creates a rebuttable presumption that
3 a person intends to commit trafficking of a child sex doll.

4 D. This Section shall not apply to a common carrier transporting a
5 container with a child sex doll if the common carrier does not have actual
6 knowledge of the container's contents.

7 E.(1) Whoever violates the provisions of Paragraph (A)(1) of this Section
8 upon conviction shall be imprisoned at hard labor for not more than one year,
9 fined not more than five thousand dollars, or both.

10 (2) Whoever violates the provisions of Paragraph (A)(2) of this Section
11 upon conviction shall be imprisoned at hard labor for not less than six months
12 nor more than one year, fined not more than ten thousand dollars, or both.

13 (3) Whoever violates the provisions of Paragraph (A)(3) of this Section
14 upon conviction shall be imprisoned at hard labor for not less than one year nor
15 more than two years, fined not more than twenty thousand dollars, or both.

16 F. No later than December 31, 2024, and no later than the thirty-first of
17 December of each year thereafter, the court of conviction shall report each
18 conviction pursuant to this Section to the judicial administrator's office of the
19 Louisiana Supreme Court, which shall no later than January 31, 2025, and no
20 later than the thirty-first of January of each year thereafter, submit a report to
21 the governor, the president of the Senate, and the speaker of the House of
22 Representatives that lists, by parish, the total number of persons who have been
23 convicted of a violation of this Section in the preceding year.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 597

2024 Regular Session

HOUSE BILL NO. 130

BY REPRESENTATIVES BAYHAM AND KNOX

1 AN ACT

2 To amend and reenact R.S. 14:81.2(B)(2) and (3)(a), relative to the crime of molestation of
3 a juvenile; to provide for penalties for molestation of a juvenile in certain
4 circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:81.2(B)(2) and (3)(a) are hereby amended and reenacted to read
7 as follows:

8 §81.2. Molestation of a juvenile or a person with a physical or mental disability

9 * * *

10 B.

11 * * *

12 (2) Whoever commits the crime of molestation of a juvenile, when the victim
13 is thirteen years of age or older but has not yet attained the age of seventeen, and
14 when the offender has control or supervision over the juvenile, shall be fined not
15 more than ten thousand dollars, or imprisoned, with or without hard labor, for not
16 less than ~~five~~ ten years nor more than twenty years, or both. The defendant shall not
17 be eligible to have his conviction set aside or his prosecution dismissed in
18 accordance with Code of Criminal Procedure Article 893.

19 (3)(a) Whoever commits the crime of molestation of a juvenile, when the
20 victim is thirteen years of age or older but has not yet attained the age of seventeen,
21 and when the offender is in a position of supervision or entrusted with a supervisory
22 role of the juvenile that includes but is not limited to a religious, charitable,

1 scientific, educational, athletic, or youth-serving purpose or is an educator of the
2 juvenile, shall be fined not more than ten thousand dollars, or imprisoned, with or
3 without hard labor, for not less than ~~five~~ ten years nor more than forty years, or both.
4 At least ~~five~~ ten years of the sentence imposed shall be without the benefit of parole,
5 probation, or suspension of sentence, and the defendant shall not be eligible to have
6 his conviction set aside or his prosecution dismissed in accordance with Code of
7 Criminal Procedure Article 893.

8 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 6

BY SENATOR CONNICK

1 AN ACT

2 To enact R.S. 14:73.14, relative to computer related crime; to create the crime of unlawful
3 dissemination or sale of images of another created by artificial intelligence; to
4 provide definitions; to provide penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:73.14 is hereby enacted to read as follows:

7 **§73.14. Unlawful dissemination or sale of images of another created by artificial**
8 **intelligence**

9 **A. It shall be unlawful for any person, with the intent to coerce, harass,**
10 **intimidate, or maliciously disseminate or sell any video or still image created by**
11 **artificial intelligence that depicts another person who is totally nude or in a**
12 **state of undress so as to expose the genitals, pubic area, buttocks, or female**
13 **breast, when the person disseminating the video or still image knows or has**
14 **reason to know that he is not licensed or authorized to disseminate or sell such**
15 **video or still image.**

16 **B. The provisions of this Section shall not apply to an interactive**
17 **computer service, electronic mail service provider, or a provider of a**
18 **telecommunications service or any information service as defined in 47 U.S.C.**
19 **153, system, or access software provider that provides or enables computer**
20 **access by multiple users to a computer server that was used by a person to**
21 **commit any act prohibited by Subsection A of this Section.**

22 **C. For purposes of this Section:**

23 **(1) "Another person" includes a person whose image was used in**
24 **creating, adapting, or modifying a video or still image with the intent to depict**
25 **an actual person and who is recognizable as an actual person by the person's**
26 **face, likeness, or other distinguishing characteristic.**

1 (2) "Artificial intelligence" means an artificial system developed in
2 computer software, physical hardware, or other context that solves tasks
3 requiring human-like perception, cognition, planning, learning, communication,
4 or physical action.

5 (3) "Electronic mail service provider" means any person or entity,
6 including an internet service provider, that is an intermediary in sending or
7 receiving electronic mail or that provides to end users of the electronic mail
8 service the ability to send or receive electronic mail.

9 (4) "Interactive computer service" means any information service,
10 system, or access software provider that provides or enables computer access
11 by multiple users to a computer server, including specifically a service or system
12 that provides access to the Internet and such systems operated or services
13 offered by libraries or educational institutions.

14 D. Whoever violates the provisions of this Section shall be imprisoned for
15 not more than six months, fined not more than seven hundred fifty dollars, or
16 both.

17 E. In addition to any venue provided by the Code of Criminal Procedure,
18 a violation of this Section may be prosecuted in the parish where the unlawful
19 act occurred or where any video or still image was created, produced,
20 reproduced, found, stored, received, or possessed in violation of this Section.

21 F. The provisions of this Section shall not preclude a civil action or
22 criminal prosecution under any other applicable provision of law.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 45

2024 Regular Session

HOUSE BILL NO. 214

BY REPRESENTATIVES VILLIO AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 14:72.2, relative to offenses against property; to provide relative
3 to the offense of monetary instrument abuse; to provide relative to elements of the
4 offense; to provide relative to definitions; to provide for a penalty; to provide for
5 restitution; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:72.2 is hereby amended and reenacted to read as follows:

8 §72.2. Monetary instrument abuse

9 A. Whoever makes, issues, possesses, sells, or otherwise transfers a
10 counterfeit or forged monetary instrument of the United States, a state, or a political
11 subdivision thereof, ~~or of an organization,~~ or a person with intent to deceive or
12 defraud another person, shall be fined not more than one million dollars but not less
13 than five thousand dollars or imprisoned, with or without hard labor, for not more
14 than ten years but not less than six months, or both.

15 B. Whoever makes, issues, possesses, sells, or otherwise transfers an
16 implement designed for or particularly suited for making a counterfeit or forged
17 monetary instrument with the intent to deceive or defraud a person shall be fined not
18 more than one million dollars but not less than five thousand dollars, or imprisoned,
19 with or without hard labor, for not more than ten years but not less than six months,
20 or both.

21 C. Upon a second or subsequent conviction of a violation of the provisions
22 of this Section, the offender shall be imprisoned with or without hard labor, for not

1 less than one year nor more than ten years and may, in addition, be required to pay
2 a fine of not more than one million dollars.

3 D. For purposes of this Section:

4 (1) "Counterfeit" means a document or writing that purports to be genuine
5 but is not, because it has been falsely made, manufactured, or composed.

6 (2) "Forged" means the false making or altering, with intent to defraud, of
7 any signature to, or any part of, any writing purporting to have legal efficacy.
8 Forged also means the washing through the use of chemical solvents or physical
9 removal of ink writing on a monetary instrument with the intent to defraud, including
10 but not limited to the washing or physical removal of a name of a payee or dollar
11 amount on a monetary instrument.

12 (3) "Monetary instrument" means:

13 (a) A note, stock certificate, treasury stock certificate, bond, treasury bond,
14 debenture, certificate of deposit, interest coupon, warrant, debit or credit instrument,
15 access device or means of electronic fund transfer, United States currency, check or
16 draft, money order, bank check, teller's check, cashier's check, traveler's check, letter
17 of credit, warehouse receipt, negotiable bill of lading, certificate of interest in or
18 participation in any profit-sharing agreement, collateral-trust certificate, pre-
19 organization certificate of subscription, transferable share, investment contract,
20 voting trust certificate, or certificate of interest in tangible or intangible property.

21 (b) An instrument evidencing ownership of goods, wares, or merchandise.

22 (c) Any other written instrument commonly known as a security.

23 (d) A certificate of interest in, certificate of participation in, certificate for,
24 receipt for, or warrant or option or other right to subscribe to or purchase, any of the
25 foregoing.

26 (e) A blank form of any of the foregoing.

27 (4) "Organization" means a legal entity, other than a government, established
28 or organized for any purpose, and includes a corporation, limited liability company,
29 company, federally insured financial institution, association, firm, partnership, joint
30 stock company, foundation, institution, society, union, or any other association of

1 persons which operates in or the activities of which affect intrastate, interstate, or
2 foreign commerce.

3 (5) "State" includes ~~a~~ any state of the United States, the District of Columbia,
4 Puerto Rico, Guam, the Virgin Islands, and any other territory or possession of the
5 United States.

6 ~~D. E.~~ E. In addition to the penalties provided in Subsections A, ~~and B,~~ and C
7 of this Section, a person convicted under the provisions of this Section shall be
8 ordered to make full restitution to the victim and any other person who has suffered
9 a financial loss as a result of the offense in accordance with Code of Criminal
10 Procedure Article 883.2. ~~If a person ordered to make restitution pursuant to this~~
11 ~~Section is found to be indigent and therefore unable to make restitution in full at the~~
12 ~~time of conviction, the court shall order a periodic payment plan consistent with the~~
13 ~~person's financial ability.~~

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 738

2024 Regular Session

HOUSE BILL NO. 851

BY REPRESENTATIVE PHELPS

1 AN ACT

2 To enact R.S. 14:71.3.1 and 71.3.2 and to repeal R.S. 14:71.3.1, relative to misappropriation

3 without violence; to create the crime of tax sale and tax lien property fraud; to

4 provide for elements; to provide for penalties; to provide for definitions; to provide

5 for legislative intent; to provide for contingent effective dates; and to provide for

6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:71.3.1 is hereby enacted to read as follows:

9 §71.3.1. Tax sale property fraud

10 A. It is unlawful for any person, in connection with the issuance of a tax sale

11 certificate or tax sale title to the property pursuant to R.S. 47:2155 or 2161 or in

12 violation of R.S. 47:2158.1 or 2231.1, to knowingly do any of the following:

13 (1) Employ a device, scheme, or artifice with intent to defraud the tax debtor.

14 (2) Make an untrue statement of material fact with intent to defraud the tax

15 debtor.

16 (3) Receive any portion of the monies, funds, credits, assets, securities, or

17 other property of the tax debtor in connection with the purchase of tax sale property

18 when the recipient knows that the proceeds or other funds were paid as a result of a

19 violation of this Section.

20 B.(1) A person who violates the provisions of this Section shall be

21 imprisoned, with or without hard labor, for not more than two years, or may be fined

22 not more than five thousand dollars, or both.

23 (2) In addition to the penalties provided in Paragraph (1) of this Subsection,

24 a person convicted under the provisions of this Section shall forfeit all rights and

1 claims to possession of the tax sale certificate and tax sale title to the property and
2 shall be ordered to make full restitution to the victim and any other person who has
3 suffered a financial loss as a result of the offense. If a person ordered to make
4 restitution pursuant to this Section is found to be indigent and therefore unable to
5 make restitution in full at the time of conviction, the court shall order a periodic
6 payment plan consistent with the person's financial ability.

7 C. For the purposes of this Section:

8 (1) "Person" means a natural or juridical person, including but not limited
9 to a sole proprietorship, corporation, company, limited liability company,
10 partnership, limited liability partnership, trust, incorporated or unincorporated
11 association, or any other individual or entity.

12 (2) "Tax debtor", "tax sale property", and "tax sale title" shall have the same
13 meanings as in R.S. 47:2122.

14 D. It is the intent of the legislature to encourage tax debtors to seek legal
15 counsel in order to protect any ownership rights adversely affected by a violation of
16 this Section.

17 Section 2. R.S. 14:71.3.2 is hereby enacted to read as follows:

18 §71.3.2. Tax lien property fraud

19 A. It is unlawful for any person, in connection with the issuance of a tax sale
20 certificate, tax lien certificate, or tax sale title to the property pursuant to R.S.
21 47:2132, 2155, or 2161, or in violation of R.S. 47:2158.1 or 2231.1, to knowingly
22 do any of the following:

23 (1) Employ a device, scheme, or artifice with intent to defraud the tax debtor.

24 (2) Make an untrue statement of material fact with intent to defraud the tax
25 debtor.

26 (3) Receive any portion of the monies, funds, credits, assets, securities, or
27 other property of the tax debtor in connection with the purchase of either tax sale
28 property or a delinquent obligation evidenced by a tax lien certificate.

1 B.(1) A person who violates the provisions of this Section shall be
2 imprisoned, with or without hard labor, for not more than two years, or may be fined
3 not more than five thousand dollars, or both.

4 (2) In addition to the penalties provided in Paragraph (1) of this Subsection,
5 a person convicted under the provisions of this Section shall forfeit all rights and
6 claims to possession of the delinquent obligation, tax lien certificate, or tax sale title
7 to the property and shall be ordered to make full restitution to the victim and any
8 other person who has suffered a financial loss as a result of the offense. If a person
9 ordered to make restitution pursuant to this Section is found to be indigent and
10 therefore unable to make restitution in full at the time of conviction, the court shall
11 order a periodic payment plan consistent with the person's financial ability.

12 C. For the purposes of this Section:

13 (1) "Delinquent obligation" means statutory impositions included in the tax
14 bill that are not paid by the due date, plus interest and costs that may accrue in
15 accordance with law.

16 (2) "Person" means a natural or juridical person, including but not limited
17 to a sole proprietorship, corporation, company, limited liability company,
18 partnership, limited liability partnership, trust, incorporated or unincorporated
19 association, or any other individual or entity.

20 (3) "Tax debtor", tax sale certificate, "tax sale property", and "tax sale title"
21 shall have the same meanings as in R.S. 47:2122.

22 D. It is the intent of the legislature to encourage tax debtors to seek legal
23 counsel in order to protect any ownership rights adversely affected by a violation of
24 this Section.

25 Section 3. R.S. 14:71.3.1 is hereby repealed in its entirety.

26 Section 4. This Section and Sections 1 and 5 of this Act shall become effective upon
27 signature by the governor, if not signed by the governor, upon expiration of the time for bills
28 to become law without signature by the governor, as provided by Article III, Section 18 of
29 the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the

1 legislature, this Section and Sections 1 and 5 of this Act shall become effective on the day
2 following such approval.

3 Section 5. Sections 2 and 3 of this Act shall become effective if the proposed
4 amendment to Article VII, Section 25 of the Constitution of Louisiana contained in the Act
5 which originated as Senate Bill No. 119 of the 2024 Regular Session of the Legislature is
6 adopted at a statewide election held on December 7, 2024, or if any proposed amendment
7 to Article VII, Section 25 of the Constitution of Louisiana is adopted prior to January 1,
8 2026. If an amendment to Article VII, Section 25 of the Constitution of Louisiana is
9 adopted, Sections 2 and 3 of this Act shall become effective on January 1, 2026.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 267

2024 Regular Session

HOUSE BILL NO. 451

BY REPRESENTATIVE SCHLEGEL

1 AN ACT

2 To amend and reenact R.S. 14:67(B)(4), (C) and (D) and to enact R.S. 14:67(E), relative to
3 the crime of theft; provides for theft of a package delivered to an inhabited dwelling;
4 provides for assault on a store employee during the commission or attempted
5 commission of theft; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67(B)(4), (C) and (D) are hereby amended and reenacted and R.S.
8 14:67(E) is hereby enacted to read as follows:

9 §67. Theft

10 * * *

11 B.

12 * * *

13 (4) When the misappropriation or taking amounts to less than a value of one
14 thousand dollars, the offender shall be imprisoned for not more than six months, or
15 may be fined not more than one thousand dollars, or both.

16 (a) If the offender in such cases has been convicted of theft two or more
17 times previously, upon any subsequent conviction he shall be imprisoned, with or
18 without hard labor, for not more than two years, or may be fined not more than two
19 thousand dollars, or both.

20 (b) If the offender in such cases commits the crime of theft of a package that
21 has been delivered to an inhabited dwelling owned by another, he shall be
22 imprisoned, with or without hard labor, for not more than two years, or may be fined
23 not more than two thousand dollars, or both.

1 C. If the offender commits an assault upon a store or merchant's employee
2 who is acting in the course and scope of his employment duties, during the
3 commission or attempted commission of theft, at least fifteen days of the sentence
4 imposed under this Section shall be served without benefit of probation or
5 suspension of sentence.

6 ~~C.~~ D. When there has been a misappropriation or taking by a number of
7 distinct acts of the offender, the aggregate of the amount of the misappropriations or
8 taking shall determine the grade of the offense.

9 ~~D.~~ E. In a prosecution under this Section where the property allegedly
10 misappropriated or taken was held for sale by a merchant, an intent to permanently
11 deprive the merchant of the property held for sale may be inferred when the
12 defendant:

13 (1) Intentionally conceals, on his person or otherwise, goods held for sale.

14 (2) Alters or transfers any price marking reflecting the actual retail price of
15 the goods.

16 (3) Transfers goods from one container or package to another or places
17 goods in any container, package, or wrapping in a manner to avoid detection.

18 (4) Willfully causes the cash register or other sales recording device to
19 reflect less than the actual retail price of the goods.

20 (5) Removes any price marking with the intent to deceive the merchant as
21 to the actual retail price of the goods.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 67

2024 Regular Session

HOUSE BILL NO. 202

BY REPRESENTATIVES CARVER, ADAMS, BOYER, COX, KNOX, LAFLEUR,
MOORE, WALTERS, AND WILEY

1 AN ACT

2 To enact R.S. 14:67.6 and 67.7, relative to offenses against property; to create the crime of
3 mail theft; to create the crime of theft or unauthorized reproduction of a mail
4 receptacle key or lock; to provide for definitions; to provide for penalties; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.6 and 67.7 are hereby enacted to read as follows:

8 §67.6. Mail theft

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

11 (1) "Mail" means any letter, postal card, parcel, envelope, package, bag, or
12 any other sealed article addressed to another, along with its contents.

13 (2) "Mail depository" means a mail box, letter box, or mail receptacle of a
14 postal service, an office of a postal service, or a vehicle of a postal service.

15 (3) "Postal service" means the United States Postal Service or its contractors,
16 or any commercial courier that delivers mail.

17 B. Any of the following acts shall constitute mail theft:

18 (1) Removing mail from a mail depository or taking mail from a mail carrier
19 with a postal service with an intent to steal.

20 (2) Obtaining custody of mail by fraud or deception with an intent to steal.

21 (3) Selling, receiving, possessing, transferring, buying, or concealing mail
22 obtained by acts described in Paragraphs (1) or (2) of this Subsection, while knowing
23 or having reason to know the mail was obtained illegally.

1 C.(1) Whoever violates the provisions of this Section shall be imprisoned,
2 with or without hard labor, for not more than five years, or fined not more than five
3 thousand dollars, or both.

4 (2) Upon a second or subsequent conviction or violation of the provisions
5 of this Section, the offender shall be imprisoned, with or without hard labor, for not
6 less than one year nor more than ten years and may, in addition, be fined not more
7 than twenty thousand dollars.

8 D. In addition to the penalties provided in Subsection C of this Section, a
9 person convicted under this Section shall be ordered to make full restitution to the
10 victim and any other person who has suffered a financial loss as a result of the
11 offense in accordance with Code of Criminal Procedure Article 883.2.

12 E. An offense committed under this Section may be prosecuted in any of the
13 following parishes:

14 (1) The parish where the offense occurred.

15 (2) The parish of residence or place of business of the direct or indirect
16 victim.

17 §67.7. Theft or unauthorized reproduction of a mail receptacle key or lock

18 A. As used in this Section, the following terms shall have the following
19 meanings:

20 (1) "Mail" means any letter, postal card, parcel, envelope, package, bag, or
21 any other sealed article addressed to another, along with its contents.

22 (2) "Postal service" means the United States Postal Service or its contractors,
23 or any commercial courier that delivers mail.

24 B. Any of the following acts shall constitute theft or unauthorized
25 reproduction of a mail receptacle key or lock:

26 (1) Stealing or obtaining by false pretense any key or lock adopted by a
27 postal service for any box or other authorized receptacle for the deposit or delivery
28 of mail.

29 (2) Knowingly and unlawfully making, forging, or counterfeiting any such
30 key, or possessing any such key or lock adopted by a postal service that delivers mail

1 with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key
2 or lock, or to cause the key or lock to be unlawfully or improperly used, sold, or
3 otherwise disposed.

4 C.(1) Whoever violates the provisions of this Section shall be imprisoned,
5 with or without hard labor, for not more than five years, or fined not more than five
6 thousand dollars, or both.

7 (2) Upon a second or subsequent conviction or violation of the provisions
8 of this Section, the offender shall be imprisoned, with or without hard labor, for not
9 less than one year nor more than ten years and may, in addition, be fined not more
10 than twenty thousand dollars.

11 D. In addition to the penalties provided in Subsection C of this Section, a
12 person convicted under this Section shall be ordered to make full restitution to the
13 victim and any other person who has suffered a financial loss as a result of the
14 offense in accordance with Code of Criminal Procedure Article 883.2.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 21

2024 Regular Session

HOUSE BILL NO. 211

BY REPRESENTATIVES VILLIO, ADAMS, BILLINGS, CARLSON, COX, DAVIS,
DEWITT, EDMONSTON, EGAN, FISHER, GLORIOSO, HORTON, JACKSON,
MIKE JOHNSON, OWEN, SCHLEGEL, TAYLOR, THOMPSON, WALTERS,
WILEY, AND ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 14:67.4(B)(4) and (5), (C), (D)(3), and (E), relative to offenses
3 against property; to provide relative to the Anti-Skimming Act; to provide relative
4 to definitions; to provide relative to elements of the offense; to provide for penalties;
5 to provide relative to restitution; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.4(B)(4) and (5), (C), (D)(3), and (E) are hereby amended and
8 reenacted to read as follows:

9 §67.4. Anti-Skimming Act

10 * * *

11 B. As used in this Section the following terms have the following meanings:

12 * * *

13 (4) "Re-encoder" means an electronic device that places encoded information
14 from the microchip or magnetic strip or stripe of a payment card onto the microchip
15 or magnetic strip or stripe of a different payment card.

16 (5) "Scanning device" means a scanner, reader, or any other electronic
17 device that is used to access, read, scan, obtain, memorize, or store, temporarily or
18 permanently, information encoded on the microchip or magnetic strip or stripe of a
19 payment card.

20 C. It shall be unlawful for any person to do ~~either~~ any of the following:

21 (1) Use a scanning device to access, read, obtain, memorize, or store,
22 temporarily or permanently, information encoded on the microchip or magnetic strip

1 or stripe of a payment card without the permission of the authorized user of the
2 payment card and with the intent to defraud the authorized user, the issuer of the
3 authorized user's payment card, or a merchant.

4 (2) Use a re-encoder to place information encoded on the microchip or
5 magnetic strip or stripe of a payment card onto the microchip or magnetic strip or
6 stripe of a different card without the permission of the authorized user of the card
7 from which the information is being re-encoded and with the intent to defraud the
8 authorized user, the issuer of the authorized user's payment card, or a merchant.

9 (3) Possess a re-encoder or scanning device with the intent to defraud.

10 D.

11 * * *

12 (3) Upon a ~~third~~ second or subsequent conviction of a violation of the
13 provisions of this Section, the offender shall be imprisoned, with or without hard
14 labor, for not less than one year nor more than ten years, ~~or may~~ and may be fined
15 not more than twenty thousand dollars, ~~or both~~.

16 E. In addition to the penalties provided in Subsection D of this Section, a
17 person convicted under this Section shall be ordered to make full restitution to the
18 victim and any other person who has suffered a financial loss as a result of the
19 offense in accordance with Code of Criminal Procedure Article 883.2. ~~If a person~~
20 ~~ordered to make restitution pursuant to this Section is found to be indigent and~~
21 ~~therefore unable to make restitution in full at the time of conviction, the court shall~~
~~order a periodic payment plan consistent with the person's financial ability.~~

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

SENATE BILL NO. 34

BY SENATORS HENSGENS, ABRAHAM, KLEINPETER AND MIGUEZ AND
REPRESENTATIVE THOMPSON

1 AN ACT

2 To amend and reenact R.S. 14:64.4 and 65(A), relative to robbery; to provide relative to
3 simple and second degree robbery; to provide relative to organized robbery from a
4 retail establishment; to provide relative to penalties; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:64.4 and 65(A) are hereby amended and reenacted to read as
8 follows:

9 §64.4. Second degree robbery

10 A. **Second degree robbery is either of the following:**

11 (1) ~~Second degree robbery is the~~ **The** taking of anything of value belonging
12 to another from the person of another or that is in the immediate control of another
13 when the offender intentionally inflicts serious bodily injury.

14 (2) ~~Repeated by Acts 2019, No. 2, §3, eff. August 1, 2019~~ **The taking of, or**
15 **the recruiting of another person who takes, anything of value from a retail**
16 **establishment that is in the immediate control of a retail employee or employer**
17 **when a person acts in concert with three or more individuals for the purpose of**
18 **either overwhelming the response of an employer, an employee, or law**
19 **enforcement to carry out the offense, avoid detection or apprehension, or create**
20 **a reasonable belief that a reasonable person would not intercede because of fear.**

21 B.**(1)** Whoever commits the crime of second degree robbery shall be
22 imprisoned at hard labor for not less than three years and for not more than forty
23 years.

(2) Upon a second or subsequent conviction within ten years of a previous conviction, the offender shall be imprisoned at hard labor for not less than five years and not more than forty years.

(3) Any person who commits second degree robbery with a firearm shall be imprisoned at hard labor for an additional period of five years without benefit of parole, probation, or suspension of sentence. The additional penalty imposed pursuant to this Paragraph shall be served consecutively to the sentence imposed under this Subsection.

§65. Simple robbery

A. Simple robbery is either of the following:

(1) ~~The~~ the taking of anything of value belonging to another from the person of another or that is in the immediate control of another, by use of force or intimidation, but not armed with a dangerous weapon.

(2) The taking of anything of value when a person is part of a group of three or more individuals and the person has the intent to take anything of value from a retail establishment that is in the immediate control of a retail employee or employer and there is a reasonable belief that a reasonable person would not intercede because of fear.

* * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:

SENATE BILL NO. 466

BY SENATORS EDMONDS, ABRAHAM, CLOUD, CONNICK, FESI, HENRY,
KLEINPETER, MIGUEZ, MORRIS, SEABAUGH, STINE, TALBOT
AND WOMACK AND REPRESENTATIVES BAYHAM, KNOX,
LAFLEUR, ROMERO AND WILDER

1 AN ACT

2 To amend and reenact R.S. 14:63(C)(2) and Code of Civil Procedure Art. 3601(E) and to
3 enact Code of Civil Procedure Art. 3601(F) and 3603(D), relative to criminal
4 trespass; to provide that occupants who fail to obey an order to vacate within five
5 days commit criminal trespass; to provide that a squatter commits criminal trespass
6 if he fails to vacate after being directed to do so by a lawful possessor; to provide for
7 injunctive relief; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:63(C)(2) is hereby amended and reenacted to read as follows:

10 §63. Criminal trespass; **squatters**

11 * * *

12 C. * * *

13 (2) For purposes of this Subsection, ~~the phrase:~~

14 **(a)"remain Remain in or upon property" as used in this Subsection, in**
15 **addition to its common meaning, signification, and connotation, ~~shall include~~**
16 **includes:**

17 **(i) The continued presence of an occupant, as defined by Code of Civil**
18 **Procedure Article 4704, for longer than five days after being served with written**
19 **notice to vacate in accordance with Code of Civil Procedure Articles 4702 or**
20 **4703.**

21 **(ii) The continued presence of a squatter who has been directed to vacate**
22 **by a lawful possessor either verbally, by written notice, or by posting of**
23 **conspicuous signage advising that the property is privately owned and unlawful**
24 **trespass is prohibited.**

25 **(iii) The continued presence of a person in violation of a temporary**

1 restraining order, preliminary injunction, or a permanent injunction.

2 ~~(iv) the~~ **The** operation of an unmanned aircraft system as defined by R.S.
3 14:337 in the air space over immovable property owned by another with the intent
4 to conduct surveillance of the property or of any individual lawfully on the property.

5 ~~(3) The provisions of This Subparagraph Item (1) of this Subsection shall not~~
6 apply to any person operating an unmanned aircraft system in compliance with
7 federal law or Federal Aviation Administration regulations or authorization.

8 **(b) "Squatter" means any person who remains in or upon property to**
9 **which he lacks a right of possession, ownership, occupancy, or a lease interest.**

10 * * *

11 Section 2. Code of Civil Procedure Art. 3601(E) is hereby amended and
12 reenacted and Code of Civil Procedure Art. 3601(F) and 3603(D) are hereby enacted
13 to read as follows:

14 Art. 3601. Injunction, grounds for issuance; preliminary injunction; temporary
15 restraining order

16 * * *

17 E. The irreparable injury, loss, or damage enumerated in Paragraph A of this
18 Article may result from:

19 ~~(1) the~~ **The** isolation of an individual over the age of eighteen years by any
20 other individual, curator, or mandatary, including but not limited to violations of
21 Civil Code Article 2995 or Code of Civil Procedure Article 4566(J).

22 **(2) A person being denied the use or enjoyment of immovable property**
23 **in which he has an ownership, possessory, or lease interest by a person who does**
24 **not have a legal interest in the property.**

25 **F.(1) Notwithstanding the provisions of Code of Civil Procedure Article**
26 **3610, security shall not be required for a temporary restraining order or**
27 **preliminary injunction seeking removal of a person from immovable property**
28 **in which he does not have a legal interest.**

29 **(2) Nothing in this Section shall prohibit a petitioner from pursuing any**
30 **other remedy provided by law.**

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* * *

Art. 3603. Temporary restraining order; affidavit or affirmation of irreparable injury
and notification efforts

**D. The plaintiff's assertion by affidavit that he is being denied the use or
enjoyment of immovable property in which he has an ownership, possessory, or
lease interest by a person without a legal interest in the property shall be
sufficient to justify the issuance of a temporary restraining order without notice.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 188

HOUSE BILL NO. 58

BY REPRESENTATIVES BACALA, ADAMS, BAYHAM, BOYD, BOYER, BRASS, CARLSON, FISHER, FONTENOT, GLORIOSO, HORTON, JACKSON, TRAVIS JOHNSON, JORDAN, KNOX, LAFLEUR, MCMAKIN, SELTERS, VILLIO, WALTERS, WILEY, AND WRIGHT AND SENATORS CLOUD AND KLEINPETER

1 AN ACT

2 To amend and reenact R.S. 14:62(A) and to enact R.S. 14:62(C), relative to the offense of
3 simple burglary; to provide for elements of simple burglary; to provide for liability;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:62(A) is hereby amended and reenacted and R.S. 14:62(C) is
7 hereby enacted to read as follows:

8 §62. Simple burglary

9 A. Simple burglary is either of the following:

10 (1) the ~~The~~ unauthorized entering of any dwelling, vehicle, watercraft, or
11 other structure, movable or immovable, or any cemetery, with the intent to commit
12 a felony or any theft therein, other than as set forth in R.S. 14:60.

13 (2) The unauthorized entering of any dwelling or other structure with the
14 intent to temporarily or permanently deprive the owner, lessee, or tenant of full use
15 of the dwelling or structure, or to temporarily or permanently assert any right of
16 ownership or use of such property.

17 * * *

1 C. In addition to the penalties provided in Subsection B of this Section, an
2 offender shall be liable for any damage that has resulted from a violation of
3 Paragraph (A)(2) of this Section.
4 Section 2. The provisions of this Act shall be cited and referred to as "The Louisiana
5 Squatter Prevention Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 565

2024 Regular Session

HOUSE BILL NO. 507

BY REPRESENTATIVE ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 14:61(B)(1), (C), and (D) and to enact R.S. 14:61(E), relative to
3 the unlawful entry of a critical infrastructure; to provide relative to the definition of
4 a critical infrastructure; to provide for enhanced sentencing upon subsequent
5 offenses; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:61(B)(1), (C), and (D) are hereby amended and reenacted and
8 R.S. 14:61(E) is hereby enacted to read as follows:

9 §61. Unauthorized entry of a critical infrastructure

10 * * *

11 B. For the purposes of this Section, the following words shall have the
12 following meanings:

13 (1) "Critical infrastructure" means any and all structures, equipment, or other
14 immovable or movable property located within or upon chemical manufacturing
15 facilities, refineries, electrical power generating facilities, electrical transmission
16 substations and distribution substations, water intake structures and water treatment
17 facilities, natural gas transmission compressor stations, ~~liquefied~~ liquefied natural gas
18 (LNG) terminals and storage facilities, natural gas and hydrocarbon storage facilities,
19 transportation facilities, such as ports, railroad switching yards, pipelines, and

1 trucking terminals, water control structures including floodgates or pump stations,
2 wireline and wireless communications and data network facilities, or any site where
3 the construction or improvement of any facility or structure referenced in this
4 Section is occurring.

5 * * *

6 C.(1) ~~Whoever~~ Except as provided in Paragraph (2) of this Subsection,
7 whoever commits the crime of unauthorized entry of a critical infrastructure shall be
8 imprisoned with or without hard labor for not more than five years, fined not more
9 than one thousand dollars, or both.

10 (2) On a conviction for a second or subsequent violation of Subsection A of
11 this Section, the offender shall be imprisoned with or without hard labor for not less
12 than six months nor more than ten years, fined not less than five hundred dollars nor
13 more than four thousand dollars, or both.

14 D. Whoever commits the crime of unauthorized entry of a critical
15 infrastructure during the existence of a state of emergency, which has been declared
16 by the governor or the chief executive officer of any parish, shall be fined not more
17 than five thousand dollars and shall be imprisoned at hard labor for not less than
18 three years nor more than fifteen years.

19 ~~Ð: E.~~ E. Nothing in this Section shall be construed to apply to or prevent the
20 following:

21 (1) Lawful assembly and peaceful and orderly petition, picketing, or
22 demonstration for the redress of grievances or to express ideas or views regarding
23 legitimate matters of public interest, including but not limited to any labor dispute
24 between any employer and its employee or position protected by the United States
25 Constitution or the Constitution of Louisiana.

26 (2) Lawful commercial or recreational activities conducted in the open or
27 unconfined areas around a pipeline, including but not limited to fishing, hunting,
28 boating, and birdwatching.

1 (3) Nothing in this Section shall be construed to prevent the owner of an
2 immovable from exercising right of ownership, including use, enjoyment, and
3 disposition within the limits and under the conditions established by law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 387

BY SENATOR KLEINPETER AND REPRESENTATIVE KNOX

1 AN ACT

2 To enact R.S. 14:57.1, relative to criminal damage to property; to create the crime of
3 vandalizing, tampering with, or destroying a crime camera system; to provide for
4 definitions; to provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:57.1 is hereby enacted to read as follows:

7 **§57.1. Vandalizing, tampering with, or destroying a crime camera system**

8 **A. It shall be unlawful for any person to intentionally vandalize, tamper**
9 **with, or destroy a crime camera system by any of the following:**

10 **(1) Causing functional or cosmetic damage to the system.**

11 **(2) Adjusting or modifying the location, position, aim, focus or**
12 **functionality of the system.**

13 **(3) Tampering with the performance, functions, or features of the**
14 **system.**

15 **(4) Rendering the system temporarily or permanently inoperable.**

16 **B. For the purposes of this Section, a "crime camera system" includes**
17 **any camera or license plate reader erected or installed for the purpose of**
18 **observing or deterring illegal activity as well as any lights, mounting poles or**
19 **brackets, actuator motors, computer control boards, connection interfaces,**
20 **signage, software, protective housing, lenses, power supply systems, recording**
21 **or battery backups, microphones, data connectivity hardware, or other**
22 **component parts or ancillary equipment necessary for proper functionality and**
23 **operation.**

1 C. Whoever violates the provisions of Subsection A of this Section shall
2 be imprisoned, with or without hard labor, for not more than two years, or may
3 be fined not more than two thousand dollars, or both.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 570

HOUSE BILL NO. 779

BY REPRESENTATIVES BOYD, BRYANT, CARPENTER, CHASSION, COX, GREEN,
HUGHES, KNOX, LAFLEUR, LYONS, MARCELLE, MENA, MOORE,
NEWELL, SELDERS, TAYLOR, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 14:46.3(B), relative to the crime of trafficking of children for
3 sexual purposes; to provide for a definition; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:46.3(B) is hereby amended and reenacted to read as follows:

6 §46.3. Trafficking of children for sexual purposes

7 * * *

8 B. For purposes of this Section, "commercial sexual activity" means any
9 ~~sexual act performed or conducted~~ lewd or lascivious act upon the person or in the
10 presence of any child when any thing of value has been given, promised, or received
11 by any person.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 306

BY SENATORS CATHEY, ABRAHAM, BARROW, HODGES, KLEINPETER, MIGUEZ
AND MORRIS

1 AN ACT

2 To amend and reenact R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1), and 46.3(D), relative to the
3 penalties for human trafficking; to increase the penalties for human trafficking
4 committed against certain victims; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1) and 46.3(D) are hereby amended
7 and reenacted to read as follows:

8 §46.2. Human trafficking

9 A. It shall be unlawful:

10 (1)(a) For any person to knowingly recruit, harbor, transport, provide, solicit,
11 **sell**, receive, isolate, entice, obtain, patronize, procure, purchase, hold, restrain,
12 induce, threaten, subject, or maintain the use of another person through fraud, force,
13 or coercion to provide services or labor.

14 * * *

15 B. * * *

16 (2)(a) Whoever commits the crime of human trafficking when the services
17 include commercial sexual activity or ~~any sexual conduct constituting a crime under~~
18 ~~the laws of this state~~ **a sex offense as defined in R.S. 15:541** shall be fined not more
19 than fifteen thousand dollars and shall be imprisoned at hard labor for not more than
20 twenty years.

21 (b) Whoever commits the crime of human trafficking in violation of the
22 provisions of Subparagraph (A)(1)(b) of this Section **involving a person under the**
23 **age of twenty-one years but eighteen years or older** shall be fined not more than
24 fifty thousand dollars, imprisoned at hard labor for not less than fifteen years, nor
25 more than fifty years, or both.

26 **(c) Whoever commits the crime of human trafficking in violation of the**

provisions of Subparagraph (A)(1)(b) of this Section when the trafficking involves a person under the age of eighteen years shall be punished by life imprisonment at hard labor without benefit of probation, parole, or suspension of sentence and fined not more than seventy-five thousand dollars.

* * *

F.(1) A victim of trafficking involving services that include commercial sexual activity or ~~any sexual contact which constitutes a crime pursuant to the laws of this state~~ **a sex offense as defined in R.S. 15:541** shall have an affirmative defense to prosecution for any of the following offenses which were committed as a direct result of being trafficked:

- (a) R.S. 14:82 (Prostitution).
- (b) R.S. 14:83.3 (Prostitution by massage).
- (c) R.S. 14:83.4 (Massage; sexual conduct prohibited).
- (d) R.S. 14:89 (Crime against nature).
- (e) R.S. 14:89.2 (Crime against nature by solicitation).

* * *

§46.3. Trafficking of children for sexual purposes

* * *

D.(1)~~(a)~~ Whoever violates the provisions of Paragraph (A)(1), (2), (4), (5), or (6) of this Section shall be **punished by life imprisonment at hard labor without benefit of probation, parole, or suspension of sentence and** fined not more than ~~fifty~~ **seventy-five** thousand dollars, ~~imprisoned at hard labor for not less than fifteen, nor more than fifty years, or both.~~

~~(b) Whoever violates the provisions of Paragraph (A)(1), (2), (4), (5), or (6) of this Section when the victim is under the age of fourteen years shall be fined not more than seventy-five thousand dollars and imprisoned at hard labor for not less than twenty-five years nor more than fifty years. At least twenty-five years of the sentence imposed shall be served without benefit of probation, parole, or suspension of sentence.~~

~~(c) Any person who violates the provisions of Paragraph (A)(1), (2), (4), (5),~~

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or ~~(6)~~ of this Section, who was previously convicted of a sex offense as defined in R.S. 15:541 when the victim of the sex offense was under the age of eighteen years, shall be fined not more than one hundred thousand dollars and shall be imprisoned at hard labor for not less than fifty years or for life. At least fifty years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(2) Whoever violates the provisions of Paragraph (A)(3) of this Section shall be **fined not more than fifty thousand dollars, imprisoned at hard labor for not less than fifteen nor more than fifty years or both with** shall be required to serve at least five years **being served** of the sentence provided for in Subparagraph ~~(D)(1)(a)~~ of this Section without benefit of probation, parole, or suspension of sentence. Whoever violates the provisions of Paragraph (A)(3) when the victim is under the age of fourteen years shall be **fined not more than seventy-five thousand dollars and imprisoned at hard labor for not less than twenty-five nor more than fifty years, with** required to serve at least ten years **being served** of the sentence provided for in Subparagraph ~~(D)(1)(b)~~ of this Section without benefit of probation, parole, or suspension of sentence.

* * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 371

BY SENATOR BARROW AND REPRESENTATIVE BOYD

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S. 14:91.2(B) and to enact R.S.
3 14:43.7, relative to sentencing for certain sex offenses; to provide relative to the
4 administration of surgical castration for sex offenses when the victim is under the
5 age of thirteen at the time of the offense; to provide for medical evaluations of the
6 offender conducted prior to treatment; to provide an exception; to provide relative
7 to the crime of unlawful presence of a sex offender; to raise the maximum age of the
8 victim of the underlying offense under certain circumstances; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The introductory paragraph of R.S. 14:91.2(B) is hereby amended and
12 reenacted and R.S. 14:43.7 is hereby enacted to read as follows:

13 **§43.7. Administration of surgical castration for certain sex offenders; failure to**
14 **comply with court order**
15 **A. Notwithstanding any other provision of law to the contrary, upon**
16 **conviction of any sex offense as defined in R.S. 15:541 that is also an aggravated**
17 **offense as defined in R.S. 15:541, except sexual battery prosecuted under R.S.**

1 14:43.1(C)(2) and second degree sexual battery, occurring on or after August
2 1, 2024, when the victim is under the age of thirteen at the time of the offense,
3 in addition to any other sentence imposed for the offense, the court may
4 sentence the offender to be surgically castrated, to be administered by the
5 Department of Public Safety and Corrections by a licensed physician. The
6 department shall provide the services necessary to perform the castration.

7 B.(1) An order of the court sentencing an offender to surgical castration
8 under this Section shall be contingent upon a determination by a court
9 appointed medical expert that the offender is an appropriate candidate for
10 surgery. Notwithstanding Paragraph (2) of this Subsection, this determination
11 shall be made not later than sixty days from the imposition of sentence.

12 (2) In all cases involving an offender sentenced to a period of
13 incarceration or confinement in an institution, the procedure shall be
14 performed not later than one week prior to the offender's release from the
15 institution.

16 (3) If an offender fails to appear as required by court order for purposes
17 of the procedure, or refuses to allow the procedure, then the offender shall be
18 charged with a violation of the provisions of this Section. Upon conviction, the
19 offender shall be imprisoned, with or without hard labor, for not less than three
20 years nor more than five years without benefit of probation, parole, or
21 suspension of sentence.

22 C. Nothing in this Section shall be construed to require the surgical
23 castration when it is not medically appropriate.

24 D. The provisions of this Section shall not apply to an offender who is
25 under the age of seventeen years.

26 * * *

27 §91.2. Unlawful presence of a sex offender

28 * * *

29 B. The following acts, when committed by a person convicted of either an
30 aggravated offense as defined in R.S. 15:541 when the victim is under the age of

1 ~~thirteen~~ fifteen years, or pornography involving juveniles as defined in R.S.
2 14:81.1 when the victim is under the age of fifteen years, shall constitute the crime
3 of unlawful residence or presence of a sex offender:

4 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 476

HOUSE BILL NO. 824

BY REPRESENTATIVES MARCELLE, ADAMS, BACALA, BOYD, BOYER, WILFORD CARTER, COX, FISHER, HORTON, JACKSON, KNOX, LAFLEUR, LARVADAIN, LYONS, MOORE, NEWELL, SELDERS, VENTRELLA, VILLIO, AND WILEY AND SENATORS BARROW, BOUDREAUX, CARTER, CLOUD, DUPLESSIS, FIELDS, JACKSON-ANDREWS, AND PRICE

1 AN ACT

2 To amend and reenact R.S. 14:40.6(C), relative to the unlawful disruption of the operation
3 of a school; to provide for penalties; to provide for participation in conflict resolution
4 classes; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:40.6(C) is hereby amended and reenacted to read as follows:

7 §40.6. Unlawful disruption of the operation of a school; penalties

8 * * *

9 C.(1) Whoever commits the offense of unlawful disruption of the operation
10 of a school shall be fined not more than one thousand dollars or imprisoned ~~with or~~
11 ~~without hard labor for not less than one year nor more than five years~~ for not more
12 than six months, or both.

13 (2) For a second or subsequent offense, the offender shall be fined not more
14 than one thousand dollars or imprisoned with or without hard labor for not less than
15 one year nor more than five years, or both.

1 (3) In addition to any other penalty provided in this Section, whoever
2 violates the provisions of this Section shall be required to participate in conflict
3 resolution classes as provided in R.S. 17:416.15.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 131

HOUSE BILL NO. 208

BY REPRESENTATIVES VILLIO, ADAMS, BACALA, BILLINGS, BOYD, BOYER, CARLSON, CHASSION, CHENEVERT, DAVIS, DEWITT, EMERSON, FISHER, HORTON, HUGHES, KNOX, LAFLEUR, MOORE, NEWELL, OWEN, SCHLEGEL, SELDERS, AND TAYLOR

1 AN ACT

2 To amend and reenact R.S. 14:34.9(L) and (N) and 35.3(L) and (N), relative to certain
3 domestic violence offenses; to provide for additional penalties when the offense
4 involves strangulation; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.9(L) and (N) and 35.3(L) and (N) are hereby amended and
7 reenacted to read as follows:

8 §34.9. Battery of a dating partner

9 * * *

10 L.(1) Notwithstanding any provision of law to the contrary, if the offense
11 involves strangulation, the offender, in addition to any other penalties imposed
12 pursuant to this Section, shall be imprisoned at hard labor for not more than three
13 years.

14 (2) If the strangulation results in serious bodily injury, the offender, in
15 addition to any other penalties imposed pursuant to this Section, shall be imprisoned
16 at hard labor for not less than five nor more than fifty years without benefit of
17 probation, parole, or suspension of sentence.

18 * * *

19 N. Except as provided in ~~Paragraph~~ Paragraphs (L)(2) and (M)(2) and
20 Subsection P of this Section, if the offender intentionally inflicts serious bodily

1 injury, the offender, in addition to any other penalties imposed pursuant to this
2 Section, shall be imprisoned at hard labor for not more than eight years.

3 * * *

4 §35.3. Domestic abuse battery

5 * * *

6 L.(1) Notwithstanding any provision of law to the contrary, if the domestic
7 abuse battery involves strangulation, the offender, in addition to any other penalties
8 imposed pursuant to this Section, shall be imprisoned at hard labor for not more than
9 three years.

10 (2) If the strangulation results in serious bodily injury, the offender, in
11 addition to any other penalties imposed pursuant to this Section, shall be imprisoned
12 at hard labor for not less than five nor more than fifty years without benefit of
13 probation, parole, or suspension of sentence.

14 * * *

15 N. Except as provided in ~~Paragraph~~ Paragraphs (L)(2) and (M)(2) and
16 Subsection P of this Section, if the offender intentionally inflicts serious bodily
17 injury, the offender, in addition to any other penalties imposed pursuant to this
18 Section, shall be imprisoned at hard labor for not more than eight years.

19 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

HOUSE BILL NO. 125

BY REPRESENTATIVE BAYHAM

ACT No. 367

1 AN ACT

2 To amend and reenact R.S. 14:34.5.1(B) and (C), relative to battery of a bus operator; to
3 provide for penalties; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:34.5.1(B) and (C) are hereby amended and reenacted to read as
6 follows:

7 §34.5.1. Battery of a bus operator

8 * * *

9 B. For the purposes of this Section, a "bus operator" means any person
10 employed by a public transit system who operates a bus, as defined in R.S. 32:1(5),
11 or who operates an electronically operated cable car while that person is on duty in
12 the course and scope of his or her employment, regardless of whether the bus is in
13 motion at the time of the offense. "Bus operator" shall not include any person who
14 operates a school bus.

15 C. Whoever commits the crime of battery on a bus operator while the
16 operator is operating a bus shall be fined not more than ~~five hundred~~ one thousand
17 dollars and imprisoned for not less than ~~forty-eight~~ seventy-two hours nor more than
18 ~~six months~~ one year, with or without hard labor, without benefit of probation, parole,
19 or suspension of sentence.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 261

2024 Regular Session

HOUSE BILL NO. 213

BY REPRESENTATIVE HILFERTY

1 AN ACT

2 To amend and reenact R.S. 14:32(C)(1), (2)(a), and (3), relative to the crime of negligent
3 homicide; to provide for penalties; to provide relative to the elements of this offense
4 when the victim is killed by a dog or other animal; to provide for increased penalties;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:32(C)(1), (2)(a), and (3) are hereby amended and reenacted to
8 read as follows:

9 §32. Negligent homicide

10 * * *

11 C.(1) Except as provided for in Paragraph (2) of this Subsection, whoever
12 commits the crime of negligent homicide shall be imprisoned with or without hard
13 labor for not more than ~~five~~ ten years, fined not more than five thousand dollars, or
14 both.

15 (2)(a) If the victim killed was under the age of ten years, the offender shall
16 be imprisoned at hard labor, without benefit of probation, parole, or suspension of
17 sentence, for not less than two nor more than ~~five~~ ten years.

18 * * *

19 (3) If the victim was killed by a dog or other animal and the owner of the dog
20 or other animal was criminally negligent, the owner of the dog or other animal shall

1 be imprisoned with or without hard labor for not more than ~~five~~ ten years or fined not
2 more than five thousand dollars, or both.

3 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 662

HOUSE BILL NO. 776

BY REPRESENTATIVES BRYANT, BACALA, BOYER, COX, HORTON, KNOX,
LAFLEUR, MOORE, VENTRELLA, VILLIO, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 14:32.1(A)(1) and (3) through (5), 32.8(A)(2)(a) and (c) through
3 (e), 39.1(A)(1) and (3), 39.2(A)(1) and (3), 98(A)(1)(introductory paragraph), (a),
4 and (c) and (2), (C)(1)(e) and (3), (E), and (F)(1) and (2), 98.1(Section heading),
5 98.2(Section heading), 98.3(Section heading), 98.4(Section heading), 98.5(B)(4),
6 98.6(A), and 98.7(A) and R.S. 32:661(A)(1) and (2), 661.1(A), 661.2(A), 664(A),
7 666(A)(1)(a)(i) and (2)(c) and (B), 667.1(C)(2) and (3), 668(A)(1),
8 681(A)(introductory paragraph) and (B), (C), and (D), to enact R.S. 14:98(A)(3) and
9 R.S. 32:661(E) and 681(H), and to repeal R.S. 14:32.1(A)(6) and (7), 32.8(A)(2)(f)
10 and (g), 39.1(A)(4) and (5), 39.2(A)(4) and (5), and 98(A)(1)(d) and (e), relative to
11 operating a vehicle while intoxicated; to provide relative to changes in terminology;
12 to provide for a definition; to provide relative to elements of certain offenses
13 involving a motor vehicle and the operator of a motor vehicle; and to provide for
14 related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 14:32.1(A)(1) and (3) through (5), 32.8(A)(2)(a) and (c) through (e),
17 39.1(A)(1) and (3), 39.2(A)(1) and (3), 98(A)(1)(introductory paragraph), (a), and (c) and
18 (2), (C)(1)(e) and (3), (E), and (F)(1) and (2), 98.1(Section heading), 98.2(Section heading),
19 98.3(Section heading), 98.4(Section heading), 98.5(B)(4), 98.6(A), and 98.7(A) are hereby
20 amended and reenacted and R.S. 14:98(A)(3) is hereby enacted to read as follows:

21 §32.1. Vehicular homicide

22 A. Vehicular homicide is the killing of a human being caused proximately
23 or caused directly by an offender engaged in the operation of, or in actual physical
24 control of, any motor vehicle, aircraft, watercraft, or other means of conveyance,

1 whether or not the offender had the intent to cause death or great bodily harm,
2 whenever any of the following conditions exists and such condition was a
3 contributing factor to the killing:

4 (1) The operator is ~~under the influence of~~ impaired by alcoholic beverages
5 as determined by chemical tests administered under the provisions of R.S. 32:662.

6 * * *

7 (3)(a) The operator is ~~under the influence of any controlled dangerous~~
8 ~~substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired
9 by any other drug, combination of drugs, or combination of alcohol and drugs.

10 (b) As used in this Section, the term "drug" means any substance or
11 combination of substances that, when taken into the human body, can impair the
12 ability of the person to operate a vehicle safely.

13 (4) The operator is ~~under the influence of~~ impaired by alcoholic beverages.

14 (5)(a) ~~The operator is under the influence of a combination of alcohol and~~
15 ~~one or more drugs which are not controlled dangerous substances and which are~~
16 ~~legally obtainable with or without a prescription.~~

17 (b) ~~It shall be an affirmative defense to any charge under this Paragraph~~
18 ~~pursuant to this Section that the label on the container of the prescription drug or the~~
19 ~~manufacturer's package of the drug does not contain a warning against combining~~
20 ~~the medication with alcohol.~~

21 (6) ~~The operator is under the influence of one or more drugs which are not~~
22 ~~controlled dangerous substances and which are legally obtainable with or without a~~
23 ~~prescription and the influence is caused by the operator knowingly consuming~~
24 ~~quantities of the drug or drugs which substantially exceed the dosage prescribed by~~
25 ~~the physician or the dosage recommended by the manufacturer of the drug.~~

26 (7) The operator's blood has any detectable amount of any controlled
27 dangerous substance listed in Schedule I, II, III, or IV as set forth in R.S. 40:964, or
28 a metabolite of such controlled dangerous substance, that has not been medically
29 ordered or prescribed for the individual.

30 * * *

1 §32.8. Third degree feticide

2 A. Third degree feticide is:

3 * * *

4 (2) The killing of an unborn child caused proximately or caused directly by
5 an offender engaged in the operation of, or in actual physical control of, any motor
6 vehicle, aircraft, vessel, or other means of conveyance whether or not the offender
7 had the intent to cause death or great bodily harm whenever any of the following
8 conditions exist and such condition was a contributing factor to the killing:

9 (a) The offender is ~~under the influence of~~ impaired by alcoholic beverages
10 as determined by chemical tests administered under the provisions of R.S. 32:662.

11 * * *

12 (c)(i) The offender is ~~under the influence of any controlled dangerous~~
13 ~~substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired
14 by any other drug, combination of drugs, or combination of alcohol and drugs.

15 (ii) As used in this Section, the term "drug" means any substance or
16 combination of substances that, when taken into the human body, can impair the
17 ability of the person to operate a vehicle safely.

18 (d) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

19 (e)(i) ~~The offender is under the influence of a combination of alcohol and~~
20 ~~one or more drugs which are not controlled dangerous substances and which are~~
21 ~~legally obtainable with or without a prescription.~~

22 (ii) ~~It shall be an affirmative defense to any charge under this Subparagraph~~
23 ~~that the label on the container of the prescription drug or the manufacturer's package~~
24 ~~of the drug does not contain a warning against combining the medication with~~
25 ~~alcohol.~~

26 (f) ~~The offender is under the influence of one or more drugs which are not~~
27 ~~controlled dangerous substances and which are legally obtainable with or without a~~
28 ~~prescription and the influence is caused by the offender's knowingly consuming~~
29 ~~quantities of the drug or drugs which substantially exceed the dosage prescribed by~~
30 ~~the physician or the dosage recommended by the manufacturer of the drug.~~

(g) The operator's blood has any detectable amount of any controlled dangerous substance listed in Schedule I, II, III, or IV as set forth in R.S. 40:964, or a metabolite of such controlled dangerous substance, that has not been medically ordered or prescribed for the individual.

* * *

§39.1. Vehicular negligent injuring

A. Vehicular negligent injuring is the inflicting of any injury upon the person of a human being when caused proximately or caused directly by an offender engaged in the operation of, or in actual physical control of, any motor vehicle, aircraft, watercraft, or other means of conveyance whenever any of the following conditions exists:

(1) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

* * *

(3)(a) The offender is ~~under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired by any other drug, combination of drugs, or combination of alcohol and drugs.

(b) As used in this Section, the term "drug" means any substance or combination of substances that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.

~~(4)(a) The operator is under the influence of a combination of alcohol and one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription.~~

~~(b) It shall be an affirmative defense to any charge under this Paragraph pursuant to this Section that the label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol.~~

~~(5) The operator is under the influence of one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription and the influence is caused by the operator knowingly consuming~~

1 quantities of the drug or drugs which substantially exceed the dosage prescribed by
2 the physician or the dosage recommended by the manufacturer of the drug.

3 * * *

4 §39.2. First degree vehicular negligent injuring

5 A. First degree vehicular negligent injuring is the inflicting of serious bodily
6 injury upon the person of a human being when caused proximately or caused directly
7 by an offender engaged in the operation of, or in actual physical control of, any
8 motor vehicle, aircraft, watercraft, or other means of conveyance whenever any of
9 the following conditions exists:

10 (1) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

11 * * *

12 (3)(a) The offender is ~~under the influence of any controlled dangerous~~
13 ~~substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964, or any~~
14 ~~abused substance~~ impaired by any other drug, combination of drugs, or combination
15 of alcohol and drugs.

16 (b) As used in this Section, the term "drug" means any substance or
17 combination of substances that, when taken into the human body, can impair the
18 ability of the person to operate a vehicle safely.

19 (4)(a) ~~The operator is under the influence of a combination of alcohol and~~
20 ~~one or more drugs which are not controlled dangerous substances and which are~~
21 ~~legally obtainable with or without a prescription.~~

22 (b) ~~It shall be an affirmative defense to any charge under this Paragraph~~
23 ~~pursuant to this Section that the label on the container of the prescription drug or the~~
24 ~~manufacturer's package of the drug does not contain a warning against combining~~
25 ~~the medication with alcohol.~~

26 (5) ~~The operator is under the influence of one or more drugs which are not~~
27 ~~controlled dangerous substances and which are legally obtainable with or without a~~
28 ~~prescription and the influence is caused by the operator knowingly consuming~~

1 ~~quantities of the drug or drugs which substantially exceed the dosage prescribed by~~
2 ~~the physician or the dosage recommended by the manufacturer of the drug.~~

3 * * *

4 §98. Operating a vehicle while ~~intoxicated~~ impaired

5 A.(1) The crime of operating a vehicle while ~~intoxicated~~ impaired is the
6 operating of any motor vehicle, aircraft, watercraft, vessel, or other means of
7 conveyance when any of the following conditions exist:

8 (a) The operator is ~~under the influence of~~ impaired by alcoholic beverages.

9 * * *

10 (c) The operator is ~~under the influence of any controlled dangerous substance~~
11 ~~listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired by any other
12 ~~drug, combination of drugs, or combination of alcohol and drugs.~~

13 ~~(d)(i) The operator is under the influence of a combination of alcohol and~~
14 ~~one or more drugs that are not controlled dangerous substances and that are legally~~
15 ~~obtainable with or without a prescription.~~

16 ~~(ii) It shall be an affirmative defense to any charge under this Subparagraph~~
17 ~~that the label on the container of the prescription drug or the manufacturer's package~~
18 ~~of the drug does not contain a warning against combining the medication with~~
19 ~~alcohol.~~

20 ~~(e)(i) The operator is under the influence of one or more drugs that are not~~
21 ~~controlled dangerous substances and that are legally obtainable with or without a~~
22 ~~prescription.~~

23 ~~(ii) It shall be an affirmative defense to any charge under this Subparagraph~~
24 ~~that the operator did not knowingly consume quantities of the drug or drugs that~~
25 ~~substantially exceed the dosage prescribed by the physician or the dosage~~
26 ~~recommended by the manufacturer of the drug.~~

27 (2) A valid driver's license shall not be an element of the offense, and the
28 lack thereof shall not be a defense to a prosecution for operating a vehicle while
29 ~~intoxicated~~ impaired.

1 (3) As used in this Section, the term "drug" means any substance or
2 combination of substances that, when taken into the human body, can impair the
3 ability of the person to operate a vehicle safely.

4 * * *

5 C.(1) For purposes of determining whether a defendant has a prior
6 conviction for a violation of this Section, a conviction under any of the following
7 shall constitute a prior conviction:

8 * * *

9 (e) A law of any state or an ordinance of a municipality, town, or similar
10 political subdivision of another state that prohibits the operation of any motor
11 vehicle, aircraft, watercraft, vessel, or other means of conveyance ~~while intoxicated,~~
12 while impaired, or while under the influence of alcohol, drugs, or any controlled
13 dangerous substance, or as otherwise provided by R.S. 13:1894.1.

14 * * *

15 (3) For purposes of this Section, a prior conviction shall not include a
16 conviction for an offense under this Section, a conviction for an offense under R.S.
17 14:39.1, or a conviction under the laws of any state or an ordinance of a
18 municipality, town, or similar political subdivision of another state which prohibits
19 the operation of any motor vehicle, aircraft, watercraft, vessel, or other means of
20 conveyance ~~while intoxicated,~~ while impaired, or while under the influence of
21 alcohol, drugs, or any controlled dangerous substance, or as otherwise provided by
22 R.S. 13:1894.1, if committed more than ten years prior to the commission of the
23 crime for which the defendant is being tried, and such conviction shall not be
24 considered in the assessment of penalties in this Section. However, periods of time
25 during which the offender was awaiting trial, under an order of attachment for failure
26 to appear, or on probation or parole for an offense described in this Paragraph, or
27 periods of time during which an offender was incarcerated in a penal institution in
28 this or any other state for any offense, including an offense described in Paragraph
29 (1) of this Subsection, shall be excluded in computing the ten-year period.

30 * * *

1 E. The legislature hereby finds and declares that conviction of a third or
2 subsequent offense of operating while ~~intoxicated~~ impaired is presumptive evidence
3 of the existence of a substance abuse disorder that poses a serious threat to the health
4 and safety of the public. Further, the legislature finds that there are successful
5 treatment methods available for treatment of addictive disorders.

6 F.(1) On a third or subsequent conviction of operating while ~~intoxicated~~
7 impaired pursuant to this Section, in addition to any other sentence, the court shall
8 order, upon motion of the prosecuting district attorney, that the vehicle being
9 operated by the offender at the time of the offense be seized and impounded, and be
10 sold at auction in the same manner and under the same conditions as executions of
11 writs of seizure and sale as provided in Book V, Title II, Chapter 4 of the Code of
12 Civil Procedure.

13 (2) The vehicle shall be exempt from sale if it was stolen, or if the driver of
14 the vehicle at the time of the violation was not the owner and the owner did not know
15 that the driver was operating the vehicle while ~~intoxicated~~ impaired. If this
16 exemption is applicable, the vehicle shall not be released from impoundment until
17 such time as towing and storage fees have been paid. In addition, the vehicle shall
18 be exempt from sale if all towing and storage fees are paid by a valid lienholder.

19 * * *

20 §98.1. Operating while ~~intoxicated~~ impaired; first offense; penalties

21 * * *

22 §98.2. Operating while ~~intoxicated~~ impaired; second offense; penalties

23 * * *

24 §98.3. Operating while ~~intoxicated~~ impaired; third offense; penalties

25 * * *

26 §98.4. Operating while ~~intoxicated~~ impaired; fourth offense; penalties

27 * * *

28 §98.5. Special provisions and definitions

29 * * *

1 B.

2 * * *

3 (4) An offender who has been convicted of any second violation of any state
4 or local law or ordinance prohibiting operating a vehicle while ~~intoxicated~~ impaired,
5 committed within five years of the commission of any prior operating while
6 ~~intoxicated~~ impaired violation, shall not be eligible for home incarceration until the
7 offender has first served a minimum of forty-eight consecutive hours of
8 imprisonment.

9 * * *

10 §98.6. Underage operating while ~~intoxicated~~ impaired

11 A. The crime of underage operating a vehicle while ~~intoxicated~~ impaired is
12 the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of
13 conveyance when the operator's blood alcohol concentration is 0.02 percent or more
14 by weight based on grams of alcohol per one hundred cubic centimeters of blood, if
15 the operator is under the age of twenty-one.

16 * * *

17 §98.7. Unlawful refusal to submit to chemical tests; arrests for driving while
18 ~~intoxicated~~ impaired

19 A. No person under arrest for a violation of R.S. 14:98, ~~98.1~~ 98.6, or any
20 other law or ordinance that prohibits operating a vehicle while ~~intoxicated~~ impaired,
21 may refuse to submit to a chemical test when requested to do so by a law
22 enforcement officer if he has refused to submit to such test on two previous and
23 separate occasions of any such violation.

24 * * *

25 Section 2. R.S. 32:661(A)(1) and (2), 661.1(A), 661.2(A), 664(A), 666(A)(1)(a)(i)
26 and (2)(c) and (B), 667.1(C)(2) and (3), 668(A)(1), 681(A)(introductory paragraph) and (B),
27 (C), and (D) are hereby amended and reenacted and R.S. 32:661(E) and 681(H) are hereby
28 enacted to read as follows:

§661. Operating a vehicle under the influence of alcoholic beverages or illegal substance or controlled dangerous substances; implied consent to chemical tests; administering of test and presumptions

A.(1) Any person, regardless of age, who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of his blood, breath, urine, or other bodily substance for the purpose of determining the alcoholic content of his blood, and the presence of any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug in his blood if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while believed to be under the influence of alcoholic beverages, ~~or any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs.

(2)(a) The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person, regardless of age, to have been driving or in actual physical control of a motor vehicle upon the public highways of this state while under the influence of either alcoholic beverages, ~~or any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs. The law enforcement agency by which such officer is employed shall designate in writing and under what conditions which of the aforesaid tests shall be administered.

(b) In the case of all traffic fatalities, the coroner, or his designee, shall perform or cause to be performed a toxicology screen on the victim or victims of all traffic fatalities for determining evidence of any alcoholic content of the blood and the presence of any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug, or combination of drugs, which shall include the extracting of all bodily substance samples necessary for such toxicology screen. The coroner, or his designee, shall be responsible for ensuring the body is not removed from his custody until such time as the bodily substance samples are extracted. The coroner's

1 report shall be made available to the investigating law enforcement agency and may
2 be admissible in any court of competent jurisdiction as evidence of the alcoholic
3 content of the blood and the presence of any ~~abused substance or controlled~~
4 ~~dangerous substance as set forth in R.S. 40:964~~ drug, or combination of drugs, at the
5 time of the fatality. The coroner, or his designee, shall determine, by the most
6 current and accepted scientific method available, whether the presence of alcoholic
7 content in the blood of the deceased is the result of pre-death ingestion of alcoholic
8 beverages or the postmortem synthesis of ethanol. Nothing herein shall be construed
9 to limit the authority of the investigating law enforcement agency from conducting
10 an investigation of the accident scene concurrently with the coroner or his designee.

11 * * *

12 E. As used in this Chapter, the term "drug" means any substance or
13 combination of substances that, when taken into the human body, may impair the
14 ability of the person to operate a vehicle safely.

15 §661.1. Operating a watercraft under the influence of alcoholic beverages or
16 controlled dangerous substances; implied consent to chemical tests;
17 administering of test and presumptions

18 A.(1) Any person, regardless of age, who operates a motor powered
19 watercraft upon the public navigable waterways of this state shall be deemed to have
20 given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of
21 his blood, breath, urine, or other bodily substance for the purpose of determining the
22 alcoholic content of his blood and the presence of any ~~abused substance or controlled~~
23 ~~dangerous substance as set forth in R.S. 40:964~~ drug in his blood if arrested for any
24 offense arising out of acts alleged to have been committed while the person was
25 driving or in actual physical control of a motor powered watercraft, while believed
26 to be under the influence of alcoholic beverages, ~~or any abused substance or~~
27 ~~controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of
28 drugs, or combination of alcohol and drugs.

29 (2) The test or tests shall be administered at the direction of a law
30 enforcement officer having reasonable grounds to believe the person, regardless of

age, to have been driving or in actual physical control of a motor powered watercraft upon the public navigable waterways of this state, while under the influence of either alcoholic beverages, ~~or any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered.

* * *

§661.2. Operation of a locomotive engine under the influence of alcoholic beverages or controlled dangerous substances; implied consent to chemical tests; administering of test and presumptions

A.(1) Any person who operates a locomotive engine upon the railroad tracks of this state shall be deemed to have given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of his blood, breath, urine, or other bodily substance for the purpose of determining the alcoholic content of his blood and the presence of any ~~abused or illegal controlled dangerous substance as set forth in R.S. 40:964~~ drug in his blood if he is involved in a collision at a railroad crossing at any roadway of this state alleged to have occurred when he was driving or in actual physical control of the locomotive engine while believed to be under the influence of an alcoholic beverage, ~~or any abused or illegal controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs.

(2) The test or tests shall be administered at the direction of the law enforcement officer having reasonable grounds to believe the person to have been operating or in physical control of the locomotive engine while under the influence of either an alcoholic beverage, ~~or any abused or illegal controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered.

* * *

1 §664. Persons authorized to administer test

2 A. When a person submits to a blood test at the request of a law enforcement
3 officer under the provisions of this Part, only a physician, physician assistant,
4 registered nurse, licensed practical nurse, emergency medical technician, chemist,
5 nurse practitioner, or other qualified technician may withdraw blood for the purpose
6 of determining the alcoholic content or presence of any ~~abused or illegal controlled~~
7 ~~dangerous substances~~ drug, or combination of drugs, therein. No law enforcement
8 officer who is not otherwise qualified as a physician, physician assistant, registered
9 nurse, licensed practical nurse, emergency medical technician, chemist, nurse
10 practitioner, or other qualified technician may withdraw blood for the purpose of
11 determining, or of having determined, the alcoholic content or presence of any
12 ~~abused or illegal controlled dangerous substances~~ drug, or combination of drugs,
13 therein. This limitation shall not apply to the taking of breath specimens. Only
14 procedures approved and promulgated by the Department of Public Safety and
15 Corrections may be used in the analysis of blood, urine, breath, or other bodily
16 substance.

17 * * *

18 §666. Refusal to submit to chemical test; submission to chemical tests; exception;
19 effects of

20 A.(1)(a)(i) When a law enforcement officer has probable cause to believe
21 that a person has violated R.S. 14:98, 98.6, or any other law or ordinance that
22 prohibits operating a vehicle while intoxicated, that person may not refuse to submit
23 to a chemical test or tests if he has refused to submit to such test or tests on two
24 previous and separate occasions of any previous such violation or in any case
25 wherein a fatality has occurred or a person has sustained serious bodily injury in a
26 crash involving a motor vehicle, aircraft, watercraft, vessel, or other means of
27 conveyance. Serious bodily injury means bodily injury which involves
28 unconsciousness, protracted and obvious disfigurement, or protracted loss or
29 impairment of the function of a bodily member, organ, or mental faculty, or a
30 substantial risk of death. The law enforcement officer shall direct that a chemical test

1 or tests be conducted of a person's blood, urine, or other bodily substance, or perform
2 a chemical test of such person's breath, for the purpose of determining the alcoholic
3 content of his blood and the presence of any ~~abused substance or controlled~~
4 ~~substance as set forth in R.S. 40:964~~ drug, or combination of drugs, in his blood in
5 such circumstances. The officer may direct a person to submit to a breath test, and
6 if indicated, an additional blood test for the purpose of testing for the presence of
7 alcohol, ~~abused substances, and controlled dangerous substances~~ any drug, or
8 combination of drugs. A refusal of any such test or tests shall result in the suspension
9 of driving privileges as provided by the provisions of this Part. A physician,
10 physician assistant, registered nurse, licensed practical nurse, emergency medical
11 technician, chemist, nurse practitioner, or other qualified technician shall perform a
12 chemical test in accordance with the provisions of R.S. 32:664 when directed to do
13 so by a law enforcement officer.

14 * * *

15 (2) In all cases other than those in Paragraph (1) of this Subsection, a person
16 under arrest for a violation of R.S. 14:98, 98.1, or other law or ordinance that
17 prohibits operating a vehicle while intoxicated may refuse to submit to such
18 chemical test or tests, after being advised of the consequences of such refusal as
19 provided for in R.S. 32:661(C), subject to the following:

20 * * *

21 (c) Evidence of his refusal shall be admissible in any criminal action or
22 proceeding arising out of acts alleged to have been committed while the person,
23 regardless of age, was driving or in actual physical control of a motor vehicle upon
24 the public highways of this state while under the influence of alcoholic beverages or
25 any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~
26 drug, or combination of drugs. Additionally, evidence of his refusal shall be
27 admissible in any criminal action or proceeding arising out of acts alleged to have
28 been committed while the person under twenty-one years of age was driving or in
29 actual physical control of a motor vehicle upon the public highways of this state after
30 having consumed alcoholic beverages. However, such evidence shall not be

admissible in a civil action or proceeding other than to suspend, revoke, or cancel his driving privileges.

* * *

B. In each instance that a person submits or refuses to submit to a chemical test, after being advised of the consequences of such refusal or submission as provided for in R.S. 32:661(C), the officer shall submit a report in a form approved by the secretary. The officer shall certify that he had reasonable grounds to believe that the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of alcoholic beverages, ~~or any abused or illegal controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs, that he had followed the procedure in informing such person of his rights under R.S. 32:661(C), and that such person had submitted to the test or refused to submit to the test upon the request of the officer. In the case of a submission to the test, the officer shall provide complete information regarding the test as may be available at the time the certified report is completed.

* * *

§667.1. Seizure of license upon arrest for vehicular homicide; issuance of temporary license; suspension

* * *

C.(1)

* * *

(2) The court shall conduct a contradictory hearing to determine whether a chemical test has been performed of the blood, urine, or other bodily substance of the person arrested and whether the test indicates the presence of alcohol, ~~an abused substance, a controlled dangerous substance as set forth in R.S. 40:964, or any other substance which causes impairment~~ any drug, or any combination of drugs. The scope of the hearing shall be limited to the issues provided for in this Paragraph.

(3) If the court determines that the test provided for in Paragraph (2) of this Subsection indicates the presence of alcohol, ~~an abused substance, a controlled~~

1 ~~dangerous substance or any other substance which causes impairment~~ any drug, or
2 any combination of drugs, then the court shall suspend the driver's license of any
3 person arrested for a violation of R.S. 14:32.1 (vehicular homicide) for one year,
4 without benefit of a hardship license.

5 * * *

6 §668. Procedure following revocation or denial of license; hearing; court review;
7 review of final order; restricted licenses

8 A. Upon suspending the license or permit to drive or nonresident operating
9 privilege of any person or upon determining that the issuance of a license or permit
10 shall be denied to the person, the Department of Public Safety and Corrections shall
11 immediately notify the person in writing and upon his request shall afford him an
12 opportunity for a hearing based upon the department's records or other evidence
13 admitted at the hearing, and in the same manner and under the same conditions as is
14 provided in R.S. 32:414 for notification and hearings in the case of suspension of
15 licenses, except that no law enforcement officer shall be compelled by such person
16 to appear or testify at such hearing and there shall be a rebuttable presumption that
17 any inconsistencies in evidence submitted by the department and admitted at the
18 hearing shall be strictly construed in favor of the person regarding the revocation,
19 suspension, or denial of license. The scope of such a hearing for the purposes of this
20 Part shall be limited to the following issues:

21 (1) Whether a law enforcement officer had reasonable grounds to believe the
22 person, regardless of age, had been driving or was in actual physical control of a
23 motor vehicle upon the public highways of this state, or had been driving or was in
24 actual physical control of a motor-powered watercraft upon the public navigable
25 waterways of this state, while under the influence of either alcoholic beverages or
26 ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~
27 drug, combination of drugs, or combination of alcohol and drugs.

28 * * *

1 §681. Postaccident drug testing; accidents involving fatalities, required

2 A. The operator of any motor vehicle or watercraft which is involved in a
3 collision or crash on the public highways, including waterways, shall be deemed to
4 have given consent to, and shall be administered, a chemical test or tests of his blood,
5 urine, or other bodily substances for the purpose of determining the presence of any
6 ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964 or~~
7 ~~other applicable provision of law~~ drug, combination of drugs, or any other impairing
8 substance, under any of the following circumstances:

9 * * *

10 B. The test or tests required pursuant to Subsection A of this Section shall
11 be administered at the direction of a law enforcement officer having reasonable
12 grounds to believe the person to have been operating or in actual physical control of
13 a motor vehicle upon the public highways of this state which is involved in a
14 collision or crash or to have been operating or in physical control of a watercraft on
15 the waterways of this state involved in a collision, crash, or other casualty in which
16 a suspected serious injury or a fatality occurs, in order to determine the presence of
17 ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~
18 ~~or any other applicable provision of law~~, drug, combination of drugs, or any other
19 impairing substance. The law enforcement agency by which such officer is
20 employed shall designate in writing under what conditions the test or tests shall be
21 administered.

22 C. In the case of all traffic or boating fatalities, the coroner, or his designee,
23 shall perform or cause to be performed a toxicology screen on the deceased victim
24 or victims for determining evidence of the presence of any ~~abused substance or~~
25 ~~controlled dangerous substance as set forth in R.S. 40:964 or other applicable~~
26 ~~provision of law~~ drug, combination of drugs, or any other impairing substance which
27 shall include the extracting of all bodily substance samples necessary for such
28 toxicology screen. The coroner, or his designee, shall be responsible for ensuring the
29 body is not removed from his custody until such time as the bodily substance
30 samples are extracted. The coroner's report shall be made available to the

1 investigating law enforcement agency and may be admissible in any court of
2 competent jurisdiction as evidence of the presence of any ~~abused substance or~~
3 ~~controlled dangerous substance as set forth in R.S. 40:964 or other applicable~~
4 ~~provision of law~~ drug, combination of drugs, or any other impairing substance at the
5 time of the fatality. Nothing ~~herein~~ in this Subsection shall be construed to limit the
6 authority of the investigating law enforcement agency from conducting an
7 investigation of the accident scene concurrently with the coroner or his designee.

8 D. Any chemical test or tests of a person's blood, urine, or other bodily
9 substance for the purpose of determining the presence of any ~~abused substance or~~
10 ~~controlled dangerous substance as set forth in R.S. 40:964 or other applicable~~
11 ~~provision of law~~ drug, combination of drugs, or any other impairing substance shall
12 be administered in the same manner and subject to the provisions of Part XIV of this
13 Chapter.

14 * * *

15 H. As used in this Section, the term "drug" means any substance or
16 combination of substances that, when taken into the human body, may impair the
17 ability of the person to operate a vehicle safely.

18 Section 3. R.S. 14:32.1(A)(6) and (7), 32.8(A)(2)(f) and (g), 39.1(A)(4) and (5),
19 39.2(A)(4) and (5), and 98(A)(1)(d) and (e) are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 401

BY SENATOR REESE

1 AN ACT

2 To amend and reenact R.S. 14:39.1(C) and 39.2(D) and to enact R.S. 14:2(B)(62), relative
3 to the crimes of vehicular negligent injuring and first degree vehicular negligent
4 injuring; to increase the penalties for vehicular negligent injuring and first degree
5 vehicular negligent injuring under certain circumstances; to provide that first degree
6 vehicular negligent injuring is a crime of violence under certain circumstances; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:39.1(C) and 39.2(D) are hereby amended and reenacted and R.S.
10 14:2(B)(62) is hereby enacted to read as follows:

11 §2. Definitions

12 * * *

13 B. In this Code, "crime of violence" means an offense that has, as an element,
14 the use, attempted use, or threatened use of physical force against the person or
15 property of another, and that, by its very nature, involves a substantial risk that
16 physical force against the person or property of another may be used in the course
17 of committing the offense or an offense that involves the possession or use of a
18 dangerous weapon. The following enumerated offenses and attempts to commit any
19 of them are included as "crimes of violence":

20 * * *

21 **(62) First degree vehicular negligent injuring, when the operator's blood**
22 **alcohol concentration exceeds 0.20 percent by weight based on grams of alcohol**
23 **per one hundred cubic centimeters of blood.**

24 * * *

25 §39.1. Vehicular negligent injuring

* * *

C.(1) Whoever commits the crime of vehicular negligent injuring shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.

(2) Whoever commits the crime of vehicular negligent injuring and who had a blood alcohol concentration, at the time of the commission of the offense, of at least 0.15 percent but less than 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, shall be fined not more than one thousand dollars and imprisoned for not less than seven days nor more than six months. At least seven days of the sentence imposed by this Paragraph shall be served without the benefit of probation or suspension of sentence.

(3) Whoever commits the crime of vehicular negligent injuring and who had a blood alcohol concentration, at the time of the commission of the offense, of at least 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, shall be fined not more than one thousand dollars and imprisoned for not less than thirty days nor more than six months. At least thirty days of the sentence imposed by this Paragraph shall be served without the benefit of probation or suspension of sentence.

§39.2. First degree vehicular negligent injuring

* * *

D.(1)Whoever commits the crime of first degree vehicular negligent injuring shall be fined not more than ~~two~~ five thousand dollars or imprisoned with or without hard labor for not more than ~~five~~ ten years, or both.

(2) Whoever commits the crime of first degree vehicular negligent injuring and who had either a blood alcohol concentration, at the time of the commission of the offense, of at least 0.15 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, or has a prior conviction for operating a vehicle while intoxicated, shall be fined not more than five thousand dollars and imprisoned with or without hard labor for not less than two years nor more than ten years. At least two years of the sentence imposed

1 shall be served without the benefit of probation, parole, or suspension of
2 sentence. During any period of probation, the court shall order the offender to
3 participate in a court-approved substance abuse treatment program and may
4 require successful completion of a court-approved driver improvement
5 program.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 270

HOUSE BILL NO. 553

BY REPRESENTATIVES BRYANT, BOYD, CARPENTER, WILFORD CARTER,
CHASSION, FISHER, GREEN, JACKSON, TRAVIS JOHNSON, KNOX,
LAFLEUR, MARCELLE, MENA, MOORE, NEWELL, SELDERS, TAYLOR,
AND WALTERS

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 972 and 983(G) and to enact
3 Code of Criminal Procedure Articles 999 and 999.1, relative to expungement; to
4 provide for the expungement of arrest records for certain individuals; to provide for
5 a definition; to provide relative to criteria to receive an expungement; to provide for
6 exceptions; to provide for duties; to provide for exemption from processing fees; to
7 provide for an expungement form; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Code of Criminal Procedure Articles 972 and 983(G) are hereby amended
10 and reenacted and Code of Criminal Procedure Articles 999 and 999.1 are hereby enacted
11 to read as follows:

12 Art. 972. Definitions

13 As used in this Title:

14 (1) "Expedited expungement" means an order of expungement that a judge
15 may sign pursuant to Article 999 without the individual filing a motion to expunge
16 with the clerk of court.

17 (2) "Expunge a record" means to remove a record of arrest or conviction,
18 photographs, fingerprints, disposition, or any other information of any kind from
19 public access pursuant to the provisions of this Title. "Expunge a record" does not
20 mean destruction of the record.

(2)(3) "Expungement by redaction" provides for the expungement of records of a person who is arrested or convicted with other persons who are not entitled to expungement and involves the removal of the name or any other identifying information of the person entitled to the expungement and otherwise retains the records of the incident as they relate to the other persons.

(3) (4) "Interim expungement" means to expunge a felony arrest from the criminal history of a person who was convicted of a misdemeanor offense arising out of the original felony arrest. Only the original felony arrest may be expunged in an interim expungement.

(4) (5) "Records" includes any incident reports, photographs, fingerprints, disposition, or any other such information of any kind in relation to a single arrest event in the possession of the clerk of court, any criminal justice agency, and local and state law enforcement agencies but shall not include DNA records. Records shall also include records of an arrest based on a warrant or attachment for failure to appear in court for the same offense or offenses for which the person is seeking an expungement.

* * *

Art. 983. Costs of expungement of a record; fees; collection; exemptions;
disbursements

* * *

G. Notwithstanding any other provision of law to the contrary, a the following individuals shall be exempt from the payment of the processing fees otherwise authorized by this Article:

(1) A juvenile who has successfully completed any juvenile drug court program operated by a court of this state ~~shall be exempt from payment of the processing fees otherwise authorized by this Article.~~

(2) A person eligible for an expedited expungement pursuant to Article 999.

* * *

Art. 999. Expungement of arrest records for certain individuals

A. A person shall be entitled to the expedited expungement of his arrest, at no cost to him, if he meets all of the following:

(1) He is seventeen years of age when he is 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.

B. The provisions of this Article shall not apply to any misdemeanor or felony conviction arising from the incident of arrest.

C. The expedited expungement shall be served pursuant to the provisions of Article 982.

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 he 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: _____

SS# _____

RACE _____

DRIVERS LICENSE# _____

ARRESTING AGENCY _____

SID# _____

ARREST NUMBER (ATN) _____

AGENCY ITEM NO: _____

PLEASE SERVE:

1. District Attorney: _____

2. Arresting Agency: _____

3. Parish Sheriff: _____

4. Louisiana Bureau of Criminal Identification and Information _____

- 1

5. Attorney for Defendant (or defendant)
- 2

6. Clerk of Court

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:

SENATE BILL NO. 413

BY SENATOR MILLER

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 893(I)(4) and
3 897(A)(introductory paragraph) and (B)(introductory paragraph), relative to
4 probation; to provide that terms for probation or parole cannot be reduced for
5 persons convicted of certain offenses; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Articles 893(I)(4) and 897(A)(introductory
8 paragraph) and (B)(introductory paragraph) are hereby amended and reenacted to read as
9 follows:

10 Art. 893. Suspension and deferral of sentence and probation in felony cases

11 * * *

12 I.

13 * * *

14 (4) ~~The~~ **Notwithstanding the provisions of Article 897(A), the** court may
15 terminate probation at any time as "satisfactorily completed" upon the final
16 determination that the defendant is in compliance with the terms and conditions of
17 probation.

18 * * *

19 Art. 897. Termination of probation or suspended sentence; discharge of defendant

20 A. In a felony case, **other than for a conviction of operating a vehicle**
21 **while intoxicated, vehicular homicide, or first degree vehicular negligent**
22 **injuring,** the court may terminate the defendant's probation, early or as
23 unsatisfactory, and discharge him at any time after the expiration of one year of
24 probation when either of the following occur:

25 * * *

5 * *

GOVERNOR OF THE STATE OF LOUISIANA

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