

**Louisiana Code of Criminal  
Procedure and  
Louisiana Revised Statutes**

**Titles 13, 14, & 15:**

**Changes Made in the 2025 Session of the  
Louisiana Legislature**

## Table of Contents

| <u>Location</u>   | <u>Changed Section(s)</u>  | <u>Act #</u> | <u>General Area of Law</u>                                      | <u>Page #</u> |
|---|--|--------------|---|---------------|
| La. R.S. Title 13                                       | 13:5554(JJ)(1)   | 8            | Sheriff Office Insurance  | 1             |
| La. R.S. Title 13                                       | 13:5554(NN)  | 14           | Sheriff Retirement in East Carroll Parish                       | 3             |
| La. R.S. Title 14                                       | 14:337(A)(1)(c);<br>14:337(A)(1)(intro para);<br>14:337(B)(4); 14:337(B)(5);<br>14:337(E)(5)   | 23           | Unlawful Use of Unmanned Aircraft                               | 5             |
| La. R.S. Title 14                                       | 14:34.8(B)(3); 14:40.9(B)(3)   | 25           | Battery re: Veterinarians                                       | 8             |
| La. R.S. Title 14                                       | 14:61(B)(1); 14:67.24  | 26           | Theft of Critical Infrastructure                                | 10            |
| La. R.S. Title 14                                       | 14:70.4(D); 14:70.4(E);<br>14:70.4(F); 14:70.4(G);<br>14:70.4(H)   | 28           | Theft of Gift Cards   | 13            |
| La. R.S. Title 15                                       | 15:1302(21); 15:1310(B)(1);<br>15:1310(D)(1)(f)  | 33           | Warrants for Interception of Communications                     | 16            |
| La. R.S. Title 15; La. Code of Criminal Procedure       | 15:1228.10; Art.892(C)   | 46           | Post-Sentence Statements and Documents                          | 18            |
| La. Code of Criminal Procedure                          | Art.893.2; Art.893.3(A);<br>Art.893.3(B); Art.893.3(C);<br>Art.893.3(D);<br>Art.893.3(E)(1)(a)   | 52           | Firearm Enhancement Provisions and Penalties to Plea Agreements | 20            |
| La. Code of Criminal Procedure                          | Art.334  | 63           | Notice of Warrant for Arrest                                    | 24            |
| La. Code of Criminal Procedure                          | Art.900(A)(6)(e)(i)(bb);<br>Art.901(A); Art.901(D)   | 72           | Revocation of Probation   | 26            |
| La. R.S. Title 13                                       | 13:1875(12)(c)   | 74           | Court Costs and Filing Fees in City Court of Alexandria         | 29            |
| La. Code of Criminal Procedure                          | Art.812  | 76           | Jury Polling and Disposition                                    | 31            |
| La. R.S. Title 13                                       | 13:5554(S)   | 81           | Sheriff Insurance in Franklin Parish                            | 33            |
| La. R.S. Title 14                                       | 14:81(A)(1); 14:81(A)(3);<br>14:81(C)  | 97           | Child Grooming  | 36            |
| La. R.S. Title 13                                       | 13:4163  | 101          | Legislative Continuances  | 38            |
| La. R.S. Title 14                                       | 14:134(A)(2)   | 107          | Traffic Cameras   | 44            |
| La. R.S. Title 14                                       | 14:100(C)(2)   | 124          | Hit-and-Run   | 51            |
| La. R.S. Title 14; La. R.S. Title 15                    | 14:81.5.1; 15:572.4(B)(2);<br>15:573; 15:574.2(D)(9)(a);<br>15:574.4.1(A)(3);<br>15:574.12.1   | 128          | Pardon and Parole Records                                       | 52            |
| La. R.S. Title 13; La. R.S. Title 14; La. R.S. Title 15 | 13:5364(1); 14:34.1(B);<br>14:34.7(B); 14:34(C);<br>15:1199.23(2)  | 137          | U.S. Armed Forces   | 58            |
| La. R.S. Title 15; La. Code of Criminal Procedure       | 15:1302(21); 15:1313(A);<br>15:1313(B)(intro. para.);<br>15:1313(C); 15:1318(E)(3);<br>15:1318(H)(6);<br>15:1318(H)(intro. para.);<br>Art.311(5)(intro. Para.) | 140          | Bail Bond Enforcement   | 64            |
| La. R.S. Title 14                                       | 14:91.1(A)(3); 14:91.1(D);<br>14:91.2(A)(7)  | 142          | Sex Offender Loitering  | 68            |
| La. R.S. Title 13                                       | 13:4521(A)(6); 13:4521(B)  | 145          | Electronic Filing Fees  | 70            |

|                                |   |     |  |     |
|--------------------------------|---|-----|--|-----|
| La. R.S. Title 13              | 13:2079.1   | 147 | Marshal of the City Court of Lake Charles                  | 72  |
| La. Code of Criminal Procedure | Art.331(M)  | 149 | Discharge of Bail Obligations                              | 74  |
| La. R.S. Title 13              | 13:2623   | 155 | Jurisdiction for Justices of the Peace in Iberville Parish | 75  |
| La. R.S. Title 15              | 15:529.2(B)(3);<br>15:571.3.1(F); 15:571.3.1(I);<br>15:571.3(C);<br>15:574.4(A)(4)(b);<br>15:574.4(B)(2)(a)(iii);<br>15:574.4(B)(2)(b)(iii);<br>15:574.4(B)(2)(c)(iii);<br>15:574.4(B)(2)(d)(iii);<br>15:574.4(D)(1)(b);<br>15:574.4(E)(1)(b);<br>15:574.4(F)(1)(b);<br>15:574.4(G)(1)(b);<br>15:574.4(J)(1)(b);<br>15:574.6(intro. para.);<br>15:574.9(F);<br>15:574.9(H)(1)(a)(i)(dd);<br>15:574.9(H)(1)(a)(i)(intro. para.); 15:574.71;<br>15:574.72; 15:1199.24(A)(5) | 158 | Sentence Diminution  | 78  |
| La. R.S. Title 14              | 14:30.1(A)(2); 14:31(A)(4);<br>14:31(A)(5)  | 169 | 2nd Degree Murder  | 89  |
| La. R.S. Title 14              | 14:337.1; 14:337(B)(5);<br>14:337(B)(6); 14:337(G)  | 170 | Unlawful Use of Unmanned Aircraft                          | 91  |
| La. R.S. Title 14              | 14:93.3(A); 14:93.3(B);<br>14:93.3(C); 14:93.3(D);<br>14:93.3(E)(1); 14:93.4  | 186 | Cruelty to Elderly and Persons with Infirmities            | 94  |
| La. R.S. Title 14              | 14:70.8(B); 14:70.8(C);<br>14:70.8(D); 14:71.1(B);<br>14:71.1(C); 14:71.1(D)  | 188 | Bank Fraud   | 97  |
| La. R.S. Title 15              | 15:567(B); 15:567(C);<br>15:569.1; 15:570(A)(5);<br>15:570(A)(6); 15:570(D)   | 193 | Death Sentence Procedure                                   | 100 |
| La. R.S. Title 14              | 14:98.1(A)(4); 14:98.2(A)(5);<br>14:98.3(A)(4); 14:98.4(A)(3);<br>14:99.2(F); 14:99(C)  | 194 | Driving Offense Fines                                      | 103 |
| La. R.S. Title 14              | 14:102.1(A)(1)(b);<br>14:102.1(A)(1)(d);<br>14:102.1(A)(1)(e);<br>14:102.1(A)(1)(h);<br>14:102.1(A)(1)(i);<br>14:102.1(A)(1)(intro. para.);<br>14:102.1(A)(1)(j);<br>14:102.1(A)(2); 14:102.1(B);<br>14:102.1(C)(6)   | 200 | Animal Cruelty   | 108 |
| La. R.S. Title 15              | 15:827.3(A)(2)(d);<br>15:951(C); 15:951(E)  | 209 | Back on Track Youth Pilot Program                          | 112 |
| La. R.S. Title 14              | 14:323(E)   | 225 | Motor Vehicle Access for Domestic Abusers                  | 114 |
| La. R.S. Title 15              | 15:539.1(F)(3); 15:539.2  | 226 | Relief to Victims of Sex Offenses                          | 118 |

|                                      |   |     |   |     |
|--------------------------------------|---|-----|---|-----|
| La. R.S. Title 14; La. R.S. Title 15 | 14:46.3(A)(1); 14:46.3(A)(7);<br>14:46.3(D)(2); 14:82.2(C)(1);<br>14:82.2(C)(4); 14:82.2(C)(5);<br>14:83.1(B)(2); 14:83.1(B)(3);<br>14:83.2(B)(2); 14:83.2(B)(3);<br>14:83(B)(1)(b); 14:83(B)(2);<br>14:83(B)(3); 14:83(C);<br>14:84(B)(2); 14:84(B)(3);<br>14:85(B)(2); 14:85(B)(3);<br>14:86(B)(1)(b);<br>14:86(B)(1)(c);<br>14:89.2(B)(3)(a);<br>14:104(B)(2); 14:104(B)(3);<br>14:105(B)(2); 14:105(B)(3);<br>14:282(B)(2); 14:282(B)(3);<br>15:539.1(A); 15:541(24)(a) | 230 | Penalties for Sex Offenses                                | 122 |
| La. R.S. Title 14                    | 14:71.5   | 231 | Misappropriation of Utility Services Funds                | 133 |
| La. R.S. Title 14                    | 14:93.16; 14:93.17  | 233 | Unlawful Sale of Hemp                                     | 136 |
| La. R.S. Title 15                    | 15:1109.5(C)  | 240 | Taxes re: the Acadiana Regional Juvenile Justice District | 140 |
| La. R.S. Title 13                    | 13:477(19); 13:621.19   | 243 | Judicial Elections in the 19th JDC                        | 142 |
| La. R.S. Title 15                    | 15:529.1(C)(1);<br>15:529.1(C)(2)   | 246 | Habitual Offenders  | 146 |
| La. R.S. Title 15                    | 15:574.2(A)(7)  | 248 | Parole Board Compensation                                 | 149 |
| La. R.S. Title 15                    | 15:1186(A); 15:1186(B)(1);<br>15:1188(B)(2)   | 253 | Proceedings in Forma Pauperis (Filing Fees)               | 151 |
| La. R.S. Title 14                    | 14:107.3(A)(1);<br>14:107.3(A)(3)(intro. para.);<br>14:107.3(B)   | 255 | Criminal Blighting of Property                            | 154 |

|  |   |     |  |     |
|--|---|-----|--|-----|
| La. R.S. Title 14; La. R.S. Title 15; La. Code of Criminal Procedure | 14:73.8(A); 14:73.8(C); 14:73.8(D); 14:81.1(A); 14:81.1(B)(8); 14:81.1(B)(9); 14:81.1(E)(1); 14:81.1(E)(2); 14:81.1(E)(3); 14:81.1(E)(4); 14:81.1(E)(5)(a); 14:81.1(E)(5)(b); 14:81.1(F)(2); 14:81.1(F)(3)(b); 14:81.1(F)(3)(c); 14:81.1(F)(4); 14:81.1(F)(5)(d); 14:81.1(F)(5)(intro. para.); 14:81.1(I); 14:89.1(A)(2)(b)(i); 14:91.2(B); 14:91.5(A)(1); 15:537(A); 15:539.1(F)(intro. para.); 15:541(24)(a); 15:541(24)(c); 15:541(25)(d); 15:543.1(18); 15:545.1(C); 15:1352(A)(45); Art.648(B)(3)(i); Art.718.1(A); Art.718.1(B) | 261 | Child Pornography  | 157 |
| La. R.S. Title 13  | 13:713(A); 13:713(B)(2)(e); 13:713(B)(2)(l); 13:713(B)(2)(m); 13:713(B)(3)(c); 13:713(B)(3)(d)  | 272 | Court Commissioners of the 19th JDC  | 173 |
| La. R.S. Title 14  | 14:66(A)(6); 14:66(A)(7); 14:66(A)(intro. para.); 14:87.6   | 275 | Coerced Abortion   | 175 |
| La. R.S. Title 15  | 15:865(D); 15:865(E)  | 278 | Solitary Confinement   | 177 |
| La. R.S. Title 15  | 15:571.11(A)(4)   | 288 | Operation of a Motor Vehicle While Using a Wireless Telecommunication Device | 179 |
| La. R.S. Title 13  | 13:86   | 299 | Filing Fees for Civil and Criminal Matters                                   | 185 |
| La. R.S. Title 14  | 14:30.1(A)(2); 14:30(A)(1)  | 343 | Homicide Against Elderly and Persons with Infirmities                        | 187 |
| La. R.S. Title 14  | 14:42.1(A)(3); Art.571.1  | 346 | Sex Offenses Against Minors  | 189 |
| La. Code of Criminal Procedure                                       | Art.14.1(B)   | 352 | Filings in Civil and Criminal Courts   | 192 |
| La. R.S. Title 13  | 13:5232(1); 13:5232(7); 13:5233; 13:5233.1; 13:5234(3); 13:5234(5); 13:5234(6)(intro. para.); 13:5237; 13:5239; 13:5240(A); 13:5240(B)  | 358 | Religious Organizations  | 195 |
| La. R.S. Title 15  | 15:576(2); 15:579; 15:589.1   | 364 | Juvenile Records   | 200 |
| La. R.S. Title 15  | 15:715  | 370 | Victim and Witness Notification  | 203 |

|   |  |     |   |     |
|---|--|-----|---|-----|
| La. R.S. Title 15; La. Code of Criminal Procedure | 15:169(C); 15:178; Art.924(5); Art.924(6); Art.926.2(A); Art.926.2(B)(2); Art.926.2(B)(3)(intro. para.); Art.926.4; Art.926(B); Art.926(E); Art.926(F); Art.926(G); Art.927; Art.927.1; Art.928; Art.930.2; Art.930.4; Art.930.4(D); Art.930.4(E); Art.930.4 (F); Art.930.4(G); Art.930.4(H); Art.930.5; Art.930.6(B); Art.930.6(C); Art.930.8(A)(2); Art.930.8(A)(3); Art.930.8(A)(4); Art.930.8(A)(intro. para.); Art.930.8(B); Art.930.8(C); Art.930.8(D); Art.930.8(E); Art.930.8(F); Art.930.10; Art.930.11; Art.930(A); Art.930(C) | 393 | Post-Conviction Relief  | 210 |
| La. R.S. Title 14                                 | 14:130.1(A)(6); 14:130.1(A)(intro para); 14:130.1(B)(6); 14:130.1(B)(7); 14:134(A)   | 399 | Obstruction of Justice re: ICE                                | 224 |
| La. R.S. Title 14; La. R.S. Title 15              | 14:91.3(A); 15:587.1(C)(1); 15:587.1(C)(intro para); 15:1110.3(H)  | 409 | Child Welfare   | 227 |
| La. R.S. Title 15                                 | 15:571.36(A)(12); 15:571.36(C)(1); 15:571.36(C)(2)(intro para); 15:571.36(C)(4)(intro para); 15:571.36(D); 15:571.37; 15:571.38  | 416 | Electronic Monitoring of Sex Offenders                        | 259 |
| La. R.S. Title 14                                 | 14:95.2(B)(3); 14:95.2(C)(9); 14:95.6(C)(1); 14:95(A)(4)(a); 14:95(M)  | 420 | Illegal Carrying of Weapons                                   | 264 |
| La. R.S. Title 14                                 | 14:54.3  | 424 | Explosives  | 267 |
| La. R.S. Title 15                                 | 15:1109.11; 15:1109.12(A); 15:1109.13; 15:1109.15; 15:1109.16(A); 15:1109.16(C); 15:1109.17  | 435 | Addition of Lafourche Parish to the Juvenile Justice District | 270 |
| La. R.S. Title 13                                 | 13:2575(B)(3)(g)   | 456 | Demolition of Dilapidated Property                            | 275 |
| La. R.S. Title 13; La. R.S. Title 15              | 13:998(B); 13:998(E)(1); 13:998(E)(3); 13:1141(B); 13:1141(E)(1); 13:1141(E)(3); 13:1414(B); 13:1414(E)(1); 13:1414(E)(3); 13:4291(B)(1); 13:5108.2; 15:587.1(D); 15:587.5(A)(4); 15:587(A)(2)(a); 15:587(A)(2)(b)   | 477 | Department of Child and Family Services                       | 278 |
| La. R.S. Title 14; La. R.S. Title 15              | 14:68.2.1(A); 15:933.1; 14:74(D)(2)  | 478 | Louisiana Workforce Commission                                | 315 |

**ACT No. 8**

2025 Regular Session

HOUSE BILL NO. 66

BY REPRESENTATIVE ROMERO

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AN ACT

To amend and reenact R.S. 13:5554(JJ)(1), relative to the Jefferson Davis Parish Sheriff's Office; to provide for insurance premium payments for sheriff and deputy sheriff retirees; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:5554(JJ)(1) is hereby amended and reenacted to read as follows:  
§5554. Group insurance; kinds; amounts; subrogation

\* \* \*

JJ.(1) Notwithstanding the provisions of Subsection D of this Section, the premium costs of group hospital, surgical, and medical expense and the first ten thousand dollars of life insurance contracted for under the provisions of this Section shall be paid in full by the sheriff of Jefferson Davis Parish, from the sheriff's general fund, for all sheriffs and deputy sheriffs retired from the Jefferson Davis Parish Sheriff's Office who were hired on or after July 1, 2018, who are entitled to receive benefits from the Sheriff's Pension and Relief Fund, who have at least ~~fifteen~~ twelve years of service of the required fifteen years with the Jefferson Davis Parish Sheriff's

1 Office, and who are at least fifty-five years of age or retired with at least thirty years  
 2 of service at any age with the required twelve years of service with the Jefferson  
 3 Davis Parish Sheriff's Office.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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



**ACT No. 14**

2025 Regular Session

HOUSE BILL NO. 189

BY REPRESENTATIVES TRAVIS JOHNSON AND THOMPSON AND SENATORS  
BARROW, CARTER, AND JACKSON-ANDREWS

1 AN ACT

2 To enact R.S. 13:5554(NN), relative to the East Carroll Parish Sheriff's Office; to provide  
3 for insurance premium payments for sheriff and deputy sheriff retirees; to provide  
4 for eligibility; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5554(NN) is hereby enacted to read as follows:

7 §5554. Group insurance; kinds; amounts; subrogation

8 \* \* \*

9 NN. Notwithstanding the provisions of Subsection D of this Section, one  
10 hundred percent of the premium costs of group hospital, surgical, medical expense,  
11 vision and dental insurance, and life insurance shall be paid in full from the sheriff's  
12 general fund, by the sheriff of East Carroll Parish, for any sheriff or deputy sheriff  
13 who retires directly from the East Carroll Parish Sheriff's Office on or after January  
14 1, 2022, who is eligible to receive benefits from the Sheriff's Pension and Relief  
15 Fund, and meets any of the following conditions at the time of retirement:

16 (1) Has attained the age of sixty-two years and has earned or purchased at  
17 least fifteen years of service credit, with at least twelve of those years being service  
18 credit earned with the East Carroll Parish Sheriff's Office.

19 (2) Has attained the age of fifty-five years and has earned or purchased at  
20 least twenty years of service credit, with at least fifteen of those years being service  
21 credit earned with the East Carroll Parish Sheriff's Office.

1                    (3) Has earned or purchased at least thirty years of service credit, with at  
2                    least twenty of those years being service credit earned with the East Carroll Parish  
3                    Sheriff's Office, regardless of age.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 9

BY SENATORS BASS, ABRAHAM, BARROW, CLOUD, HENSGENS, HODGES, KLEINPETER AND MIGUEZ AND REPRESENTATIVES ADAMS, AMEDEE, BAMBURG, BAYHAM, BERAULT, CARVER, CHENEVERT, CREWS, DEVILLIER, DEWITT, DOMANGUE, EGAN, HORTON, KNOX, MCMAHEN, MCMAKIN, MELERINE, TAYLOR AND WYBLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S. 14:337(A)(1) and (B)(4) and to  
3 enact R.S. 14:337(A)(1)(c), (B)(5), and (E)(5), relative to unlawful use of an  
4 unmanned aircraft system; to prohibit use of an unmanned aircraft system over  
5 federal and state military installations and facilities; to provide definitions and  
6 penalties; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The introductory paragraph of R.S. 14:337(A)(1) and (B)(4) are hereby  
9 amended and reenacted and R.S. 14:337(A)(1)(c), (B)(5), and (E)(5) are hereby enacted to  
10 read as follows:

11 §337. Unlawful use of an unmanned aircraft system

12 A.(1) Unlawful use of an unmanned aircraft system is ~~either~~ any of the  
13 following:

14 \* \* \*

15 **(c) The intentional use of an unmanned aircraft system to conduct**  
16 **surveillance of, gather evidence or collect information about, interfere with the**  
17 **operation of, or photographically or electronically record a federal or state**  
18 **military installation, facility, aircraft, ship, military vehicle, or weapon system**  
19 **located therein without obtaining prior written consent from the military**  
20 **installation or facility commander.**

21 \* \* \*

22 B. As used in this Section, the following definitions shall apply:

23 \* \* \*

1 (4) "Federal or state military installation or facility" means either a  
2 permanent military base or temporary installation where federal or state  
3 military personnel conduct operations related to national or state defense or  
4 security including but not limited to the staging or storage of military  
5 equipment or service members, base operations or mission related activities,  
6 logistical support operations, military drills or exercises, or civil support or  
7 rescue services.

8 (5) "Unmanned aircraft system" means an unmanned, powered aircraft that  
9 does not carry a human operator, can be autonomous or remotely piloted or operated,  
10 and can be expendable or recoverable. "Unmanned aircraft system" does not include  
11 any of the following:

12 (a) A satellite orbiting the earth.

13 (b) An unmanned aircraft system used by the federal government or a person  
14 who is acting pursuant to contract with the federal government to conduct  
15 surveillance of specific activities.

16 (c) An unmanned aircraft system used by the state government or a person  
17 who is acting pursuant to a contract with the state government to conduct  
18 surveillance of specific activities.

19 (d) An unmanned aircraft system used by a local government law  
20 enforcement agency or fire department.

21 (e) An unmanned aircraft system used by a person, affiliate, employee, agent,  
22 or contractor of any business which is regulated by the Louisiana Public Service  
23 Commission or by a local franchising authority or the Federal Communications  
24 Commission under the Cable Television Consumer Protection and Competition Act  
25 of 1992 or of a municipal or public utility, while acting in the course and scope of  
26 his employment or agency relating to the operation, repair, or maintenance of a  
27 facility, servitude, or any property located on the immovable property which belongs  
28 to such a business.

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30 E.(1) \* \* \*



SENATE BILL NO. 21

BY SENATOR WHEAT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 14:34.8(B)(3) and 40.9(B)(3), relative to assault and battery; to add veterinarians and veterinary clinics to the definitions of "healthcare professional" and "healthcare facility" for purposes of battery of emergency room personnel, emergency services personnel, or a healthcare professional and unlawful disruption of the operation of a healthcare facility; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:34.8(B)(3) and 40.9(B)(3) are hereby amended and reenacted to read as follows:

§34.8. Battery of emergency room personnel, emergency services personnel, or a healthcare professional

\* \* \*

B. For purposes of this Section:

\* \* \*

(3) "Healthcare professional" means a person licensed or certified by this state to provide healthcare or professional services as a physician, physician assistant, dentist, registered or licensed practical nurse or certified nurse assistant, advanced practice registered nurse, certified emergency medical technician, paramedic, certified registered nurse anesthetist, nurse practitioner, respiratory therapist, clinical nurse specialist, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, licensed radiologic technologist, licensed clinical laboratory scientist, licensed professional counselor, certified social worker, psychologist, patient transporter, dietary worker, patient access representative, security personnel, patient relations advocate, **veterinarian, veterinary staff**, or any other person who otherwise assists in or supports the performance of healthcare services.

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§40.9. Unlawful disruption of the operation of a healthcare facility

\* \* \*

B. For purposes of this Section:

\* \* \*

(3) "Healthcare facility" means any hospital, outpatient clinic, ambulatory surgical center, **veterinary clinic**, or other setting where healthcare services are provided.

\* \* \*

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 22

BY SENATOR HODGES AND REPRESENTATIVES ADAMS, AMEDEE, ECHOLS,  
EDMONSTON, FISHER, ILLG, JACKSON, OWEN,  
SCHAMERHORN, STAGNI, VILLIO AND WYBLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 14:61(B)(1) and to enact R.S. 14:67.24, relative to theft; to  
3 create the crime of theft of critical infrastructure; to provide definitions and  
4 penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:61(B)(1) is hereby amended and reenacted and R.S. 14:67.24 is  
7 hereby enacted to read as follows:

8 §61. Unauthorized entry of a critical infrastructure

9 \* \* \*

10 B. For the purposes of this Section, the following words shall have the  
11 following meanings:

12 (1)(a) "Critical infrastructure" means any and all structures, sites, equipment,  
13 or other immovable or movable property located within or upon any of the  
14 following:

15 (i) ~~chemical~~ Chemical plants or facilities, manufacturing facilities, or  
16 refineries;

17 (ii) ~~electrical~~ Electrical power generating facilities, electrical transmission  
18 substations and distribution substations;

19 (iii) ~~water~~ Water intake structures and water treatment facilities;

20 (iv) ~~natural~~ Natural gas transmission compressor stations, liquefied natural  
21 gas (LNG) terminals and storage facilities, natural gas and hydrocarbon storage  
22 facilities;

23 (v) ~~transportation~~ Transportation facilities, such as ports, railroad switching  
24 yards, pipelines, and trucking terminals;



1                ~~(vi) water~~ **Water** control structures including floodgates or pump stations;  
 2                ~~(vii) wireline~~ **Wireline** and wireless communications and data network  
 3                **internet** facilities; **and any equipment or communication wires that are**  
 4                **connected or appurtenant to the facilities, including but not limited to broadcast**  
 5                **television equipment, video equipment, fiber optics, and any lines or wires that**  
 6                **are used for transmission from the facilities.**

7                **(b) or "Critical infrastructure" shall include** any site where the  
 8                construction or improvement of any facility or structure referenced in this Section  
 9                is occurring.

10                \*        \*        \*

11                **§67.24. Theft of critical infrastructure**

12                **A. Theft of critical infrastructure is the misappropriation, taking, or**  
 13                **illegal possession, as defined in R.S. 14:69(A), of critical infrastructure. The**  
 14                **intent to deprive the owner permanently of the critical infrastructure is**  
 15                **essential.**

16                **B. As used in this Section, "critical infrastructure" shall have the same**  
 17                **meaning as provided in R.S. 14:61.**

18                **C.(1) Whoever commits the crime of theft of critical infrastructure when**  
 19                **the misappropriation, taking, or illegal possession amounts to a value of less**  
 20                **than twenty-five thousand dollars shall be fined not more than ten thousand**  
 21                **dollars, or imprisoned, with or without hard labor, for not more than fifteen**  
 22                **years, or both.**

23                **(2) Whoever commits the crime of theft of critical infrastructure when**  
 24                **the misappropriation, taking, or illegal possession amounts to a value of twenty-**  
 25                **five thousand dollars or more shall be fined not more than fifty thousand**  
 26                **dollars, or imprisoned at hard labor for not more than twenty years, or both.**

27                **(3) Whoever commits the crime of theft of critical infrastructure wherein**  
 28                **it is foreseeable that human life will be threatened as a result of the theft shall**  
 29                **be fined not more than fifty thousand dollars, or imprisoned at hard labor for**  
 30                **not more than twenty years, or both.**

1                    **D. In addition to the penalties provided in Subsection C of this Section,**  
2                    **the offender shall be ordered to make full restitution to the victim. If the**  
3                    **offender is found to be indigent and therefore unable to make restitution in full**  
4                    **at the time of conviction, the court shall order a periodic payment plan**  
5                    **consistent with the offender's financial ability.**

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 38

BY SENATOR HENSGENS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 14:70.4(D) through (G) and to enact R.S. 14:70.4(H), relative to misappropriations without violence; to provide relative to the crime of access device fraud; to provide relative to the possession of counterfeit or misappropriated access devices; to add gift cards to the definition of access device; to provide for a definition of gift card; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:70.4(D) through (G) are hereby amended and reenacted and R.S. 14:70.4(H) is hereby enacted to read as follows:

§70.4. Access device fraud

\* \* \*

**D. No person shall knowingly and with the intent to defraud possess fifteen or more counterfeit or misappropriated access devices.**

~~D.E.~~ As used herein **in this Section**:

(1) "Access device" means a person's social security number, driver's license number, birth date, mother's maiden name, checking account numbers, savings account numbers, personal identification numbers, electronic identification numbers, digital signatures, **gift card, account information related to a gift card**, or other means of account access that can be used to obtain anything of value, whether contemporaneously or not.

(2) "Counterfeit access device" means an access device that is fictitious, altered, or forged.

(3) "Device-making equipment" means any instrumentality, mechanism, or impression designed or primarily used for making an access device or counterfeit access device.

**(4) "Gift card" means a card, code, or device that is issued to a consumer**

1 on a prepaid basis in a specified amount and is redeemable in exchange for  
 2 goods or services. The value of the gift is either the maximum face value of the  
 3 card when it is held for sale by the merchant or the actual value of the funds  
 4 deposited with the merchant at the time of the activation and purchase.

5 ~~(4)~~(5) "Transfer" means sell, give, provide, or transmit.

6 ~~E.F.~~(1) A person who commits the crime of access device fraud when the  
 7 misappropriation or taking amounts to a value of twenty-five thousand dollars or  
 8 more shall be imprisoned at hard labor for not more than twenty years, ~~or~~ fined not  
 9 more than fifty thousand dollars, or both.

10 (2) When the misappropriation or taking amounts to a value of five thousand  
 11 dollars or more, but less than a value of twenty-five thousand dollars, the offender  
 12 shall be imprisoned; with or without hard labor; for not more than ten years, ~~or~~ fined  
 13 not more than ten thousand dollars, or both.

14 (3) When the misappropriation or taking amounts to a value of one thousand  
 15 dollars or more, but less than a value of five thousand dollars, the offender shall be  
 16 imprisoned; with or without hard labor; for not more than five years, ~~or may be~~ fined  
 17 not more than three thousand dollars, or both.

18 (4) When the misappropriation or taking amounts to a value of less than one  
 19 thousand dollars, the offender shall be imprisoned for not more than six months, ~~or~~  
 20 fined not more than five hundred dollars, or both.

21 (5) Upon a third or subsequent conviction of theft, the offender 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.

24 ~~F.G.~~ In addition to any other penalty imposed under this Section, the court  
 25 shall order restitution as a part of the sentence. ~~Restitution may include payment for~~  
 26 ~~any cost incurred by the victim, including attorney fees, costs associated in clearing~~  
 27 ~~the credit history or credit ratings of the victim, or costs incurred in connection with~~  
 28 ~~any civil or administrative proceedings to satisfy any debt, lien, or other obligation~~  
 29 ~~of the victim arising as a result of the actions of the defendant~~ in accordance with  
 30 Code of Criminal Procedure Article 883.2.

1                    G.H. When there has been a misappropriation or taking by a number of  
2                    distinct acts of the offender, the aggregate amount of the misappropriation or taking  
3                    shall determine the grade of the offense. For purposes of this Subsection, distinctive  
4                    acts of the offender do not have to involve the same victim.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 53

BY SENATOR BASS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 15:1310(B)(1) and to enact R.S. 15:1302(21) and 1310(D)(1)(f), relative to electronic surveillance; to provide relative to warrants for interception of communications; to provide definitions; to provide relative to warrant requests; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1310(B)(1) is hereby amended and reenacted and R.S. 15:1302(21) and 1310(D)(1)(f) are hereby enacted to read as follows:

§1302. Definitions

As used in this Chapter:

\* \* \*

**(21) "Monitoring post" means a secure Department of Public Safety and Corrections facility, including a Louisiana State Police facility, having investigative control over the intercept, regardless of geographic location.**

\* \* \*

§1310. Procedure for interception of wire, electronic, or oral communications

\* \* \*

B.(1) If statements of an identified or unidentified informant are relied upon in the application as a basis for establishing that there are reasonable grounds to believe that an offense has been, is being, or is about to be committed, the application shall set forth the factual basis for the affiant's belief that the informant is credible and that the information has been obtained in a reliable manner. The **judge considering the application may order that the** informant ~~shall~~ be presented to the judge and be sworn to afford the judge opportunity to inquire if the statements made in the application are true. ~~The~~ **and the** application shall ~~so~~ state that the informant was presented to the judge and sworn for such purpose if so ordered. This provision shall not affect the privileged character of the identity of an informant.

1 Nothing herein shall be construed to require the identification of a confidential  
2 informant.

3 \* \* \*

4 D.(1) Each order authorizing or approving the interception of any wire,  
5 electronic, or oral communication shall specify:

6 \* \* \*

7 **(f) The specific location of the monitoring post.**

8 \* \* \*

9 Section 2. The Louisiana State Law Institute is hereby directed to alphabetize the  
10 definitions provided in R.S. 15:1302 as amended by this Act.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 46

2025 Regular Session

HOUSE BILL NO. 23

BY REPRESENTATIVE MUSCARELLO

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 892(C) and to enact R.S.  
3 15:1228.10, relative to post-sentence statements and documents; to provide for the  
4 submission of certain statements to the Department of Public Safety and Corrections;  
5 to authorize the adoption of standards and policies adopted by the Integrated  
6 Criminal Justice Information System Policy Board for the electronic transmission of  
7 criminal justice data; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Code of Criminal Procedure Article 892(C) is hereby amended and  
10 reenacted to read as follows:

11 Art. 892. Post-sentence statement by sheriff; accompanying documents

12 \* \* \*

13 C.(1) All statements and documents required by this Article shall physically  
14 accompany any defendant when said defendant is transferred to a penal institution  
15 or a mental institution or mental hospital. Said documents and statements shall be  
16 tendered to the officer in charge of the institution at the time that the defendant is  
17 presented for admittance thereto.

18 (2) For defendants who have been convicted of a felony and committed to  
19 the Department of Public Safety and Corrections, all statements and documents  
20 required by this Article shall be submitted electronically in accordance with R.S.  
21 15:1228.10.

22 \* \* \*



1 Section 2. R.S. 15:1228.10 is hereby enacted to read as follows:

2 §1228.10. Electronic submission of criminal justice data; ICJIS broker system

3 A. Any criminal justice agency required to submit criminal justice data shall  
4 do so electronically through the Integrated Criminal Justice Information System  
5 broker system (ICJIS).

6 B. All electronic data transmissions shall comply with the standards,  
7 protocols, and policies adopted by the ICJIS Policy Board, including technical  
8 specifications, security requirements, and certification procedures.

9 C. Until such time as the ICJIS broker system is fully operational for a  
10 particular data exchange pathway, each agency shall retain discretion regarding the  
11 method of transmission for its data submissions. Agencies shall, however, make  
12 reasonable and continuous efforts to conform interim practices to ICJIS standards  
13 and prepare for full integration upon broker system readiness.

14 D. Each agency shall be responsible for ensuring the accuracy, completeness,  
15 and timeliness of the criminal justice data it submits. In the event errors or  
16 omissions are discovered by the receiving agency or by ICJIS, the submitting agency  
17 shall correct and resubmit the data without undue delay, consistent with ICJIS  
18 standards.

19 E. Any agency that is unable to comply with ICJIS data submission  
20 requirements shall submit a report to the policy board in accordance with ICJIS  
21 promulgated policies and standards. The policy board shall monitor compliance and  
22 may recommend technical support or, if necessary, suspension of electronic data  
23 exchange privileges pending remediation.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 52**

2025 Regular Session

HOUSE BILL NO. 79

BY REPRESENTATIVE BACALA

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 893.2 and 893.3(A) through (D)  
3 and (E)(1)(a), relative to sentencing; to provide for the applicability of firearm  
4 enhancement sentencing provisions to plea agreements; to provide for stipulations;  
5 to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Articles 893.2 and 893.3(A) through (D) and  
8 (E)(1)(a) are hereby amended and reenacted to read as follows:

9 Art. 893.2. Discharge, use, or possession of firearm in commission of a felony or a  
10 specifically enumerated misdemeanor; submission to jury

11 A.(1) If a motion was filed by the state in compliance with Article 893.1, a  
12 determination shall be made as to all of the following:

13 (a) ~~whether~~ Whether a firearm was discharged, or used during the  
14 commission of the felony or specifically enumerated misdemeanor, or actually  
15 possessed during the commission of any of the following:

16 (i) ~~a~~ A felony which is a crime of violence as defined by R.S. 14:2(B);

17 (ii) ~~felony~~ Felony theft;

18 (iii) ~~simple~~ Simple burglary;

19 (iv) ~~simple~~ Simple burglary of an inhabited dwelling;

20 (v) ~~unauthorized~~ Unauthorized entry of an inhabited dwelling;

21 (vi) ~~production~~ Production, manufacturing, distribution, dispensing, or  
22 possession with intent to produce, manufacture, distribute, or dispense a controlled

1 dangerous substance in violation of the Uniform Controlled Dangerous Substances  
2 Law; ~~or,~~

3 (vii) A specifically enumerated misdemeanor.

4 (b) and whether Whether the mandatory minimum sentencing provisions of  
5 Article 893.3 have been shown to be applicable.

6 (2) Such determination is a specific finding of fact to be submitted to the jury  
7 and proven by the state beyond a reasonable doubt.

8 B. If a motion was filed by the state in compliance with Article 893.1 and the  
9 case is resolved pursuant to a plea agreement, the district attorney and the defendant  
10 may stipulate that the provisions of Article 893.3 are applicable. Any such  
11 stipulation shall identify for the court all of the following:

12 (1) The specific provision of Article 893.3 that applies.

13 (2) The specific underlying felony or specifically enumerated misdemeanor  
14 within Article 893.3 that applies.

15 Art. 893.3. Sentence imposed on felony or specifically enumerated misdemeanor in  
16 which firearm was possessed, used, or discharged

17 A. If the finder of fact finds beyond a reasonable doubt or a plea agreement  
18 is reached that includes a stipulation pursuant to Article 893.2(B) that the offender  
19 actually possessed a firearm during the commission of the felony or specifically  
20 enumerated misdemeanor for which he was convicted, the court shall impose a term  
21 of imprisonment of not less than two years nor more than the maximum term of  
22 imprisonment provided for the underlying offense; however, if the maximum  
23 sentence for the underlying offense is less than two years, the court shall impose the  
24 maximum sentence.

25 B. If the finder of fact finds beyond a reasonable doubt or a plea agreement  
26 is reached that includes a stipulation pursuant to Article 893.2(B) that the offender  
27 actually used a firearm in the commission of the felony or specifically enumerated  
28 misdemeanor for which he was convicted, the court shall impose a term of  
29 imprisonment of not less than five years nor more than the maximum term of  
30 imprisonment provided for the underlying offense; however, if the maximum

1 sentence for the underlying offense is less than five years, the court shall impose the  
2 maximum sentence.

3 C. If the finder of fact finds beyond a reasonable doubt or a plea agreement  
4 is reached that includes a stipulation pursuant to Article 893.2(B) that the offender  
5 actually discharged a firearm in the commission of the felony or specifically  
6 enumerated misdemeanor for which he was convicted, the court shall impose a term  
7 of imprisonment of not less than ten years nor more than the maximum term of  
8 imprisonment provided for the underlying offense; however, if the maximum  
9 sentence for the underlying offense is less than ten years, the court shall impose the  
10 maximum sentence.

11 D. If the finder of fact finds beyond a reasonable doubt or a plea agreement  
12 is reached that includes a stipulation pursuant to Article 893.2(B) that a firearm was  
13 actually used or discharged by the defendant during the commission of the felony for  
14 which he was convicted, and thereby caused bodily injury, the court shall impose a  
15 term of imprisonment of not less than fifteen years nor more than the maximum term  
16 of imprisonment provided for the underlying offense; however, if the maximum  
17 sentence for the underlying felony is less than fifteen years, the court shall impose  
18 the maximum sentence.

19 E.(1)(a) Notwithstanding any other provision of law to the contrary, if the  
20 finder of fact has determined or a plea agreement is reached that includes a  
21 stipulation pursuant to Article 893.2(B) that the defendant committed a felony with  
22 a firearm as provided ~~for~~ in this Article, and the crime is considered a violent felony  
23 as defined in this Paragraph, the court shall impose a minimum term of  
24 imprisonment of not less than ten years nor more than the maximum term of  
25 imprisonment provided for the underlying offense. In addition, if the firearm is  
26 discharged during the commission of such a violent felony, the court shall impose  
27 a minimum term of imprisonment of not less than twenty years nor more than the  
28 maximum term of imprisonment provided for the underlying offense.

29 \* \* \*

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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 63**

2025 Regular Session

HOUSE BILL NO. 143

BY REPRESENTATIVE MENA

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 334, relative to bail; to provide  
3 relative to notice of warrant for arrest; to provide for additional recipients of a notice  
4 of warrant for arrest; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 334 is hereby amended and reenacted  
7 to read as follows:

8 Art. 334. Notice of warrant ~~of~~ for arrest

9 After a warrant for arrest is issued, the clerk of court shall, within sixty days  
10 of the defendant's failure to appear, send a notice of warrant for arrest to the  
11 prosecuting attorney. The notice shall also be sent by United States mail or  
12 electronic means to the defendant, the bail agent or bondsman, if any, and the  
13 personal surety. Notice shall be sent by electronic means or by certified mail return  
14 receipt requested to the commercial surety. When the agent or bondsman has filed  
15 a "Notice of Electronic Notification Opt In" form with the clerk of court, the notice  
16 of warrant for arrest shall be sent to the agent or bondsman by electronic means. All  
17 notices shall be sent to the addresses provided pursuant to Article 329 or an address  
18 registered with the ~~Louisiana~~ Department of Insurance. The notice to the commercial  
19 surety shall include the power of attorney number used to execute the bail  
20 undertaking. Failure to include the power of attorney number shall not affect the  
21 validity or enforcement of a resulting judgment. After sending the notice of warrant  
22 for arrest, the clerk of court shall execute a certificate that notice was sent and place

1           the certificate in the record. Failure to send notice to the commercial surety and the  
2           agent or bondsman who has opted into electronic notification within sixty days of the  
3           defendant's failure to appear shall release the surety of all obligations under the bail  
4           undertaking.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 72**

2025 Regular Session

HOUSE BILL NO. 214

BY REPRESENTATIVE VILLIO

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 900(A)(6)(e)(i)(bb) and 901(A)  
3 and to enact Code of Criminal Procedure Article 901(D), relative to probation; to  
4 provide relative to revocation of probation; to provide relative to a technical  
5 violation of probation; to provide for an exception; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Articles 900(A)(6)(e)(i)(bb) and 901(A) are  
9 hereby amended and reenacted and Code of Criminal Procedure Article 901(D) is hereby  
10 enacted to read as follows:

11 Art. 900. Violation hearing; sanctions

12 A. After an arrest pursuant to Article 899, the court shall cause a defendant  
13 who continues to be held in custody to be brought before it within thirty days for a  
14 hearing. If a summons is issued pursuant to Article 899, or if the defendant has been  
15 admitted to bail, the court shall set the matter for a violation hearing within a  
16 reasonable time. The hearing may be informal or summary. The defendant may  
17 choose, with the court's consent, to appear at the violation hearing and stipulate the  
18 revocation by simultaneous audio-visual transmission in accordance with the



1 provisions of Article 562. If the court decides that the defendant has violated, or was  
2 about to violate, a condition of his probation, it may:

3 \* \* \*

4 (6)

5 \* \* \*

6 (e) None of the following, unless deemed a technical violation by the court  
7 when its discretion is permitted, shall be considered a technical violation nor  
8 addressed by administrative sanctions:

9 (i) Being arrested for, charged with, or convicted of any of the following:

10 \* \* \*

11 (bb) A violation of any provision of Title 40 of the Louisiana Revised  
12 Statutes of 1950, except for misdemeanor possession of marijuana, ~~or~~  
13 tetrahydrocannabinol, or chemical derivatives thereof; as provided in R.S.  
14 40:966(C)(2) or any prohibited act involving drug paraphernalia as provided in R.S.  
15 40:1023, which shall be considered a "technical violation".

16 \* \* \*

17 Art. 901. Revocation for commission of another offense

18 A. In addition to the grounds for revocation of probation enumerated in  
19 ~~Louisiana Code of Criminal Procedure Article 900, when~~ a defendant who is on  
20 probation for a felony who subsequently commits or and is convicted of a felony  
21 under the laws of this state, ~~or under the laws of~~ another state, the United States, or  
22 the District of Columbia, ~~or is convicted of a misdemeanor under the provisions of~~  
23 ~~Title 14 of the Louisiana Revised Statutes of 1950, or is convicted of a misdemeanor~~  
24 ~~under the provisions of the Uniform Controlled Dangerous Substances Law~~  
25 ~~contained in Title 40 of the Louisiana Revised Statutes of 1950, and which if~~  
26 committed in this state would be a felony, shall have his probation ~~may be~~ revoked  
27 as of the date of the commission of the felony or final conviction of the felony ~~or~~  
28 ~~misdemeanor.~~

29 \* \* \*



# ACT No. 74

2025 Regular Session

HOUSE BILL NO. 249

BY REPRESENTATIVE DEWITT

1 AN ACT

2 To amend and reenact R.S. 13:1875(12)(c) and to repeal Sections 2 and 4 of Act No. 121 of  
3 the 2023 Regular Session of the Legislature of Louisiana, relative to court costs and  
4 civil filing fees in the City Court of Alexandria; to provide for the use of court costs;  
5 to provide for the repeal of certain sunset provisions; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1875(12)(c) is hereby amended and reenacted to read as follows:

9 §1875. Compensation of city judges; particular courts

10 The judges of the following city courts shall receive the salaries provided in  
11 this Section:

12 \* \* \*

13 (12)

14 \* \* \*

15 (c)(i) One-half of civil fees assessed and collected shall be used for the  
16 operational expenses of the City Court of Alexandria and one-half thereof shall be  
17 transmitted for deposit to the general fund of the Rapides Parish Police Jury.

18 (ii) The costs collected by the City Court of Alexandria in civil cases may  
19 be used for supplementing the compensation of clerks and deputy clerks of court  
20 paid by the Rapides Parish Police Jury, by mutual consent of the judge of the City  
21 Court of Alexandria and the Rapides Parish Police Jury. The costs collected in civil  
22 cases may be used for the payment of stenographic, clerical, and other operational

1 expenses of the court without the necessity of the consent of the Rapides Parish  
2 Police Jury.

3 (iii) The costs collected by the City Court of Alexandria in civil cases may  
4 be used for supplementing the compensation of clerks and deputy clerks of court  
5 paid by the city of Alexandria, by mutual consent of the judge of the City Court of  
6 Alexandria and the city of Alexandria. The costs collected in civil cases may be used  
7 for the payment of stenographic, clerical, and other operational expenses of the court  
8 without the necessity of the consent of the city of Alexandria.

9 \* \* \*

10 Section 2. Sections 2 and 4 of Act No. 121 of the 2023 Regular Session of the  
11 Legislature of Louisiana are hereby repealed in their entirety.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 76**

2025 Regular Session

HOUSE BILL NO. 292

BY REPRESENTATIVE KNOX

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 812, relative to jury polling; to  
3 provide for polling when a verdict is not reached; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Code of Criminal Procedure Article 812 is hereby amended and reenacted  
6 to read as follows:

7 Art. 812. Same; polling and disposition of jury

8 A. ~~The~~ In all cases, the court shall order the clerk to poll the jury if requested  
9 by the state or the defendant. The poll shall be conducted in writing by applying the  
10 procedures of Subsection B of this Article, and shall be done in open court.

11 B.(1) ~~The~~ In cases in which a verdict was reached, procedure for the written  
12 polling of the jury shall require that the clerk hand to each juror a separate piece of  
13 paper containing the name of the juror and the words "Is this your verdict?" Each  
14 juror shall write on the slip of paper the words "Yes" or "No" along with his  
15 signature. The clerk shall collect the slips of paper, make them available for  
16 inspection by the court and counsel, and record the results.

17 (2) If a sufficient number of jurors as required by law to reach a verdict  
18 answer "yes" the clerk shall so inform the court. Upon verification of the results, the  
19 court shall order the clerk to record the verdict and order the jury discharged. If an  
20 insufficient number required to find a verdict answer "Yes," the court may remand  
21 the jury for further deliberation, or the court may declare a mistrial in accordance  
22 with Article 775. The polling slips may be placed under seal upon order of the court,

1           which shall state the specific reasons for placing the polling slips under seal. If so  
2           ordered the polling slips shall not be released to the public without a subsequent  
3           order of the court authorizing their release. If the court orders the release of the  
4           polling slips, the names of the jurors shall be redacted.

5                     C. In cases for which no verdict could be reached and a mistrial has been  
6                     declared under Article 775(2) of this Code, the court shall order the clerk to poll the  
7                     jury if requested by the state or the defendant. The poll shall be conducted in writing  
8                     by applying the procedures of Subsection D of this Section and shall be done in open  
9                     court.

10                    D. The procedure for the written polling of the jury shall require that the  
11                    clerk hand to each juror a separate piece of paper containing the name of the juror  
12                    and the words "What was your verdict?". Each juror shall write on the slip of paper  
13                    the words "guilty" or "not guilty" or "guilty of a lesser offense" along with his  
14                    signature. The clerk shall collect the slips of paper, make them available for  
15                    inspection by the court and counsel, and record the results. The polling slips may be  
16                    placed under seal upon order of the court, which shall state the specific reasons for  
17                    placing the polling slips under seal. If so ordered, the polling slips shall not be  
18                    released to the public without a subsequent order of the court authorizing their  
19                    release. If the court orders the release of the polling slips, the names of the jurors  
20                    shall be redacted.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 81

2025 Regular Session

HOUSE BILL NO. 361

BY REPRESENTATIVE RISER

1 AN ACT

2 To amend and reenact R.S. 13:5554(S), relative to the Franklin Parish Sheriff's Office; to  
3 provide relative to insurance premium payments for sheriff and deputy sheriff  
4 retirees; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5554(S) is hereby amended and reenacted to read as follows:

7 §5554. Group insurance; kinds; amounts; subrogation

8 \* \* \*

9 S.(1) Notwithstanding the provisions of Subsection D of this Section and  
10 Paragraphs (2) and (3) of this Subsection, one hundred percent of the premium costs  
11 of group hospital, surgical, and medical expense insurance and life insurance  
12 contracted for under the provisions of this Section shall be paid from the sheriff's  
13 general fund for any sheriff or deputy sheriff who has retired prior to December 31,  
14 2012, from the Franklin Parish Sheriff's Office and who is eligible to receive benefits  
15 from the Sheriff's Pension and Relief Fund, and who meets either one of the  
16 following conditions:

17 (a) Has attained the age of fifty-five years with twenty-four or more years  
18 of full-time service with the Franklin Parish Sheriff's Office.

19 (b) Has completed thirty years of full-time continuous service with the  
20 Franklin Parish Sheriff's Office, regardless of age.

21 (2) ~~Notwithstanding~~ In addition to Paragraph (3) of this Subsection, but  
22 notwithstanding the provisions of Paragraph (1) of this Subsection and Subsection

1            D of this Section, for any sheriff or deputy sheriff who retires on or after December  
2            31, 2012, and who is eligible to receive benefits from the Sheriff's Pension and  
3            Relief Fund, the premium costs of group hospital, surgical, and medical expense  
4            insurance and life insurance shall be paid from the sheriff's general fund as follows:

5                    (a) One hundred percent if the sheriff or deputy sheriff has completed thirty  
6                    years of full-time creditable service and has completed a majority of his creditable  
7                    service time with the Franklin Parish Sheriff's Office, regardless of age. ~~A sheriff~~  
8                    ~~or deputy sheriff's creditable days of full-time service shall be determined by the~~  
9                    ~~Louisiana Sheriff's Pension and Relief Fund.~~

10                   (b) Seventy-five percent if the sheriff or deputy sheriff has attained the age  
11                   of fifty-five years with at least twenty-seven years of full-time creditable service and  
12                   has completed a majority of his creditable service time with the Franklin Parish  
13                   Sheriff's Office. ~~A sheriff or deputy sheriff's creditable days of full-time service~~  
14                   ~~shall be determined by the Louisiana Sheriff's Pension and Relief Fund.~~

15                   (c) Fifty percent if the sheriff or deputy sheriff has attained the age of fifty-  
16                   five years with at least twenty-three years of full-time creditable service and has  
17                   completed a majority of his creditable service time with the Franklin Parish Sheriff's  
18                   Office. ~~A sheriff or deputy sheriff's creditable days of full-time service shall be~~  
19                   ~~determined by the Louisiana Sheriff's Pension and Relief Fund.~~

20                   (3) In addition to Paragraph (2) of this Subsection, but notwithstanding the  
21                   provisions of Paragraph (1) of this Subsection and Subsection D of this Section, for  
22                   any sheriff or deputy sheriff who has earned a majority of his creditable service time  
23                   with the Franklin Parish Sheriff's Office as required by Subparagraphs (a) through  
24                   (c) of this Paragraph, who retires from any sheriff's office of this state, the Louisiana  
25                   Sheriff's Association, or the Louisiana Sheriff's Pension and Relief Fund on or after  
26                   January 1, 2025, and who is eligible to receive benefits from the Sheriff's Pension  
27                   and Relief Fund, the premium costs of group hospital, surgical, and medical expense  
28                   insurance and life insurance shall be paid from the sheriff's general fund as follows:



1             (a) One hundred percent if the sheriff or deputy sheriff has completed thirty  
2             years of full-time creditable service time with the Franklin Parish Sheriff's Office,  
3             regardless of age.

4             (b) Seventy-five percent if the sheriff or deputy sheriff has attained the age  
5             of fifty-five years with at least twenty-seven years of full-time creditable service  
6             time with the Franklin Parish Sheriff's Office.

7             (c) Fifty percent if the sheriff or deputy sheriff has attained the age of fifty-  
8             five years with at least twenty-three years of full-time creditable service time with  
9             the Franklin Parish Sheriff's Office.

10            (4) For purposes of this Subsection, a sheriff or deputy sheriff's creditable  
11            days of full-time service shall be determined by the Louisiana Sheriff's Pension and  
12            Relief Fund.

13                               \*       \*       \*

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 58

BY SENATORS CONNICK, ABRAHAM, BARROW, BOUDREAUX, CARTER, CLOUD, FESI, FOIL, HENRY, HODGES, JACKSON-ANDREWS, MCMATH, MILLER, MIZELL, MYERS, SELDERS, STINE AND WHEAT AND REPRESENTATIVES ADAMS, AMEDEE, BAYHAM, BUTLER, CARRIER, CHASSION, COX, DEWITT, DOMANGUE, EDMONSTON, FIRMENT, FREIBERG, HILFERTY, HORTON, ILLG, KNOX, LARVADAIN, MCMAKIN, MILLER, MOORE, NEWELL, SCHLEGEL, SPELL, STAGNI, TAYLOR, THOMPSON, VILLIO, WALTERS AND WILDER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 14:81(A)(1) and (C) and to enact R.S. 14:81(A)(3), relative to  
3 sexual offenses affecting minors; to provide relative to the elements of indecent  
4 behavior with juveniles; 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. 14:81(A)(1) and (C) are hereby amended and reenacted and R.S.  
8 14:81(A)(3) is hereby enacted to read as follows:

9 §81. Indecent behavior with juveniles

10 A. Indecent behavior with juveniles is the commission of any of the  
11 following acts with the intention of arousing or gratifying the sexual desires of either  
12 person:

13 (1) Any lewd or lascivious act upon the person or in the presence of any child  
14 under the age of seventeen, where there is an age difference of greater than two years  
15 between the two persons. Lack of knowledge of the child's age shall not be a defense;  
16 ~~or,~~

17 \* \* \*

18 **(3) The grooming of a child under the age of seventeen, where the**  
19 **offender is at least four years older than the child. Completion or attempt to**  
20 **complete such act is not necessary to constitute grooming. Lack of knowledge**  
21 **of the child's age shall not be a defense.**

22 \* \* \*

1 C. For ~~the~~ purposes of this Section, the following terms shall have the  
2 following meanings:

3 (1) "Grooming" shall mean the pursuit of an intimate relationship with  
4 a child under the age of seventeen by means of seduction, emotional  
5 manipulation, threats, promises, coercion, enticement, isolation, or extortion  
6 with the specific intent to commit a sex offense as defined in R.S. 15:541 against  
7 the minor, whether aggravated or not.

8 (2) "~~textual~~ **Textual**, visual, written, or oral communication" means any  
9 communication of any kind, whether electronic or otherwise, made through the use  
10 of the United States mail, any private carrier, personal courier, computer online  
11 service, ~~Internet~~ **internet** service, local bulletin board service, ~~Internet~~ **internet** chat  
12 room, electronic mail, online messaging service, or personal delivery or contact.

13 \* \* \*

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 75

BY SENATOR MILLER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

Solely to reenact Sections 1, 2, and 3 of Act No. 19 of the 2024 Third Extraordinary Session of the Legislature as that Act was enacted by the legislature, which Act amended and reenacted R.S. 13:4163, relative to legislative continuances and extensions for legislators and legislative employees; to provide with respect to continuance and extension of deadlines; to authorize members of the legislature and legislative employees to file legislative continuances in certain circumstances; to provide for peremptory grounds; to provide with respect to time delays and procedures; to provide for a rebuttable presumption; to provide for service of process; to provide for notification and reporting requirements; to provide for electronic transmission; to provide for exceptions; to provide for denial of a motion for continuance or extension; to provide for the supreme court's authority to regulate disciplinary proceedings against a member of the legislature or legislative employee; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Sections 1, 2, and 3 of Act 19 of the 2024 Third Extraordinary Session of the Legislature as that Act was enacted by the legislature are hereby reenacted to read as follows:

Section 1. R.S. 13:4163 is hereby amended and reenacted to read as follows:

§4163. Motion for legislative continuance or extension of time; legislators or employees engaged in legislative or constitutional convention activities

A.(1)(a) A member of the legislature or legislative employee shall be entitled to peremptory grounds for a continuance of any court or administrative proceeding or the extension of any legal delay or deadline, excluding civil prescriptive or preemptive periods, criminal statutes of limitations, and criminal cases where the death penalty is sought, if the presence, participation, or involvement of a member

1 of the legislature or legislative employee, who is a party or an attorney for a party,  
2 is required in any criminal or civil case or administrative proceeding, including any  
3 pretrial or post-trial proceeding, during any legislative session or constitutional  
4 convention.

5 (b) For purposes of this Section, "legislative employee" means the clerk of  
6 the House of Representatives, the secretary of the Senate, and an employee of the  
7 House of Representatives, the Senate, or the Legislative Bureau, when such person  
8 is employed full-time during the legislative session or during any other time in which  
9 the continuance or extension is being sought.

10 (c) Peremptory grounds are available any time between twenty-one days  
11 before the convening of any session of the legislature or constitutional convention  
12 and thirty days after the adjournment sine die of any session of the legislature or  
13 constitutional convention.

14 (2)(a) The motion for continuance shall be filed no later than five days prior  
15 to the proceeding to be continued, or no later than five days prior to the expiration  
16 of the deadline to be extended, at no cost and shall be accompanied by an affidavit,  
17 executed by the presiding officer or the clerk or secretary of the respective house,  
18 that the legislative employee will be or is in actual attendance of a session of the  
19 legislature or constitutional convention and that it is the legislative employee's  
20 intention to participate actively in the preparation or presentation of the case.

21 (b) A member of the legislature shall not be required to submit an affidavit  
22 as required by Subparagraph (a) of this Paragraph.

23 (3)(a) The motion for continuance may be filed by electronic means such as  
24 facsimile transmission or electronic mail, or by other electronic means in accordance  
25 with Code of Civil Procedure Article 253 if the member of the legislature or  
26 legislative employee seeking the continuance provides all enrolled counsel or parties  
27 with a copy of the motion prior to or simultaneously with the transmission of the  
28 motion to the clerk of court.

29 (b) Every motion for a legislative continuance or extension shall be served  
30 by transmitting a copy by electronic means to counsel of record, or if there is no

1 counsel of record, to the adverse party, at the number or address expressly designated  
2 in a pleading or other writing for receipt of electronic service. Service by electronic  
3 means is complete upon transmission but is not effective and shall not be certified  
4 if the serving party learns the transmission did not reach the party to be served.

5 B.(1) There shall be a presumption that a motion for continuance filed within  
6 the period specified in Paragraph (A)(2) of this Section by the member of the  
7 legislature or legislative employee is proper and shall be granted within seventy-two  
8 hours of the filing of the motion. The motion shall be granted for a period of not less  
9 than forty-five days from the date of adjournment sine die of any session of the  
10 legislature or constitutional convention.

11 (2) The presumption may be overcome by clear and convincing evidence  
12 under either of the following circumstances:

13 (a) The motion is being presented for an improper purpose, such as to harass,  
14 cause unnecessary delay, or needlessly increase the cost of litigation. A showing that  
15 the continuance shall cause a delay or increase the cost of litigation shall not be  
16 sufficient grounds to overcome the presumption of granting the continuance.

17 (b) The objecting party has a substantial existing right or interest that will be  
18 defeated or abridged and will suffer substantial and immediate irreparable harm if  
19 the requested continuance is granted. Notwithstanding the provisions of this  
20 Paragraph, the court shall also consider any potential substantial and immediate  
21 irreparable harm to the party requesting the continuance which may result from  
22 requiring the party requesting the continuance to obtain new counsel with  
23 insufficient time to prepare.

24 C. The court may grant the motion ex parte or grant a hearing on a motion in  
25 opposition to the continuance or extension. If the court grants a hearing, it shall be  
26 conducted by telephone, or other electronic means, within forty-eight hours of the  
27 filing of the motion in opposition or extension.

28 D. A court denying a properly filed motion for a legislative continuance shall  
29 issue contemporaneous written reasons for the denial that shall include an analysis  
30 of Subparagraph (B)(2)(a) or (B)(2)(b) of this Section as applied to the specific facts

1 of the case.

2 E.(1) A member of the legislature or legislative employee who has filed a  
3 motion for legislative continuance that has been denied or which has not been  
4 granted within seventy-two hours may apply directly to the supreme court for  
5 supervisory writs at no cost to review the action or inaction of the court where the  
6 motion was filed, or may file an appeal at no cost with the court of appeal with  
7 jurisdiction as provided in Paragraph (2) of this Subsection.

8 (2) If a motion filed pursuant to this Section is denied or not acted upon  
9 within the requisite deadline, then such denial shall be an appealable order filed at  
10 no cost. The order of appeal shall be signed within twenty-four hours of being filed,  
11 and the provisions of Code of Civil Procedure Article 2088 shall attach.

12 (3) Upon appeal, the reviewing court shall consider de novo any denial or  
13 failure to act on a motion for legislative continuance or extension of proceeding.

14 (4) If the supreme court affirms the lower court's denial of a motion for a  
15 legislative continuance or extension based on the objecting party's overcoming the  
16 presumption pursuant to Paragraph (B)(2) of this Section, the supreme court may  
17 exercise its jurisdiction of disciplinary proceedings against the member of the  
18 legislature or legislative employee whose motion was denied or refer the matter to  
19 the office of disciplinary counsel.

20 F. Notwithstanding the provisions of this Section, if any part of the  
21 proceedings occurs on a day that a member of the legislature has been ordered by a  
22 majority vote of the elected members of each house of the legislature to attend a  
23 session day during which that house is in session, then the provisions of Article III,  
24 Section 10 of the Constitution of Louisiana shall be given effect and no legal  
25 proceedings may be conducted in the member's absence on such day. If any part of  
26 the proceeding occurs in violation of this Subsection, it shall be deemed an absolute  
27 nullity.

28 G.(1) For good cause shown, the court may consider a motion for legislative  
29 continuance or extension at any time prior to the hearing or proceeding.

30 (2) If seeking a continuance of a court proceeding or extension of any type

1 of deadline occurring outside the time frame of a legislative session or constitutional  
2 convention, a member of the legislature or legislative employee who is a party or an  
3 attorney for a party to an action may obtain a legislative continuance upon a showing  
4 of good cause. A showing, accompanied by an affidavit, that the member or  
5 employee is required to attend an interim committee hearing or other official  
6 legislative function and that the presence of the member or employee in court is  
7 necessary and essential to a fair and proper trial or other proceeding in the suit may  
8 be considered good cause.

9 H. If the attorney for a party seeking a continuance under this Section is a  
10 member of the legislature, the attorney shall also serve a copy of the motion for a  
11 legislative continuance or extension with the judicial administrator for the Louisiana  
12 Supreme Court. The copy of the motion shall be sent to the Louisiana Supreme Court  
13 contemporaneously when the attorney files the motion for legislative continuance or  
14 extension with the court.

15 I. The provisions of this Section shall not apply to proceedings wherein a  
16 temporary restraining order, protective order, preliminary injunction, permanent  
17 injunction, court-approved consent agreement resulting from an action brought, or  
18 order issued pursuant to any of the following:

19 (1) R.S. 46:2131 et seq., R.S. 46:2151 et seq., R.S. 46:2171 et seq., R.S.  
20 46:2181 et seq., R.S. 9:361 et seq., R.S. 9:372, Children's Code Article 1564 et seq.,  
21 Code of Civil Procedure Articles 3604 and 3607.1, or peace bonds pursuant to Code  
22 of Criminal Procedure Article 30(B).

23 (2) Code of Criminal Procedure, including Article 871.1, regarding the  
24 disposition and sentence of a criminal matter.

25 (3) R.S. 46:1846 to prohibit communications between offenders and victims  
26 following a charge or after sentencing for any crime of violence.

27 (4) R.S. 15:574.4.2(A)(5) as condition of a parole release that requires that  
28 the parolee stay away from any specific person.

29 J. The provisions of this Section shall not apply to child custody proceedings  
30 or proceedings pursuant to the Domestic Violence Prevention Firearm Transfer Act,



1 Code of Criminal Procedure Article 1001 et seq.

2 K. The provisions of this Section shall not apply to proceedings for writs of  
3 habeas corpus for the determination and enforcement of rights to the custody of a  
4 minor or for the release of a person in custody in which the family court has original  
5 jurisdiction.

6 Section 2. This Act shall become effective upon signature by 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 by Article III, Section 18 of the Constitution of Louisiana. If  
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
10 effective on the day following such approval.

11 Section 3. The provisions of this Act shall be given prospective and retroactive  
12 application to all actions filed or pending on or after October 25, 2024.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 99

BY SENATOR CATHEY AND REPRESENTATIVES AMEDEE, BAYHAM, CREWS, DEVILLIER, ECHOLS, EDMONSTON, EGAN, FIRMENT, JACKSON, MIKE JOHNSON, MCCORMICK, OWEN, ROMERO, SCHAMERHORN, THOMPSON, WILDER AND WYBLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 14:134(A)(2) and R.S. 32:43(A)(3), 45(A), (B)(1), and (C), 46(C) and (D), the introductory paragraph of 47(A) and 47(A)(2) and (4), and (B), 48(B)(4)(e), and 49, to enact R.S. 32:1(111), (112), and (113), 43(A)(4), 46(E), 47(A)(5), (6), (7), and (C), and 48(B)(9) and (10), and to repeal R.S. 32:44(B) and (C), relative to malfeasance in office; to provide for the provisions for malfeasance in office regarding issuance of traffic camera citations; to provide relative to traffic camera recording devices; to provide for penalties for malfeasance in office; to clarify the penalties associated with the use of automated speed enforcement devices used in certain manners; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:134(A)(2) is hereby amended and reenacted to read as follows:

§134. Malfeasance in office

A. Malfeasance in office is committed when any public officer or public employee shall:

\* \* \*

(2) Intentionally perform any such duty in an unlawful manner, **including violating the provisions of R.S. 32:43 et seq.**; or

\* \* \*

Section 2. R.S. 32:43(A)(3), 45(A), (B)(1), and (C), 46(C) and (D), the introductory paragraph of 47(A) and 47(A)(2) and (4), and (B), 48(B)(4)(e), and 49 are hereby amended and reenacted, and R.S. 32:1(111), (112), and (113), 43(A)(4), 46(E), 47(A)(5), (6), (7), and (C), and 48(B)(9) and (10) are hereby enacted to read as follows:

§1. Definitions

\* \* \*

(111) "Automated speed enforcement device" means an unmanned or handheld camera or optical device installed to work in conjunction with a traffic control signal or radar speed detection equipment, or both, and designed to collect photographic evidence of alleged traffic violations for the issuance of traffic citations by recording images that depict the license plate or other identifying feature of a motor vehicle not in compliance with instruction of a traffic control signal or posted traffic sign.

(112) "Mobile speed camera" means a device designed to collect photographic or video evidence of an alleged violation of a posted speed limit by recording images that depict the license plate or other identifying feature of a motor vehicle that is not operated in compliance with a posted speed limit sign.

(113) "Red light camera" means a device installed at an intersection designed to collect photographic or video evidence of alleged traffic violations by recording images that depict the license plate or other identifying feature of a motor vehicle that is not operated in compliance with instruction of a traffic control signal or a posted traffic sign.

\* \* \*

§43. Automated speed enforcement devices; prohibition

A. \* \* \*

(3) Automated speed enforcement devices and mobile speed cameras shall not be used anywhere other than school zones lawfully posted in accordance with R.S. 32:47. An unmanned automated speed enforcement device shall not be used to issue speeding citations in a school zone when a driver is not exceeding the posted speed limit immediately prior to the school zone if school zone signs are not posted at the entrance and exit of the school zone.

(4) The provisions contained in this Section shall not apply to a governing authority of a municipality with a population of less than sixteen thousand and more than fifteen thousand according to the latest federal

1 decennial census within a parish with a population of less than ninety thousand  
2 and more than seventy thousand according to the latest federal decennial  
3 census.

4 \* \* \*

5 §45. Required notification for automated speed enforcement devices and mobile  
6 speed ~~camera~~ cameras

7 A. Local municipal authorities or local parish authorities shall post signs  
8 indicating that a an automated speed enforcement device or mobile speed camera  
9 is present. The sign shall be posted no less than two hundred fifty feet and no more  
10 than five hundred feet of the location of each automated speed enforcement device  
11 or mobile speed camera in such a manner as to be clearly visible, not obstructed by  
12 any barrier, equipment, vegetation, or other object, and shall be easily viewable by  
13 drivers approaching the automated speed enforcement device or mobile speed  
14 camera. The sign shall comply with the current manual and specifications adopted  
15 by the Department of Transportation and Development pursuant to R.S. 32:235.

16 B.(1) Failure of a municipal or parish authority to comply with Subsection  
17 A of this Section shall prohibit the use of any photographic or video images collected  
18 by the automated speed enforcement device or mobile speed camera to impose or  
19 collect any civil or criminal fine, fee, or penalty by or on behalf of the municipal or  
20 parish authority.

21 \* \* \*

22 C. For the purposes of this Section, an "automated speed enforcement  
23 device or mobile speed camera" means a manned, unmanned, or portable device  
24 designed to collect photographic or video evidence of an alleged violation of a  
25 posted speed limit by recording images that depict the license plate or other  
26 identifying feature of a motor vehicle that is not operated in compliance with a  
27 posted speed limit sign.

28 §46. Electronic enforcement devices; school zone restrictions

29 \* \* \*

30 C. The provisions contained in this Section shall not apply to a governing

1 authority of a municipality with a population of less than sixteen thousand and  
 2 more than fifteen thousand according to the latest federal decennial census  
 3 within a parish with a population of less than ninety thousand and more than  
 4 seventy thousand according to the latest federal decennial census.

5 ~~C.(1)~~**D.(1)** Revenue generated as a result of electronic enforcement devices  
 6 in school zones shall be divided between the governing authority of the school where  
 7 the traffic citation was issued and the municipality after the governing authority pays  
 8 the contractor or vendor for the costs of providing the electronic enforcement devices  
 9 and related services.

10 (2) A cooperative endeavor agreement executed by the municipality and each  
 11 governing authority of the schools located within the municipality's boundaries shall  
 12 be in place prior to **the** implementation of automated speed enforcement devices and  
 13 mobile speed cameras.

14 ~~(3) Revenue generated within Orleans Parish outside of a school zone shall~~  
 15 ~~only be used for the purposes of stormwater drainage infrastructure, maintenance,~~  
 16 ~~and improvements.~~

17 ~~(4) Revenue generated as a result of electronic enforcement devices outside~~  
 18 ~~of a school zone shall only be used for public safety purposes.~~

19 ~~D.(1)~~**E.(1)** Any jurisdiction that submits a local match waiver for capital  
 20 outlay shall disclose the amount of revenue collected from ~~handheld traffic cameras~~  
 21 **electronic enforcement devices**. The failure to disclose the information required by  
 22 this Subsection shall result in any local match waiver being revoked.

23 (2) No local match waiver shall be revoked pursuant to this Subsection for  
 24 any of the following types of capital outlay projects:

- 25 (a) Water system projects.
- 26 (b) Sewer system projects.
- 27 (c) Natural gas system projects.

28 §47. Use of ~~handheld~~ speed recording devices; restrictions

29 A. Automated speed enforcement devices or mobile speed cameras ~~pursuant~~  
 30 ~~to R.S. 32:43 and 45 that are handheld or manned, and used to~~ issue a citation of an

1 alleged violation by mail, shall only be used by local municipal authorities or local  
2 parish authorities in the following instances:

3 \* \* \*

4 (2) The device or camera is ~~not within one half mile of a speed limit change~~  
5 ~~of ten miles per hour or greater. This provision shall not apply to school zones~~ in a  
6 school zone lawfully posted in accordance with this Subsection.

7 \* \* \*

8 (4) Upon the entrance to each school zone, there shall be painted a two-  
9 foot-wide yellow stripe completely across the roadway with "Entering School  
10 Zone" painted in twelve-inch white lettering visible therein.

11 (5) Two hundred feet before the entrance to each school zone, there shall  
12 be painted a two-foot-wide yellow stripe completely across the roadway with  
13 "School Zone Ahead" painted in twelve-inch white lettering visible therein.

14 (6) Local municipal authorities or local parish authorities shall post  
15 signs, indicating that an automated speed enforcement device camera is present,  
16 within two hundred feet of the school zone, in such a manner as to be clearly  
17 visible to traffic approaching the school zone.

18 (7)(a) If a device or camera is used while in an authorized vehicle, the  
19 authorized vehicle shall be clearly marked as a law enforcement vehicle.

20 (b) If a device or camera is used by a traffic or law enforcement officer while  
21 not in a vehicle, the officer shall wear a reflective vest, clearly indicating that the  
22 officer is law enforcement or that the officer is conducting speed enforcement  
23 measures.

24 B. Criminal fines or fees shall not be imposed as a result of ~~handheld or~~  
25 ~~manned devices~~ automated speed enforcement devices or mobile speed cameras  
26 for the purpose of issuing a citation violation by mail, nor shall failure to pay the  
27 citation result in reporting to any credit bureaus.

28 C. In addition to any other remedy provided by law, the use of handheld,  
29 manned, or unmanned automated speed enforcement devices or mobile speed  
30 cameras that can be mounted in a vehicle or deployed at various locations to

1 monitor and record the speed of passing traffic for the purpose of issuing a  
2 citation of an alleged violation by mail intentionally inconsistent with R.S. 32:43  
3 et seq., shall be punishable as provided for in R.S. 14:134.

4 §48. Violations; administrative hearing

5 \* \* \*

6 B. The administrative process shall include, at a minimum, the following:

7 \* \* \*

8 (4) It shall be an affirmative defense to the imposition of civil liability  
9 pursuant to this Subpart when:

10 \* \* \*

11 (e) At the time of the violation, the person who received the notice of  
12 violation was not the owner of the vehicle at the time of the violation or the vehicle  
13 was in the care, custody, and control of another person where the owner ~~furnishes a~~  
14 ~~truthful affidavit which provides~~ certifies or otherwise indicates that the vehicle at  
15 the time of the violation was not in his care, custody, or control or that the person  
16 was not the owner of the vehicle.

17 \* \* \*

18 (9) Any administrative hearing or judicial review of an adverse decision  
19 shall be conducted at no cost to the owner of the vehicle requesting review.

20 (10) Each mailed citation shall include a self-addressed stamped  
21 envelope, a Quick Response code, or other internet link to a portal that provides  
22 vehicle owners access to the certification referenced in Subparagraph (4)(e) of  
23 this Subsection without a fee.

24 §49. Citations

25 A. Citations issued for ~~violations of R.S. 32:47 and 48~~ through the use of  
26 automated speed enforcement devices or mobile speed cameras shall contain on  
27 the back of the citation an attestation wherein the driver who receives the violation  
28 can attest either that at the time of the violation, the person who received the notice  
29 of violation was not the owner of the vehicle or that the vehicle was in the care,  
30 custody, and control of another at the time of the violation. Nothing in this Section

1 shall require that the owner's attestation referenced in this Section be notarized.

2 The driver who receives the violation shall have the option to provide information  
3 on who was the owner or driver of the vehicle at the time of the violation but shall  
4 not be required to do so.

5 B. Citations issued through the use of automated speed enforcement  
6 devices, red light cameras, or mobile speed cameras that become final  
7 delinquent debts, pursuant to R.S. 32:8, shall not be referred to the office of  
8 debt recovery within the Department of Revenue.

9 Section 3. R.S. 32:44(B) and (C) are hereby repealed.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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



# ACT No. 124

2025 Regular Session

HOUSE BILL NO. 35

BY REPRESENTATIVES ROMERO AND TARVER

1 AN ACT

2 To amend and reenact R.S. 14:100(C)(2), relative to the crime of hit-and-run driving; 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. 14:100(C)(2) is hereby amended and reenacted to read as follows:

6 §100. Hit-and-run driving

7 \* \* \*

8 C.

9 \* \* \*

10 (2) Whoever commits the crime of hit-and-run driving; when death or  
11 serious bodily injury is a direct result of the accident, ~~and~~ when the driver knew or  
12 should have known that death or serious bodily injury has occurred, and the driver's  
13 vehicle was directly involved in the accident, shall be fined not more than five  
14 thousand dollars or imprisoned with or without hard labor for not less than two years  
15 nor more than ten years, two of which shall be served without the benefit of parole,  
16 probation, or suspension of sentence, or both.

17 \* \* \*

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 128

2025 Regular Session

HOUSE BILL NO. 49

BY REPRESENTATIVES MELERINE, BACALA, BAMBURG, BOYER, CHASSION, COX, FONTENOT, HORTON, KNOX, LAFLEUR, MOORE, AND WILEY AND SENATORS PRESSLY AND SEABAUGH

1 AN ACT

2 To amend and reenact R.S. 15:572.4(B)(2), 573, and 574.2(D)(9)(a), R.S. 42:17(A)(10), and  
3 R.S. 44:4.1(B)(8) and to enact R.S. 14:81.5.1, R.S. 15:574.4.1(A)(3) and 574.12.1,  
4 and R.S. 42:17(A)(11), relative to records from certain hearings of the Board of  
5 Pardons and committee on parole; to create the crime of unlawful posting of certain  
6 hearings of the Board of Pardons and committee on parole; to provide for exceptions;  
7 to provide for penalties; to provide for a public records exception; to provide for  
8 disclosure procedures; to provide for a protective order; to provide relative to  
9 procedures and sessions before the Board of Pardons and committee on parole; to  
10 provide for an exception to open meetings; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 14:81.5.1 is hereby enacted to read as follows:

13 §81.5.1. Unlawful posting; records of certain hearings of the Board of Pardons and  
14 committee on parole

15 A. It shall be unlawful for any person to knowingly and intentionally obtain  
16 any audio, written, or visual recording of any testimony presented by a victim, or the  
17 spouse or next of kin of a deceased victim, during an executive session of the Board  
18 of Pardons and committee on parole and to transfer such recording by the use of a  
19 computer online service, internet service, or any other means of electronic  
20 communication. Such service or communication shall include but not be limited to  
21 a local bulletin board service, internet chat room, electronic mail, or online  
22 messaging service.

23 B. The provisions of this Section shall not prohibit any of the following from  
24 requesting and obtaining a copy of the recording:

25 (1) The defendant.

1                   (2) The lawyer or legal representative of the defendant.

2                   (3) The victim, or spouse or next of kin of a deceased victim.

3                   (4) The legal guardian of the victim.

4                   (5) Any person who has been granted authorization pursuant to R.S.  
5                   15:574.12.1.

6                   C. Whoever violates the provisions of this Section shall be fined not more  
7                   than five hundred dollars or imprisoned for not more than six months, or both.

8                   Section 2. R.S. 15:572.4(B)(2), 573, and 574.2(D)(9)(a) are hereby amended and  
9                   reenacted and R.S. 15:574.4.1(A)(3) and 574.12.1 are hereby enacted to read as follows:

10                  §572.4. Board of Pardons; rules, regulations, and procedures; notice; restrictions on  
11                  applications; time periods for additional review

12   \*         \*         \*

13                  B.

14   \*         \*         \*

15                   (2)(a) The victim, or the spouse or next of kin of a deceased victim, shall be  
16                   allowed to testify at the hearing and shall be allowed to present such testimony in  
17                   executive session at his request.

18                   (b) The victim, or the spouse or next of kin of a deceased victim, shall be  
19                   allowed to testify directly, or in rebuttal to testimony or evidence offered by or on  
20                   behalf of the offender, or both. The victim, or spouse or next of kin of a deceased  
21                   victim, shall be allowed to present such testimony in executive session at his request.

22   \*         \*         \*

23                  §573. Sessions of Board of Pardons open

24                   A. All sessions of the Board of Pardons shall be public except as provided  
25                   in Subsection B of this Section. No action shall be taken by the board on any pardon  
26                   application at any time other than during a meeting that is open to the public. Any  
27                   pardon or commutation of sentence granted outside of an open, public meeting of the  
28                   board shall be null, void, and of no effect.

29                   B. The victim, or the spouse or next of kin of a deceased victim, shall be  
30                   allowed to present testimony in executive session at his request.

31   \*         \*         \*

1           §574.2. Committee on parole, Board of Pardons; membership; qualifications;  
 2                       vacancies; compensation; domicile; venue; meetings; quorum; panels;  
 3                       powers and duties; transfer of property to committee; representation of  
 4                       applicants before the committee; prohibitions

5   \*       \*       \*

6                       D. In accordance with the provisions of this Part, the committee on parole  
 7                       shall have the following powers and duties:

8   \*       \*       \*

9                       (9)(a)(i) To notify the victim, or the spouse or next of kin of a deceased  
 10                       victim, when the offender is scheduled for a parole hearing. The notification shall  
 11                       be in writing and sent by mail or electronic communications no less than ninety days  
 12                       prior to the hearing date. The notice shall advise the victim, or the spouse or next of  
 13                       kin of a deceased victim, how to obtain information about their rights with regard to  
 14                       the hearing. The notice is not required when the victim, or the spouse or next of kin  
 15                       of a deceased victim, advises the committee in writing that such notification is not  
 16                       desired.

17                       (ii) The victim, or the spouse or next of kin of a deceased victim, shall be  
 18                       allowed to testify at the hearing and shall be allowed to present such testimony in  
 19                       executive session at his request. The victim, or the spouse or next of kin of a  
 20                       deceased victim, shall be allowed to testify directly and in rebuttal to testimony or  
 21                       evidence offered by or on behalf of the offender and shall be allowed to present such  
 22                       testimony in executive session at his request.

23                       (iii) Nothing in this Chapter or any other provision of law shall prevent either  
 24                       a victim from disclosing his identity or the spouse or next of kin of a deceased victim  
 25                       from disclosing the identity of the victim while testifying at any meeting or hearing  
 26                       of the Board of Pardons and committee on parole.

27   \*       \*       \*

28           §574.4.1. Parole consideration and hearings

29                       A.

30   \*       \*       \*

1                   (3) The victim, or the spouse or next of kin of a deceased victim, shall be  
 2                   allowed to present testimony in executive session at his request.

3   \*           \*           \*

4                   §574.12.1. Testimony provided in executive session before the Board of Pardons  
 5                   and committee on parole; confidentiality

6                   A.(1) Any testimony presented at a meeting or hearing of the Board of  
 7                   Pardons and committee on parole that has been conducted in executive session is  
 8                   confidential and is not subject to the Public Records Law.

9                   (2) Disclosure of any testimony presented in executive session may be made  
 10                   only by order of the Nineteenth Judicial District Court pursuant to this Section.

11                   B. The court may authorize the release of a copy of the testimony presented  
 12                   in executive session if all of the following conditions are met:

13                   (1) A request to obtain a copy of the testimony has been submitted to the  
 14                   court.

15                   (2) An in-camera inspection has occurred and the court has determined that  
 16                   the testimony is relevant and necessary to the purposes set forth by the requestor.

17                   (3) The requestor has satisfied his burden by clear and convincing evidence  
 18                   regarding why he is entitled to obtain a copy of the testimony.

19                   C.(1) If the requirements of Subsection B of this Section have been met, the  
 20                   court may order in writing that a copy of the testimony be disclosed to the requestor  
 21                   or his legal representative subject to a five-day protective order pursuant to  
 22                   Paragraph (2) of this Subsection.

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

24                   (a) The name of the requestor and his legal representative, if applicable, who  
 25                   are the only individuals permitted to view or be in possession of the testimony.

26                   (b) The testimony is in the exclusive custody of the court and that the  
 27                   testimony shall not be copied, photographed, duplicated, or otherwise reproduced  
 28                   except as a written transcript that protects the identity of the victim by the use of  
 29                   initials.

1                    (c) If the requestor is not represented by an attorney, the requestor shall not  
 2                    be given a copy of the testimony but shall be given reasonable access to view the  
 3                    testimony by the custodian of the testimony.

4                    (d) Attorneys and custodians of the testimony shall file their copy of the  
 5                    testimony with the clerk of court of the Nineteenth Judicial District under the seal  
 6                    of the court upon expiration of the protective order.

7                    (e) The unlawful possession, sale, duplication, distribution, transfer, copying,  
 8                    or posting of any testimony presented by a victim, or the spouse or next of kin of a  
 9                    deceased victim, during an executive session of the Board of Pardons and committee  
 10                   on parole is punishable pursuant to R.S. 14:81.5.1.

11                   D. Any violation of this Section shall be punishable as contempt of court.

12                   E. The conditions of Subsection B of this Section shall not apply to the  
 13                   following persons who request a copy of the testimony:

- 14                   (1) The defendant.
- 15                   (2) The lawyer or legal representative of the defendant.
- 16                   (3) The victim, or spouse or next of kin of a deceased victim.
- 17                   (4) The legal guardian of the victim.

18                   F. Nothing in this Section shall prevent the Department of Public Safety and  
 19                   Corrections or law enforcement from sharing information as authorized or required  
 20                   by state or federal law.

21                   Section 3. R.S. 42:17(A)(10) is hereby amended and reenacted and R.S.  
 22                   42:17(A)(11) is hereby enacted to read as follows:

23                   §17. Exceptions to open meetings

24                   A. A public body may hold an executive session pursuant to R.S. 42:16 for  
 25                   one or more of the following reasons:

\*       \*       \*

27                   (10) The portion of any meeting or hearing of the Board of Pardons or  
 28                   committee on parole during which a victim or the spouse or next of kin of a deceased  
 29                   victim presents testimony pursuant to R.S. 15:572.4, 573, 574.2, or 574.4.1.

1                    (11) ~~Or~~ Consideration of any other matters now provided for or as may be  
2                    provided for by the legislature.

3   \*       \*       \*

4                    Section 4. R.S. 44:4.1(B)(8) is hereby amended and reenacted to read as follows:

5                    §4.1. Exceptions

6   \*       \*       \*

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

12   \*       \*       \*

13                                  (8) R.S. 15:242, 440.6, 440.8, 477.2, 549, 570, 574.12, 574.12.1, 578.1, 587,  
14                                  587.1.2, 616, 660, 840.1, 1176, 1204.1, 1212.1(E), 1507

15   \*       \*       \*

16                    Section 5. This Act shall be cited and referred to as "The Maggie Grace Act".

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 137

2025 Regular Session

HOUSE BILL NO. 96

BY REPRESENTATIVES KNOX AND CHASSION

1 AN ACT

2 To amend and reenact R.S. 13:5364(1), R.S. 14:34(C), 34.1(B), and 34.7(B), R.S.  
3 15:1199.23(2), R.S. 17:269 and 1915(Article II)(R), R.S. 37:3651(N) and 3662(2),  
4 R.S. 46:121(1)(a) and (4)(introductory paragraph), and R.S. 47:463.195(C), relative  
5 to definitions of the United States Armed Forces; to provide for the inclusion of the  
6 United States Space Force in various statutory definitions of United States Armed  
7 Forces; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:5364(1) is hereby amended and reenacted to read as follows:

10 §5364. Definitions

11 For the purposes of this Chapter:

12 (1) "Veteran" means a former or current member of the United States Armed  
13 Forces or organized militia of the several states and territories, including but not  
14 limited to a member of the Army, Navy, Air Force, Space Force, Marine Corps,  
15 Coast Guard, National Guard, Air National Guard, Reserves, State Guard, or a  
16 commissioned officer of the Public Health Service, Environmental Science Services  
17 Administration, or National Oceanic and Atmospheric Administration, or its  
18 predecessor, the United States Coast and Geodetic Survey.

19 \* \* \*

20 Section 2. R.S. 14:34(C), 34.1(B), and 34.7(B) are hereby amended and reenacted  
21 to read as follows:

22 §34. Aggravated battery

23 \* \* \*



1 C. For purposes of this Section, the following words shall have the following  
2 meanings:

3 (1) "Active member of the United States Armed Forces" shall mean an active  
4 member of the United States Army, the United States Marine Corps, the United  
5 States Navy, the United States Air Force, the United States Space Force, the United  
6 States Coast Guard, or the National Guard.

7 (2) "Disabled veteran" shall mean a veteran member of the United States  
8 Army, the United States Marine Corps, the United States Navy, the United States Air  
9 Force, the United States Space Force, the United States Coast Guard, or the National  
10 Guard who is disabled as determined by the United States Department of Veteran  
11 Affairs.

12 §34.1. Second degree battery

13 \* \* \*

14 B. For purposes of this Section, the following words shall have the following  
15 meanings:

16 (1) "Active member of the United States Armed Forces" shall mean an active  
17 member of the United States Army, the United States Marine Corps, the United  
18 States Navy, the United States Air Force, the United States Space Force, the United  
19 States Coast Guard, or the National Guard.

20 (2) "Disabled veteran" shall mean a veteran member of the United States  
21 Army, the United States Marine Corps, the United States Navy, the United States Air  
22 Force, the United States Space Force, the United States Coast Guard, or the National  
23 Guard who is disabled as determined by the United States Department of Veteran  
24 Affairs.

25 \* \* \*

26 §34.7. Aggravated second degree battery

27 \* \* \*

28 B. For purposes of this Section, the following words shall have the following  
29 meanings:

1 (1) "Active member of the United States Armed Forces" shall mean an active  
2 member of the United States Army, the United States Marine Corps, the United  
3 States Navy, the United States Air Force, the United States Space Force, the United  
4 States Coast Guard, or the National Guard.

5 (2) "Disabled veteran" shall mean a veteran member of the United States  
6 Army, the United States Marine Corps, the United States Navy, the United States Air  
7 Force, the United States Space Force, the United States Coast Guard, or the National  
8 Guard who is disabled as determined by the United States Department of Veteran  
9 Affairs.

10 \* \* \*

11 Section 3. R.S. 15:1199.23(2) is hereby amended and reenacted to read as follows:

12 §1199.23. Definitions

13 For the purposes of this Part:

14 \* \* \*

15 (2) "Veteran" means an honorably or generally discharged member of the  
16 United States Armed Forces or organized militia of the several states and territories,  
17 including but not limited to a member of the Army, Navy, Air Force, Space Force,  
18 Marine Corps, Coast Guard, National Guard, Air National Guard, Reserves, State  
19 Guard, or a commissioned officer of the Public Health Service, Environmental  
20 Science Services Administration, or National Oceanic and Atmospheric  
21 Administration, or its predecessor, the United States Coast and Geodetic Survey.

22 Section 4. R.S. 17:269 and 1915(Article II)(R) are hereby amended and reenacted  
23 to read as follows:

24 §269. Selective service obligation orientation program

25 The state board of education may establish and administer, and each parish  
26 and city school board in the state may maintain in each public school to which  
27 applicable a selective service obligation orientation program of instruction which  
28 may be part of the required curriculum for all male students in grades higher than the  
29 eighth grade in the public schools of this state.

1           The program so established may require that every male student in the ninth,  
 2           tenth and eleventh grades be given one hour of non credit instruction during each  
 3           semester of each of such grades, by representatives of the Louisiana Selective  
 4           Service System, in subject matter pertaining to armed forces obligations.

5           During the second semester of the twelfth grade every male student may be  
 6           given six hours of instruction, without credit, in matters pertaining to his armed  
 7           forces obligations, including but not necessarily restricted to matters relating to  
 8           service in the regular armed forces, the reserves and officer procurement. Such  
 9           instruction may include one hour of lecture by representatives of each of the  
 10          following: (1) the Louisiana Selective Service System, (2) the ~~Air Forces of the~~  
 11          United States Air Force, (3) the United States Space Force, (4) the United States  
 12          Army, ~~(4)~~ (5) the United States Navy, ~~(5)~~ (6) the United States Marine Corps, and  
 13          ~~(6)~~ (7) the United States Coast Guard.

14                                   \*       \*       \*

15          §1915. Ratification; text of compact

16                                   \*       \*       \*

17                                   ARTICLE II

18                                   DEFINITIONS

19           As used in this compact, unless the context clearly requires a different  
 20          construction:

21                                   \*       \*       \*

22           R. "Uniformed service" means the Army, Navy, Air Force, Space Force,  
 23          Marine Corps, Coast Guard as well as the Commissioned Corps of the National  
 24          Oceanic and Atmospheric Administration, and Public Health Services.

25                                   \*       \*       \*

26          Section 5. R.S. 37:3651(N) and 3662(2) are hereby amended and reenacted to read  
 27          as follows:

28          §3651. Licensure for individuals with military training and experience; licensure by  
 29          endorsement for military spouses and dependents

30                                   \*       \*       \*

1           N. For the purposes of this Section, "military" means the armed forces or  
 2 reserves of the United States, including the Army, Navy, Marine Corps, Coast  
 3 Guard, Air Force, Space Force, and the reserve components thereof, the National  
 4 Guard of any state, the Military Reserves of any state, or the naval militia of any  
 5 state.

6   \*       \*       \*

7           §3662. Definitions

8   As used in this Chapter, the following words have the following meanings  
 9 unless the context clearly requires otherwise:

10   \*       \*       \*

11           (2) "Military medical personnel" means an individual who has recently  
 12 served as a medic in the United States Army, medical technician in the United States  
 13 Air Force or United States Space Force, or corpsman in the United States Navy or  
 14 the United States Coast Guard and who was discharged or released from such service  
 15 under conditions other than dishonorable.

16   \*       \*       \*

17           Section 6. R.S. 46:121(1)(a) and (4)(introductory paragraph) are hereby amended  
 18 and reenacted to read as follows:

19           §121. Definitions

20   For purposes of this Part, the following terms shall be defined as follows:

21           (1) "Activated military person" means a person domiciled in Louisiana for  
 22 civilian purposes who names Louisiana as Home of Record (HOR) for military  
 23 purposes, and who is any of the following:

24           (a) A member of a reserve component of the United States Army, Navy, Air  
 25 Force, Space Force, Marine Corps, or Coast Guard, including the Louisiana National  
 26 Guard, and called to active federal service in excess of thirty days.

27   \*       \*       \*

28           (4) "Honorably discharged military person" means a person domiciled in  
 29 Louisiana who is a veteran of the United States Army, Navy, Air Force, Space Force,  
 30 Marine Corps, or Coast Guard who was on full-time active duty in the military

1 service of the United States and received an honorable discharge and has met any of  
2 the following conditions:

3 \* \* \*

4 Section 7. R.S. 47:463.195(C) is hereby amended and reenacted to read as follows:

5 §463.195. Special prestige license plate; "Blue Star Mothers"

6 \* \* \*

7 C. The special prestige license plate shall be issued, upon application, in the  
8 same manner as any other motor vehicle license plate, to a Louisiana resident who  
9 submits written evidence that the applicant is the owner of a motor vehicle and is the  
10 spouse, sibling, parent, or child of a person serving or who has served in the armed  
11 forces of the United States. As used in this Subsection, "armed forces of the United  
12 States" means persons serving or who have served in the United States Army, Navy,  
13 Air Force, Space Force, Marines, and Coast Guard, reservists, and members of the  
14 National Guard. The plate issued under this Section shall not be transferable between  
15 motor vehicle owners. In the event the owner of a motor vehicle issued a "Blue Star  
16 Mothers" plate should sell, trade, exchange, or otherwise dispose of such vehicle, the  
17 plate shall be retained by original applicant to whom the plate was issued.

18 \* \* \*

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 140

2025 Regular Session

HOUSE BILL NO. 100

BY REPRESENTATIVE LYONS AND SENATOR BARROW

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AN ACT

To amend and reenact the heading of Part III of Chapter 10 of Title 15 of the Louisiana Revised Statutes of 1950 and R.S. 15:1313(Section heading), (A), (B)(introductory paragraph), and (C) and 1318(H)(introductory paragraph) and Code of Criminal Procedure Article 311(5)(introductory paragraph) and to enact R.S. 15:1302(21) and 1318(E)(3) and (H)(6), relative to bail bond enforcement; to provide for definitions; to provide for penalties; to provide for eligibility to obtain an order for the use of a cellular tracking device; to provide for the reporting of information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Part III of Chapter 10 of Title 15 of the Louisiana Revised Statutes of 1950 and R.S. 15:1313(Section heading), (A), (B)(introductory paragraph), and (C) and 1318(H)(introductory paragraph) are hereby amended and reenacted and R.S. 15:1302(21) and 1318(E)(3) and (H)(6) are hereby enacted to read as follows:

§1302. Definitions

As used in this Chapter:

\* \* \*

(21) "Bail enforcement agent" means a licensed bail agent who engages in the apprehension or surrender by a natural person of a principal who is released on bail or who has failed to appear at any stage of the proceedings to answer the charge before the court in which the principal may be prosecuted.

\* \* \*

1 PART III. PEN REGISTERS, ~~AND~~ TRAP AND TRACE DEVICES, AND CELLULAR  
2 TRACKING DEVICES

3 §1313. Pen registers, ~~and~~ trap and trace devices, and cellular tracking devices; use  
4 prohibited

5 A. Except as provided in this Section, no person ~~may~~ shall do any of the  
6 following:

7 (1) ~~install~~ Install or use a pen register, ~~or~~ a trap and trace device, or a cellular  
8 tracking device without first obtaining a court order under R.S. 15:1315 or 1318 of  
9 this Part.

10 (2) Install or use a pen register, trap and trace device, or a cellular tracking  
11 device in an unauthorized manner or for any purpose not related to an ongoing law  
12 enforcement investigation pursuant to the applicable court order obtained under R.S.  
13 15:1315 or 1318 of this Part.

14 B. The prohibition of this Section does not apply with respect to the use of  
15 a pen register, ~~or~~ a trap and trace device, or a cellular tracking device by a provider  
16 of a wire or electronic communication service:

17 \* \* \*

18 C.(1) Whoever intentionally violates Subsection A of this Section shall be  
19 fined not more than five thousand dollars, ~~or~~ imprisoned with or without hard labor  
20 for not more than one year, or both.

21 (2) In addition to the penalties provided in Paragraph (1) of this Subsection,  
22 a bail enforcement agent who intentionally violates Paragraph (A)(2) of this Section  
23 shall be punished as follows:

24 (a) Upon a first conviction, the agent shall be fined not more than two  
25 thousand five hundred dollars and his bail bond producer license shall be suspended  
26 for a period of six months.

27 (b) Upon a second or subsequent conviction, the bail bond producer license  
28 of the agent shall be permanently revoked.

29 \* \* \*

1 §1318. Issuance of an order for a cellular tracking device

2 \* \* \*

3 E. An order authorizing or approving the use of a cellular tracking device  
4 shall direct that:

5 \* \* \*

6 (3) If the approved applicant is a bail enforcement agent, the applicant shall  
7 enter into the court record all information that is collected and obtained from the  
8 investigation pursuant to the applicable court order.

9 \* \* \*

10 H. For the purposes of this ~~Section and R.S. 15:1317~~ Part, "investigative or  
11 law enforcement officer" means:

12 \* \* \*

13 (6) A bail enforcement agent when both of the following have occurred  
14 relative to the defendant who is the subject of the order:

15 (a) A bail undertaking with a commercial surety is in place for the defendant.

16 (b) A bench warrant has been issued for the defendant's failure to appear.

17 Section 2. Code of Criminal Procedure Article 311(5)(introductory paragraph) is  
18 hereby amended and reenacted to read as follows:

19 Art. 311. Definitions

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

21 \* \* \*

22 (5) A surety's motion and affidavit for issuance of warrant may be filed when  
23 the defendant is found incarcerated in another parish of the state of Louisiana or a  
24 foreign jurisdiction and a warrant has not been issued by the court or in which the  
25 bail obligation is in place. In such instances, the surety may file a motion with the  
26 court requesting a warrant be issued when the following conditions have been met:

27 \* \* \*



1           Section 3. The Louisiana State Law Institute is hereby authorized and directed to  
2 arrange in alphabetical order and renumber the definitions provided in R.S. 15:1302.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 142

2025 Regular Session

HOUSE BILL NO. 111

BY REPRESENTATIVES VILLIO, ADAMS, BACALA, COX, HORTON, MOORE, AND WILEY AND SENATOR BASS

1 AN ACT

2 To amend and reenact R.S. 14:91.1(D) and to enact R.S. 14:91.1(A)(3) and 91.2(A)(7),  
3 relative to offenses affecting the health and morals of minors; to provide relative to  
4 certain sex offenders; to provide for elements that constitute the unlawful presence  
5 of a sexually violent predator; to provide for elements that constitute the unlawful  
6 presence of a sex offender; to provide for definitions; and to provide for related  
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:91.1(D) is hereby amended and reenacted and R.S. 14:91.1(A)(3)  
10 and 91.2(A)(7) are hereby enacted to read as follows:

11 §91.1. Unlawful presence of a sexually violent predator

12 A. Unlawful presence of a sexually violent predator is any of the following:

13 \* \* \*

14 (3)(a) Loitering between the hours of 6:00 a.m. and 9:00 a.m. or 2:00 p.m.  
15 and 5:00 p.m. within five hundred feet of a location that is commonly used for the  
16 pickup or drop-off of children for school or a school-related activity when a child is  
17 present and the offender has reasonable grounds to believe that a child or children  
18 are awaiting pickup or drop off from school or a school-related activity.

19 (b) For the purposes of this Paragraph, "reasonable grounds" includes but is  
20 not limited to attire of the child or children, personal items or effects, school  
21 supplies, athletic equipment, or the time of day.

22 \* \* \*

23 D. For the purposes of this Section:

24 (1) "Loitering" means lingering, remaining, or prowling in a public place or  
25 on the premises of another for a protracted period of time without lawful business  
26 or reason to be present.



# ACT No. 145

2025 Regular Session

HOUSE BILL NO. 123

BY REPRESENTATIVE CARLSON

1 AN ACT

2 To amend and reenact R.S. 13:4521(B) and to enact R.S. 13:4521(A)(6), relative to deferral  
3 of costs and fees associated with electronic filing requirements; to provide for  
4 definitions; to provide relative to periods within which to pay court costs; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:4521(B) is hereby amended and reenacted and R.S. 13:4521(A)(6)  
8 is hereby enacted to read as follows:

9 §4521. State and its subdivisions; temporary deferral of court costs; exceptions

10 A.

11 \* \* \*

12 (6) As the term is used in this Section, "court costs" include costs, user fees,  
13 and recording fees charged by each clerk of court or third party vendor for electronic  
14 filing of civil and criminal pleadings authorized by R.S. 13:754, fees for electronic  
15 filing of documents authorized by R.S. 13:841 and Code of Civil Procedure Article  
16 253(B), and related convenience, transaction, or service fees for electronic filings.

17 B. Except when the law imposes personal responsibility for costs on the  
18 agent, officers, or employees, it shall be the responsibility of the governmental  
19 entities who temporarily defer costs as set forth in this Section to pay any deferred  
20 costs assessed against them or their agents, officers, or employees, ~~within thirty days~~  
21 ~~of the judgment becoming final~~ or to assist in the collection of court costs due by the  
22 opposing litigants by requesting the court to tax costs in accordance with the

1 provisions of Article 1920 of the Code of Civil Procedure by requesting that the  
 2 court include the cost assessment in a judgment dismissing a claim against the  
 3 governmental entity or any agent, officer, or employee thereof. When a judgment  
 4 is rendered against the state, political subdivision, or agent, officer, or employee  
 5 thereof, the costs shall not be payable to the clerk of court or third-party vendor until  
 6 the judgment becomes final and definitive under the provisions of Articles 2166 and  
 7 2167 of the Code of Civil Procedure or otherwise nonappealable or nonreviewable,  
 8 and until all issues in the judicial proceeding are adjudicated. The state, political  
 9 subdivision, or agent, officer, or employee thereof shall withhold any court costs due  
 10 by the opposing litigants from any settlement payment made to the parties and shall  
 11 forward such costs to the clerk of court.

12 \* \* \*

\_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 147**

2025 Regular Session

HOUSE BILL NO. 134

BY REPRESENTATIVE WILFORD CARTER

1 AN ACT

2 To amend and reenact R.S. 13:2079.1, relative to city courts; to provide relative to the office  
3 of the Ward Three marshal of the city court of Lake Charles; to provide relative to  
4 the payment of a supplemental salary for deputy marshals; to authorize compensation  
5 from community policing; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:2079.1 is hereby amended and reenacted to read as follows:

8 §2079.1. Lake Charles; Ward Three marshal; civil fees and costs; special account;  
9 compensation of deputy marshals

10 The Ward Three marshal of the city court of Lake Charles may deposit a  
11 portion of his salary derived from fees and costs of office collected in civil matters  
12 pursuant to ~~R.S. 33:1704~~ R.S. 13:5807 into a special account, which account shall  
13 be in the name of and under the control of the marshal. The marshal is authorized  
14 to use funds in this account to supplement the salary a deputy marshal receives as  
15 compensation from the local governing authority and community policing and to  
16 defray operational expenses of the office and as may otherwise be useful and  
17 necessary for the proper conduct of the office of the marshal. Each individual deputy

1 marshal shall be responsible for payment of any additional payroll taxes due on the  
2 supplemental salary received by him. In no event shall the salary of any deputy  
3 marshal exceed that of the Ward Three marshal of the city court of Lake Charles.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 149

2025 Regular Session

HOUSE BILL NO. 141

BY REPRESENTATIVE HUGHES

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AN ACT

To enact Code of Criminal Procedure Article 331(M), relative to bail; to provide relative to the discharge of bail obligations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 331(M) is hereby enacted to read as follows:

Art. 331. Discharge of bail obligation

\* \* \*

M. At any time prior to the defendant's failure to appear or within one hundred eighty days after the notice of warrant for arrest is sent, the surety may file proof of the defendant's deportation with the clerk of court. If the surety is unable to obtain proof of deportation, the surety or the court may invoke a contradictory hearing in order to establish proof of the defendant's deportation. If the court determines that the defendant's deportation has occurred, the surety shall be fully and finally discharged and relieved of any and all obligations under the bail undertaking.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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



# ACT No. 155

2025 Regular Session

HOUSE BILL NO. 177

BY REPRESENTATIVE BROWN

1 AN ACT

2 To enact R.S. 13:2623, relative to the Iberville Parish justice of the peace courts; to provide  
3 for the territorial jurisdiction of such courts; to provide relative to the election to the  
4 offices of justice of the peace and constable; to provide for effectiveness; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:2623 is hereby enacted to read as follows:

8 §2623. Territorial jurisdiction; Iberville Parish justice of the peace courts and  
9 constables

10 A. The territorial limits of the justice of the peace districts and courts in  
11 Iberville Parish shall be as follows:

12 (1) The first justice of the peace district and court shall consist of Precincts  
13 1, 3, 4, 5, 6, and 7 of Iberville Parish.

14 (2) The second justice of the peace district and court shall consist of  
15 Precincts 9, 10, 10B, 11, and 12 of Iberville Parish.

16 (3) The third justice of the peace district and court shall consist of Precincts  
17 13, 14, 14A, 15, 17, and 18 of Iberville Parish.

18 (4) The fourth justice of the peace district and court shall consist of Precincts  
19 19, 20, 21, and 22 of Iberville Parish.

20 (5) The fifth justice of the peace district and court shall consist of Precincts  
21 15A, 16, 24, and 25 of Iberville Parish.

1                   (6) The sixth justice of the peace district and court shall consist of Precincts  
 2                   26, 27, 28, 29, 31, and 32 of Iberville Parish.

3                   B. The persons elected to the offices of justice of the peace and constable for  
 4                   such justice of the peace courts in Iberville Parish at the regularly scheduled election  
 5                   in 2026 and their successors shall be elected from the districts provided in this  
 6                   Section.

7                   Section 2.(A) The precincts referenced in this Act are those contained in the file  
 8                   named "2025 Precinct Shapefiles (01-16-2025)" available on the Legislature of Louisiana's  
 9                   website on the effective date of this Section. The 2025 Precinct Shapefiles are based upon  
 10                  those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line  
 11                  Shapefiles for the State of Louisiana as those files have been modified and validated through  
 12                  the data verification program of the Louisiana House of Representatives and the Louisiana  
 13                  Senate to represent precinct changes submitted through January 16, 2025, to the Legislature  
 14                  of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and  
 15                  532.1.

16                  (B) When a precinct referenced in this Act has been subdivided by action of the  
 17                  parish governing authority on a nongeographic basis or subdivided by action of the parish  
 18                  governing authority on a geographic basis in accordance with the provisions of R.S.  
 19                  18:532.1, the enumeration in this Act of the general precinct designation shall include all  
 20                  nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
 21                  designated.

22                  (C) The territorial limits of the districts as provided in this Act shall continue in  
 23                  effect without change regardless of any changes made to the precincts by the parish  
 24                  governing authority.

25                  Section 3.(A) This Act shall become effective for purposes of the regularly  
 26                  scheduled 2026 primary election for justices of peace and constables in Iberville Parish upon  
 27                  signature by the governor or, if not signed by the governor, upon expiration of the time for  
 28                  bills to become law without signature by the governor, as provided by Article III, Section  
 29                  18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved  
 30                  by the legislature, this Act shall become effective for purposes of the regularly scheduled

1 2026 primary election for justices of peace and constables in Iberville Parish on the day  
2 following such approval.

3 (B) This Act shall become effective for all other purposes on January 1, 2027.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 158

2025 Regular Session

HOUSE BILL NO. 208

BY REPRESENTATIVE VILLIO

1 AN ACT

2 To amend and reenact R.S. 15:529.2(B)(3), 571.3.1(F), 574.4(A)(4)(b), (B)(2)(a)(iii),  
3 (b)(iii), (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b),  
4 574.6(introductory paragraph), 574.9(section heading) and (H)(1)(a)(i)(introductory  
5 paragraph), and 1199.24(A)(5), to enact R.S. 15:571.3(C), 571.3.1(I),  
6 574.9(H)(1)(a)(i)(dd), and Subpart H of Part II of Chapter 5 of Title 15 of the  
7 Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.71 and 574.72,  
8 and to repeal R.S. 15:574.9(F), relative to the release eligibility of incarcerated  
9 persons; to provide relative to parole eligibility requirements; to provide relative to  
10 the automatic earning of good time credits by offenders for good behavior; to  
11 provide for the elimination of earned compliance credits while on parole; to provide  
12 for a statement of legislative intent; to provide for removal procedures and  
13 conditions of certain offenders who are granted parole; to provide for duties of the  
14 committee on parole; to provide for definitions; to provide for an effective date; and  
15 to provide for related matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. R.S. 15:529.2(B)(3), 571.3.1(F), 574.4(A)(4)(b), (B)(2)(a)(iii), (b)(iii),  
18 (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b),  
19 574.6(introductory paragraph), 574.9(section heading) and (H)(1)(a)(i)(introductory  
20 paragraph), and 1199.24(A)(5) are hereby amended and reenacted and R.S. 15:571.3(C),  
21 571.3.1(I), 574.9(H)(1)(a)(i)(dd), and Subpart H of Part II of Chapter 5 of Title 15 of the

1 Louisiana Revised Statutes of 1950, comprised of R.S. 15:574.71 and 574.72, are hereby  
2 enacted to read as follows:

3 §529.2. Intensive parole supervision for certain habitual offenders

4 \* \* \*

5 B. The secretary may release offenders pursuant to the provisions of this  
6 Section only if all of the following conditions exist:

7 \* \* \*

8 (3) The offender has not committed any major disciplinary offenses in the  
9 ~~twelve~~ thirty-six consecutive months prior to release.

10 \* \* \*

11 §571.3. Diminution of sentence for good behavior

12 \* \* \*

13 C. Diminution of sentence pursuant to this Section shall not be allowed to  
14 be earned by an inmate in a parish prison or in the custody of the Department of  
15 Public Safety and Corrections if any of the following apply:

16 (1) The inmate has been sentenced as a habitual offender under the Habitual  
17 Offender Law as set forth in R.S. 15:529.1.

18 (2) The instant offense is a sex offense.

19 \* \* \*

20 §571.3.1. Eligibility and applicability of diminution of sentence for crimes  
21 committed on or after August 1, 2024

22 \* \* \*

23 F.(1) Except as provided in Paragraph (2) of this Subsection, any ~~Any~~  
24 offender released because of diminution of sentence earned pursuant to this Section  
25 shall be released subject to the provisions of R.S. 15:571.5. The remainder of the  
26 original full term of sentence shall be served as if on unsupervised parole for any  
27 offender released pursuant to this Subsection unless his parole is revoked as provided  
28 in R.S. 15:571.5(C).

1            (2) An offender who has received a split sentence shall, upon release from  
 2            incarceration, immediately begin serving the probationary period imposed. Any term  
 3            of unsupervised parole shall be served concurrently with the probationary period.

4            (3) If an offender is convicted for an offense that is committed while on  
 5            unsupervised parole, the amount of good time earned or credits toward the reduction  
 6            of the projected good time parole supervision date earned on that portion of his  
 7            sentence prior to the conviction shall be served consecutively with the sentence  
 8            imposed for the offense.

9    \*           \*           \*

10            I. For the purposes of this Section, "split sentence" shall mean an imposition  
 11            of incarceration or commitment of an offender to a correctional facility of which a  
 12            portion is suspended as allowed by law, inclusive of a period of probation.

13    \*           \*           \*

14            §574.4. Parole; eligibility; juvenile offenders

15    A.

16    \*           \*           \*

17            (4) Except as provided in R.S. 15:574.22, unless eligible for parole at an  
 18            earlier date, a person committed to the Department of Public Safety and Corrections  
 19            for a term or terms of imprisonment with or without benefit of parole who has served  
 20            at least ten years of the term or terms of imprisonment in actual custody shall be  
 21            eligible for parole consideration upon reaching the age of sixty years if all of the  
 22            following conditions have been met:

23    \*           \*           \*

24            (b) The offender has not committed any major disciplinary offenses in  
 25            ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
 26            disciplinary offense is an offense identified as a Schedule B offense by the  
 27            Department of Public Safety and Corrections in the Disciplinary Rules and  
 28            Procedures for Adult Offenders.

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B.

\* \* \*

(2) Except as provided in R.S. 15:574.22, any person serving a life sentence, with or without the benefit of parole, who has not been convicted of a crime of violence as defined by R.S. 14:2(B), a sex offense as defined by R.S. 15:541, or an offense, regardless of the date of conviction, which would constitute a crime of violence as defined by R.S. 14:2(B) or a sex offense as defined by R.S. 15:541, shall be eligible for parole consideration as follows:

(a) If the person was at least eighteen years of age and under the age of twenty-five years at the time he was sentenced to life imprisonment, he shall be eligible for parole consideration if all of the following conditions have been met:

\* \* \*

(iii) The person has not committed any major disciplinary offenses in the ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

\* \* \*

(b) If the person was at least twenty-five years of age and under the age of thirty-five years at the time he was sentenced to life imprisonment, he shall be eligible for parole consideration if all of the following conditions have been met:

\* \* \*

(iii) The person has not committed any major disciplinary offenses in the ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

\* \* \*

1 (c) If the person was at least thirty-five years of age and under the age of  
2 fifty years at the time he was sentenced to life imprisonment, he shall be eligible for  
3 parole consideration if all of the following conditions have been met:

4 \* \* \*

5 (iii) The person has not committed any major disciplinary offenses in the  
6 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
7 disciplinary offense is an offense identified as a Schedule B offense by the  
8 Department of Public Safety and Corrections in the Disciplinary Rules and  
9 Procedures for Adult Offenders.

10 \* \* \*

11 (d) If the person was at least fifty years of age at the time he was sentenced  
12 to life imprisonment, he shall be eligible for parole consideration if all of the  
13 following conditions have been met:

14 \* \* \*

15 (iii) The person has not committed any major disciplinary offenses in the  
16 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
17 disciplinary offense is an offense identified as a Schedule B offense by the  
18 Department of Public Safety and Corrections in the Disciplinary Rules and  
19 Procedures for Adult Offenders.

20 \* \* \*

21 D.(1) Notwithstanding any provision of law to the contrary, any person  
22 serving a sentence of life imprisonment who was under the age of eighteen years at  
23 the time of the commission of the offense, except for a person serving a life sentence  
24 for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S.  
25 14:30.1), shall be eligible for parole consideration pursuant to the provisions of this  
26 Subsection if all of the following conditions have been met:

27 \* \* \*

28 (b) The offender has not committed any major disciplinary offenses in the  
29 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
30 disciplinary offense is an offense identified as a Schedule B offense by the



1 Department of Public Safety and Corrections in the Disciplinary Rules and  
2 Procedures for Adult Offenders.

3 \* \* \*

4 E.(1) Notwithstanding any provision of law to the contrary and except as  
5 provided in Subsection G of this Section, any person serving a sentence of life  
6 imprisonment for a conviction of first degree murder (R.S. 14:30) who was under the  
7 age of eighteen years at the time of the commission of the offense and whose  
8 indictment for the offense is on or after August 1, 2017, shall be eligible for parole  
9 consideration pursuant to the provisions of this Subsection if a judicial determination  
10 has been made that the person is entitled to parole eligibility pursuant to Code of  
11 Criminal Procedure Article 878.1(A) and all of the following conditions have been  
12 met:

13 \* \* \*

14 (b) The offender has not committed any major disciplinary offenses in the  
15 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
16 disciplinary offense is an offense identified as a Schedule B offense by the  
17 Department of Public Safety and Corrections in the Disciplinary Rules and  
18 Procedures for Adult Offenders.

19 \* \* \*

20 F.(1) Notwithstanding any provision of law to the contrary and except as  
21 provided in Subsection G of this Section, any person serving a sentence of life  
22 imprisonment for a conviction of second degree murder (R.S. 14:30.1) who was  
23 under the age of eighteen years at the time of the commission of the offense and  
24 whose indictment for the offense is on or after August 1, 2017, shall be eligible for  
25 parole consideration if all of the following conditions have been met:

26 \* \* \*

27 (b) The offender has not committed any major disciplinary offenses in the  
28 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
29 disciplinary offense is an offense identified as a Schedule B offense by the

1 Department of Public Safety and Corrections in the Disciplinary Rules and  
2 Procedures for Adult Offenders.

3 \* \* \*

4 G.(1) Notwithstanding any provision of law to the contrary, any person  
5 serving a sentence of life imprisonment for a conviction of first degree murder (R.S.  
6 14:30) or second degree murder (R.S. 14:30.1) who was under the age of eighteen  
7 years at the time of the commission of the offense and whose indictment for the  
8 offense was prior to August 1, 2017, shall be eligible for parole consideration  
9 pursuant to the provisions of this Subsection if a judicial determination has been  
10 made that the person is entitled to parole eligibility pursuant to Code of Criminal  
11 Procedure Article 878.1(B) and all of the following conditions have been met:

12 \* \* \*

13 (b) The offender has not committed any major disciplinary offenses in the  
14 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
15 disciplinary offense is an offense identified as a Schedule B offense by the  
16 Department of Public Safety and Corrections in the Disciplinary Rules and  
17 Procedures for Adult Offenders.

18 \* \* \*

19 J.(1) Notwithstanding any provision of law to the contrary, and except as  
20 provided in Subsections D, E, F, G, and H of this Section, any person serving a term  
21 or terms of imprisonment that result in a period of incarceration of twenty-five years  
22 or more and who was under the age of eighteen years at the time of the commission  
23 of the offense shall be eligible for parole consideration pursuant to the provisions of  
24 this Subsection if all of the following conditions have been met:

25 \* \* \*

26 (b) The offender has not committed any major disciplinary offenses in the  
27 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major  
28 disciplinary offense is an offense identified as a Schedule B offense by the  
29 Department of Public Safety and Corrections in the Disciplinary Rules and  
30 Procedures for Adult Offenders.

31 \* \* \*

1 §574.6. Parole term; automatic discharge

2 The parole term, when the committee orders an offender released on parole,  
3 shall be for the remainder of the offender's sentence, ~~with credits for compliance~~  
4 ~~with the terms and conditions of parole supervision pursuant to R.S. 15:574.6.1.~~

5 When the parolee has completed his full parole term, he shall be discharged from  
6 parole by the Department of Public Safety and Corrections without order by the  
7 committee, provided that:

8 \* \* \*

9 §574.9. Revocation of parole for violation of condition; committee panels; return  
10 to custody hearing; duration of reimprisonment and reparole after revocation;  
11 ~~credit for time served~~; revocation for a technical violation

12 \* \* \*

13 H.(1)(a)(i) Except as provided in Subparagraph (b) of this Paragraph, any  
14 offender who has been released on parole prior to, on, or after the effective date of  
15 this Act and whose parole supervision is being revoked pursuant to the provisions  
16 of this Section for a technical violation of the conditions of parole, as determined by  
17 the committee on parole, shall be required to serve the following sentences:

18 \* \* \*

19 (dd) If the offender is in a custodial substance abuse treatment program, the  
20 offender shall serve not more than one hundred eighty days.

21 \* \* \*

22 SUBPART H. ALIEN REMOVAL PROCESS

23 §574.71. Definitions

24 As used in this Subpart:

25 (1) "Alien" shall have the same meaning as defined in 8 U.S.C. 1101.

26 (2) "Committee" means the Deportation Eligibility Hearing Committee,  
27 which shall be comprised of a three-member panel of the members of the committee  
28 on parole, and which shall hear and decide deportation eligibility cases as provided  
29 in this Subpart.

30 (3) "Department" means the Department of Public Safety and Corrections.

1                   (4) "Removal" means the deportation of an alien from the United States to  
 2                   another country.

3                   §574.72. Alien removal process; deportation eligibility hearing

4                   A. Notwithstanding any other provision of law to the contrary, an offender  
 5                   shall be eligible for parole consideration and release for the purposes of deportation  
 6                   or removal pursuant to this Section if the following conditions have been met:

7                   (1) The offender is an alien who has a final order of removal or a detainer  
 8                   issued by the Department of Homeland Security.

9                   (2) The offender is not serving a sentence for either of the following:

10                  (a) A sex offense as defined in R.S. 15:541.

11                  (b) A crime of violence, as defined in R.S. 14:2(B), punishable by  
 12                  imprisonment for ten years or more, life imprisonment, or death.

13                  (3) The offender has been approved for a deportation eligibility hearing by  
 14                  both the governor and the district attorney of the parish where the conviction was  
 15                  obtained.

16                  B. For any offender who meets the criteria of Subsection A of this Section,  
 17                  the committee shall:

18                  (1) Conduct an expedited pre-hearing investigation.

19                  (2) Notify the district attorney and sheriff of the parish where the conviction  
 20                  was obtained and any registered victim at least thirty days prior to any deportation  
 21                  eligibility hearing.

22                  (3) Conduct an expedited deportation eligibility hearing.

23                  (4) Render its decision ordering or denying the release and transfer of the  
 24                  offender for the purpose of deportation or removal within seven days of the hearing.

25                  C. Any decision by the committee to grant an offender release on parole for  
 26                  the purpose of deportation or removal shall include and recite the following  
 27                  conditions of release:

28                  (1) The offender shall only be released from physical state custody directly  
 29                  to the custody of the Department of Homeland Security and shall be held in its  
 30                  custody until the offender is physically removed from the United States.

1           (2) The remainder of the offender's sentence shall be suspended upon the  
2           date the offender is transferred out of state custody.

3           (3) If the offender is deemed to be ineligible for deportation or removal for  
4           any reason, the offender shall be transferred back to state custody to serve the  
5           remainder of his current sentence.

6           (4) If deported or removed from the United States, the offender shall remain  
7           outside of the United States and the state of Louisiana and shall not attempt to  
8           reenter the country unless such reentry is in compliance with Title 8 of the United  
9           States Code.

10          (5) If the offender is discovered or detained within the United States after  
11          deportation or removal, the parole of the offender shall be automatically revoked by  
12          the committee on parole and the offender shall be remanded to state custody to serve  
13          out the balance of the suspended sentence.

14          D.(1) If the committee grants a release on parole for the purposes of  
15          deportation or removal pursuant to this Section, the committee shall issue all orders  
16          and paperwork necessary to transfer or deliver the offender to the custody of the  
17          Department of Homeland Security.

18          (2) Upon release of the offender to the Department of Homeland Security,  
19          the committee shall issue a warrant for the return of the offender to the custody of  
20          the department to be executed if the offender is released from the custody of the  
21          Department of Homeland Security for any reason other than deportation or removal.

22          E. The committee shall have sole discretion as provided by R.S. 15:574.11  
23          regarding its decision to release the offender pursuant to this Section, and no person  
24          shall have a right of appeal from any such decision.

25   \*       \*       \*

26          §1199.24. Post-Conviction Veterans Mentor Program for incarcerated veterans;  
27   eligibility criteria

28   A. Notwithstanding any other provision of law to the contrary, an offender  
29          who is incarcerated shall be eligible for consideration to participate in the  
30          Post-Conviction Veterans Mentor Program if all of the following conditions are met:

31   \*       \*       \*

1 (5) The offender has not committed any major disciplinary offenses in  
 2 ~~twelve~~ thirty-six consecutive months prior to the transfer. A major disciplinary  
 3 offense is an offense identified as a Schedule B offense by the Department of Public  
 4 Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

5 \* \* \*

6 Section 2. R.S. 15:574.9(F) is hereby repealed in its entirety.

7 Section 3. The legislature recognizes that certain offenses do not permit an offender  
 8 the ability to be eligible for a diminution of his sentence, also known as "good time", by  
 9 good behavior and performance of work or self-improvement activities, or both. The  
 10 legislature hereby declares that the provisions of Section 2 of Act 7 of the 2024 Second  
 11 Extraordinary Session of the Legislature that pertain to an offender's eligibility for  
 12 diminution of sentence pursuant to R.S. 15:571.3 shall only be applicable to offenders who  
 13 commit an offense on or after April 29, 2024, until the effective date of this Act.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 169

2025 Regular Session

HOUSE BILL NO. 260

BY REPRESENTATIVES VILLIO, ADAMS, AMEDEE, BACALA, BAMBURG, BAYHAM, BEAULLIEU, BILLINGS, BOYER, BRAUD, BRYANT, CARLSON, ROBBY CARTER, WILFORD CARTER, CHENEVERT, COX, DESHOTEL, DEVILLIER, DEWITT, DICKERSON, ECHOLS, EGAN, EMERSON, FIRMENT, FISHER, FREIBERG, GLORIOSO, HEBERT, HENRY, HORTON, HUGHES, JACKSON, MIKE JOHNSON, KERNER, LAFLEUR, JACOB LANDRY, MCMAHEN, MCMAKIN, MOORE, OWEN, SCHAMERHORN, SPELL, THOMPSON, WILDER, WILEY, WYBLE, AND ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 14:30.1(A)(2) and to enact R.S. 14:31(A)(4) and (5), relative to  
3 offenses against the person; to provide relative to the crime of second degree murder;  
4 to add resisting a police officer with force or violence as a predicate felony to second  
5 degree murder; to provide for an additional circumstance that constitutes second  
6 degree murder; to add certain drug offenses as predicate felonies to manslaughter;  
7 to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:30.1(A)(2) is hereby amended and reenacted and R.S. 14:31(A)(4)  
10 and (5) are hereby enacted to read as follows:

11 §30.1. Second degree murder

12 A. Second degree murder is the killing of a human being:

13 \* \* \*

14 (2) When the offender is engaged in the perpetration or attempted  
15 perpetration of aggravated or first degree rape, forcible or second degree rape,  
16 aggravated arson, aggravated burglary, aggravated kidnapping, second degree  
17 kidnapping, aggravated escape, resisting a police officer with force or violence,  
18 assault by drive-by shooting, armed robbery, first degree robbery, second degree  
19 robbery, simple robbery, cruelty to juveniles, second degree cruelty to juveniles, or  
20 terrorism, even though he has no intent to kill or to inflict great bodily harm.

21 \* \* \*

1           §31. Manslaughter

2                   A. Manslaughter is:

3   \*       \*       \*

4                   (4) When the offender unlawfully distributes or dispenses a controlled  
5                   dangerous substance listed in Schedules I through V of the Uniform Controlled  
6                   Dangerous Substances Law, or any combination thereof, which significantly  
7                   contributes to the death of the recipient who ingested or consumed the controlled  
8                   dangerous substance.

9                   (5) When the offender unlawfully distributes or dispenses a controlled  
10                   dangerous substance listed in Schedules I through V of the Uniform Controlled  
11                   Dangerous Substances Law, or any combination thereof, to another who  
12                   subsequently distributes or dispenses such controlled dangerous substance which  
13                   significantly contributes to the death of the person who ingested or consumed the  
14                   controlled dangerous substance.

15   \*       \*       \*

16           Section 2. This Act shall be cited and referred to as "The Segus Jolivette Act".

17           Section 3. This Act shall become effective upon signature by the governor or, if not  
18           signed by the governor, upon expiration of the time for bills to become law without signature  
19           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
20           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
21           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. 170

HOUSE BILL NO. 261

BY REPRESENTATIVES GALLE, BAYHAM, BERAULT, BILLINGS, CARRIER, ROBBY CARTER, CARVER, CHENEVERT, COX, DEVILLIER, DICKERSON, EGAN, GLORIOSO, HORTON, MIKE JOHNSON, JACOB LANDRY, MCMAKIN, MOORE, OWEN, TAYLOR, AND WYBLE

1 AN ACT

2 To enact R.S. 14:337(B)(5) and (6) and (G) and 337.1, relative to offenses affecting the  
3 public generally; to provide relative to the crime of unlawful use of an unmanned  
4 aircraft system; to provide for definitions; to provide for duties of law enforcement;  
5 to create the crime of unlawful use of an unmanned aircraft system at a parade; to  
6 provide for elements; to provide for penalties; to provide for exceptions; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:337(B)(5) and (6) and (G) and 337.1 are hereby enacted to read  
10 as follows:

11 §337. Unlawful use of an unmanned aircraft system

12 \* \* \*

13 B. As used in this Section, the following definitions shall apply:

14 \* \* \*

15 (5) "Mitigation measures" mean actions, such as jamming, that are taken to  
16 cause electronic interference to neutralize, intercept, disable, or disrupt an unmanned  
17 aircraft system in order to prevent illegal or harmful activity.

18 (6) "Nefarious manner" means an illegal, dangerous, or harmful purpose in  
19 which an unmanned aircraft system is used. Such purpose may include but is not  
20 limited to spying, smuggling contraband as defined in R.S. 14:402, facilitating  
21 criminal activity, or posing a direct threat to public safety.

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G.(1) A law enforcement officer or agency may take reasonable and necessary mitigation measures against a threat posed by an unmanned aircraft system operating within this state in a nefarious manner. Such measures may include but not be limited to any of the following:

(a) The use of detection, tracking, and identification methods.

(b) The interception or disabling of an unmanned aircraft system through legal and safe methods, including but not limited to jamming, hacking, or physical capture.

(2) A law enforcement officer or agency shall act pursuant to Paragraph (1) of this Subsection only if there is reasonable suspicion that the unmanned aircraft system is involved in criminal activity, poses an imminent threat to public safety, or is otherwise operating in violation of state or federal law.

§337.1. Unlawful use of an unmanned aircraft system at a parade

A. Unlawful use of an unmanned aircraft system at a parade is the intentional use of an unmanned aircraft system by an unauthorized person over any parade or parade route for which a permit is issued by a governmental entity.

B. As used in this Section, the following definitions shall apply:

(1) "Parade" means any celebration of Mardi Gras or directly related pre-Lenten or carnival related festivities, school parades, parish parades, state parades or municipal parades, or any demonstration for which a permit is issued by a governmental entity.

(2) "Parade route" means any public sidewalk, street, highway, bridge, alley, road, or other public passageway upon which a parade travels.

C. Whoever commits the crime of unlawful use of an unmanned aircraft system at a parade shall be fined not less than two thousand dollars nor more than five thousand dollars, imprisoned with or without hard labor for not more than one year, 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

1           with the offense and provide for the destruction, sale, or other disposition of the  
2           unmanned aircraft system.

3           D. Notice of the area known as the "Drone No Fly Zone" shall be posted  
4           along the parade route and may be announced through the use of local media outlets  
5           or social media platforms.

6           E. Lack of knowledge that the prohibited act occurred on or within the  
7           parade or parade route shall not be a defense.

8           F. The provisions of this Section shall not apply to unmanned aircraft  
9           systems used for motion picture, television, or similar production where the filming  
10          is authorized.

11          Section 2. This Act shall be known and may be cited as the "We Will Act" Act.

12          Section 3. The Louisiana State Law Institute is hereby authorized and directed to  
13          alphabetize and renumber the definitions contained in R.S. 14:337(B) and to correct any  
14          cross-references to the renumbered paragraphs if necessary, consistent with the provisions  
15          of this Act.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 186

2025 Regular Session

HOUSE BILL NO. 363

BY REPRESENTATIVES COX, BACALA, HORTON, LAFLEUR, MOORE, AND KNOX  
AND SENATORS BARROW AND HODGES

1 AN ACT

2 To amend and reenact R.S. 14:93.3(A) through (D) and (E)(1) and 93.4, relative to  
3 exploitation of the elderly; to provide for definitions; to provide for a change in  
4 terminology; to provide for penalties; to provide for restitution; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:93.3(A) through (D) and (E)(1) and 93.4 are hereby amended and  
8 reenacted to read as follows:

9 §93.3. Cruelty to elderly and persons with infirmities

10 A. Cruelty to persons with infirmities is the intentional or criminally  
11 negligent mistreatment or neglect by any person, including a caregiver, whereby  
12 unjustifiable pain, malnourishment, or suffering is caused to a person with an  
13 infirmity, an adult with a disability, or a person who is ~~aged~~ elderly, including but  
14 not limited to a person who is a resident of a nursing home, facility for persons with  
15 intellectual disabilities, mental health facility, hospital, or other residential facility.

16 B. "Caregiver" is defined as any person or persons who temporarily or  
17 permanently is responsible for the care of a person with an infirmity; an adult with  
18 a physical or mental disability; or a person who is ~~aged~~ elderly, whether such care  
19 is voluntarily assumed or is assigned. ~~Caregiver~~ "Caregiver" includes but is not  
20 limited to adult children, parents, relatives, neighbors, daycare institutions and  
21 facilities, adult congregate living facilities, and nursing homes which or who have  
22 voluntarily assumed or been assigned the care of a person who is ~~aged~~ elderly, a  
23 person with an infirmity, or an adult with a disability; or have assumed voluntary  
24 residence with a person who is ~~aged~~ elderly, a person with an infirmity, or an adult  
25 with a disability.

1 C. For the purposes of this Section; and R.S. 14:93.4, the term "elderly"  
2 means a person who is aged is any individual sixty years of age or older.

3 D. The providing of treatment by a caregiver in accordance with a  
4 well-recognized spiritual method of healing, in lieu of medical treatment, shall not  
5 for that reason alone be considered the intentional or criminally negligent  
6 mistreatment or neglect of a person with an infirmity, an adult with a disability, or  
7 a person who is ~~aged~~ elderly. The provisions of this Subsection shall be an  
8 affirmative defense to a prosecution under this Section.

9 E.(1) Whoever commits the crime of cruelty to any person with an infirmity,  
10 adult with a disability, or person who is ~~aged~~ elderly shall be fined not more than ten  
11 thousand dollars or imprisoned with or without hard labor for not more than ten  
12 years, or both. At least one year of the sentence imposed shall be served without  
13 benefit of parole, probation, or suspension of sentence when the act of cruelty to  
14 persons with infirmities was intentional and malicious.

15 \* \* \*

16 §93.4. Exploitation of elderly persons or persons with infirmities

17 A. Exploitation of elderly persons or persons with infirmities is:

18 (1) The intentional expenditure, diminution, or use by any person, including  
19 a caregiver, of the property or assets of a person with an infirmity, an adult with a  
20 disability, or a person who is ~~aged~~ elderly, including but not limited to a resident of  
21 a nursing home, facility for persons with intellectual disabilities, mental health  
22 facility, hospital, or other residential facility without the express voluntary consent  
23 of the resident or the consent of a legally authorized representative of an incompetent  
24 resident, or by means of fraudulent conduct, practices, or representations.

25 (2) The financial exploitation of elderly persons or persons with an infirmity  
26 as defined in R.S. 6:1372.

27 (3) The use of the power of attorney or guardianship of a person with an  
28 infirmity, a person who is ~~aged~~ elderly, or an adult with a disability for one's own  
29 profit or advantage by means of fraudulent conduct, practices, or representations.

1           B.(1) Whoever commits the crime of exploitation of elderly persons or  
2 persons with infirmities shall be fined not more than ten thousand dollars or  
3 imprisoned, with or without hard labor, for not more than ten years, or both.

4           (2) Upon a second or subsequent conviction of a 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 required to pay  
7 a fine of not more than twenty thousand dollars.

8           C. Whoever is convicted, or who enters a plea agreement for exploitation of  
9 an elderly person or persons with infirmities shall be prohibited from having access  
10 to the assets or property of the victim or of any other person with a disability or  
11 person who is ~~aged~~ elderly. The offender shall be prohibited from being appointed  
12 as a power of attorney or guardian for the victim or any other person with a disability  
13 or person who is ~~aged~~ elderly. The provisions of this Subsection shall not be  
14 construed to prohibit the offender from inheriting from the victim with an infirmity  
15 or from a victim who is elderly.

16           D. In addition to the penalties provided in Subsections B and C of this  
17 Section, a person convicted under the provisions of this Section shall be ordered to  
18 make full restitution to the victim and any other person who has suffered a financial  
19 loss as a result of the offense in accordance with Code of Criminal Procedure Article  
20 883.2.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 188**

2025 Regular Session

HOUSE BILL NO. 375

BY REPRESENTATIVE MCMAHEN

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AN ACT

To amend and reenact R.S. 14:70.8(B) and (C) and 71.1(B) and (C) and to enact R.S. 14:70.8(D) and 71.1(D) and Code of Evidence Article 404(A)(4), relative to financial crimes; to provide penalties for subsequent convictions; to provide for admissible evidence; to provide definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:70.8(B) and (C) and 71.1(B) and (C) are hereby amended and reenacted and R.S. 14:70.8(D) and 71.1(D) are hereby enacted to read as follows:

§70.8. Illegal transmission of monetary funds

\* \* \*

B. Upon a second or subsequent conviction of a violation of the provisions of this Section, the offender 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 one hundred thousand dollars.

~~B. C. In addition to the penalties provided for in Subsection A and B of this Section, a person convicted under the provisions of this Section shall be ordered to make full restitution to the victim and to any other person who has suffered a financial loss as a result of the offense in accordance with Code of Criminal Procedure Article 883.2. If a person ordered to make restitution according to this Subsection is found to be indigent and therefore unable to make restitution in full at the time of conviction, then the court shall order a periodic payment plan consistent with the person's financial ability.~~





1           A. Character evidence generally. Evidence of a person's character or a trait  
2 of his character, such as a moral quality, is not admissible in a civil or criminal  
3 proceeding for the purpose of proving that he acted in conformity therewith on a  
4 particular occasion, except:

5   \*       \*       \*

6           (4) In any prosecution for a violation of R.S. 14:71.1 or R.S. 14:72.2, the  
7 prosecution may enter as evidence any of the following of a perpetrator's intent to  
8 deceive or defraud:

9           (a) Any previously cashed or deposited counterfeit or forged check or other  
10 monetary instrument.

11           (b) Evidence regarding any previous attempt to cash or deposit a counterfeit  
12 or forged check or other monetary instrument.

13           (c) Evidence of a verbal or written communication, including but not limited  
14 to a warning, by a law enforcement agent with the perpetrator regarding the cashing  
15 or depositing of a forged or counterfeit check or other monetary instrument suspected  
16 of being part of a fraudulent scheme or warning the perpetrator that such transaction  
17 could be in violation of state or federal criminal laws.

18   \*       \*       \*

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 193

2025 Regular Session

HOUSE BILL NO. 394

BY REPRESENTATIVE MUSCARELLO AND SENATORS BARROW AND HODGES

1 AN ACT

2 To amend and reenact R.S. 15:567(B) and (C) and 570(A)(5) and (6) and (D) and to repeal  
3 R.S. 15:569.1, relative to the execution of a death sentence; to provide relative to  
4 conditions precedent to the execution of a death sentence; to provide relative to the  
5 date of execution of a death sentence; to provide with respect to the witnesses present  
6 at the execution of a death sentence; to provide for the times during which death  
7 sentences shall be executed; to provide for an effective date; and to provide for  
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:567(B) and (C) and 570(A)(5) and (6) and (D) are hereby  
11 amended and reenacted to read as follows:

12 §567. Conditions precedent to execution

13 \* \* \*

14 B. The court of original jurisdiction shall also issue a warrant commanding  
15 the secretary to cause the execution of the person condemned as provided by law.  
16 The warrant shall specify the date upon which the person condemned shall be put to  
17 death, which date shall be not less than sixty days nor more than ninety days from  
18 the date the warrant is issued. The sheriff shall serve the warrant upon the secretary  
19 pursuant to Code of Civil Procedure Article 1314. Upon receipt of the warrant the  
20 secretary shall cause a copy of the warrant to be delivered to the person condemned.

1 A certified copy of the warrant shall be mailed, return receipt requested, to the  
2 governor and the return receipt filed in the record.

3 C. If any federal or Louisiana court grants a stay of execution, or if the  
4 governor of Louisiana grants a reprieve that necessitates a reset of the execution date,  
5 the trial court shall issue an order to reset the execution date at not less than thirty  
6 days nor more than forty-five days from within thirty days of either the dissolution  
7 of the stay order; or the termination or expiration of the reprieve. The trial court  
8 shall reset the execution date to not less than thirty days nor more than forty-five  
9 days from the date of issuance of the order. However, when a federal or state court  
10 grants a stay of execution that is dissolved or vacated prior to the expiration of the  
11 time period set forth in R.S. 15:570(D), the execution may proceed on the date  
12 originally fixed.

13 \* \* \*

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

16 A. Every execution of the death sentence shall take place in the presence of:

17 \* \* \*

18 (5) A ~~priest or minister of the gospel~~ spiritual advisor, if the convict so  
19 requests it.

20 (6) ~~Not less than five nor more than seven other~~ Other witnesses as  
21 determined by the secretary of the Department of Public Safety and Corrections.

22 \* \* \*

23 D. ~~Notwithstanding any other provision of law to the contrary, every~~  
24 ~~execution of the death~~ Every sentence of death imposed in this state shall take place  
25 be executed between the hours of 6:00 p.m. 4:00 p.m. and 9:00 p.m upon the date set  
26 for the execution by the court of original jurisdiction.

27 \* \* \*

28 Section 2. R.S. 15:569.1 is hereby repealed in its entirety.

29 Section 3. This Act shall become effective upon signature by the governor or, if not  
30 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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 194

2025 Regular Session

HOUSE BILL NO. 403

BY REPRESENTATIVE TURNER

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AN ACT

To enact R.S. 14:98.1(A)(4), 98.2(A)(5), 98.3(A)(4), 98.4(A)(3), 99(C), and 99.2(F) and R.S. 32:61(C), 64(D), and 65(G), relative to the imposition of fines for certain driving offenses; to provide for an increase in fines related to the operation of a motor vehicle; to provide for the dedication of revenue to the Louisiana Emergency Response Network Fund; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S.14:98.1(A)(4), 98.2(A)(5), 98.3(A)(4), 98.4(A)(3), 99(C), and 99.2(F) are hereby enacted to read as follows:

§98.1. Operating while impaired; first offense; penalties

A.

\* \* \*

(4)(a) In addition to the penalties imposed pursuant to this Section, upon conviction of a first offense, the offender shall also be fined an additional twenty-five dollars.

(b) Monies collected pursuant to this Paragraph shall be forwarded by the sheriff to the state treasurer within thirty days of collection.

1                   (c) After allocation to the Bond Security and Redemption Fund as provided  
 2                   in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
 3                   shall deposit the collections into the Louisiana Emergency Response Network Fund  
 4                   as established in R.S. 40:2845.

\* \* \*

6                   §98.2. Operating while impaired; second offense; penalties

7                   A.

\* \* \*

9                   (5)(a) In addition to the penalties imposed pursuant to this Section, upon  
 10                   conviction of a second offense, the offender shall also be fined an additional fifty  
 11                   dollars.

12                   (b) Monies collected pursuant to this Paragraph shall be forwarded by the  
 13                   sheriff to the state treasurer within thirty days of collection.

14                   (c) After allocation to the Bond Security and Redemption Fund as provided  
 15                   in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
 16                   shall deposit the collections into the Louisiana Emergency Response Network Fund  
 17                   as established in R.S. 40:2845.

\* \* \*

19                   §98.3. Operating while impaired; third offense; penalties

20                   A.

\* \* \*

22                   (4)(a) In addition to the penalties imposed pursuant to this Section, upon  
 23                   conviction of a third offense, the offender shall also be fined an additional one  
 24                   hundred dollars.

25                   (b) Monies collected pursuant to this Paragraph shall be forwarded by the  
 26                   sheriff to the state treasurer within thirty days of collection.

27                   (c) After allocation to the Bond Security and Redemption Fund as provided  
 28                   in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
 29                   shall deposit the collections into the Louisiana Emergency Response Network Fund

1 as established in R.S. 40:2845.

2 \* \* \*

3 §98.4. Operating while impaired; fourth offense; penalties

4 A.

5 \* \* \*

6 (3)(a) In addition to the penalties imposed pursuant to this Section, upon  
7 conviction of a fourth or subsequent offense, the offender shall also be fined an  
8 additional two hundred fifty dollars.

9 (b) Monies collected pursuant to this Paragraph shall be forwarded by the  
10 sheriff to the state treasurer within thirty days of collection.

11 (c) After allocation to the Bond Security and Redemption Fund as provided  
12 in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
13 shall deposit the collections into the Louisiana Emergency Response Network Fund  
14 as established in R.S. 40:2845.

15 \* \* \*

16 §99. Reckless operation of a vehicle

17 \* \* \*

18 C.(1) In addition to the penalties imposed pursuant to this Section, upon  
19 conviction of the first offense, the offender shall also be fined an additional five  
20 dollars.

21 (2) In addition to the penalties imposed under this Section, upon conviction  
22 of a second or subsequent offense, the offender shall also be fined an additional ten  
23 dollars.

24 (3) Monies collected pursuant to this Subsection shall be forwarded by the  
25 sheriff to the state treasurer within thirty days of collection.

26 (4) After allocation to the Bond Security and Redemption Fund as provided  
27 in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
28 shall deposit the collections into the Louisiana Emergency Response Network Fund  
29 as established in R.S. 40:2845.

30 \* \* \*

1 §99.2. Reckless operation of an off-road vehicle

2 \* \* \*

3 F.(1) In addition to the penalties imposed pursuant to this Section, upon  
4 conviction the offender shall also be fined an additional five dollars.

5 (2) Monies collected pursuant to this Subsection shall be forwarded by the  
6 sheriff to the state treasurer within thirty days of collection.

7 (3) After allocation to the Bond Security and Redemption Fund as provided  
8 in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
9 shall deposit the collections into the Louisiana Emergency Response Network Fund  
10 as established in R.S. 40:2845.

11 Section 2. R.S. 32:61(C), 64(D), and 65(G) are hereby enacted to read as follows:

12 §61. Maximum speed limit

13 \* \* \*

14 C.(1) In addition to any penalties imposed pursuant to this Section, upon  
15 violation the offender shall be fined an additional five dollars.

16 (2) Monies collected pursuant to this Subsection shall be forwarded by the  
17 sheriff to the state treasurer within thirty days of collection.

18 (3) After allocation to the Bond Security and Redemption Fund as provided  
19 in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
20 shall deposit the collections into the Louisiana Emergency Response Network Fund  
21 as established in R.S. 40:2845.

22 \* \* \*

23 §64. General speed law

24 \* \* \*

25 D.(1) In addition to the penalties imposed pursuant to this Section, upon  
26 violation the offender shall be fined an additional five dollars.

27 (2) Monies collected pursuant to this Subsection shall be forwarded by the  
28 sheriff to the state treasurer within thirty days of collection.

29 (3) After allocation to the Bond Security and Redemption Fund as provided  
30 in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer



1 shall deposit the collections into the Louisiana Emergency Response Network Fund  
2 as established in R.S. 40:2845.

3 §65. Drag racing and racing on public roads and certain property; exemptions

4 \* \* \*

5 G.(1) In addition to any penalties imposed pursuant to this Section, upon  
6 violation the offender shall be fined an additional amount as follows:

7 (a) Ten dollars for a first offense.

8 (b) Twenty dollars for a second offense.

9 (c) Forty dollars for a third offense.

10 (d) One hundred dollars for a fourth or subsequent offense.

11 (2) Monies collected pursuant to this Subsection shall be forwarded by the  
12 sheriff to the state treasurer within thirty days of collection.

13 (3) After allocation to the Bond Security and Redemption Fund as provided  
14 in Article VII, Section (9)(B) of the Constitution of Louisiana, the state treasurer  
15 shall deposit the collections into the Louisiana Emergency Response Network Fund  
16 as established in R.S. 40:2845.

17 Section 3. This Act shall become effective upon signature by the governor or, if not  
18 signed by the governor, upon expiration of the time for bills to become law without signature  
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
21 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. 200**

2025 Regular Session

HOUSE BILL NO. 492

BY REPRESENTATIVE VENTRELLA

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AN ACT

To amend and reenact R.S. 14:102.1(A)(1)(introductory paragraph), (b), (d), (e), and (h) and (2), (B), and (C)(6) and to repeal R.S. 14:102.1(A)(1)(i) and (j), relative to offenses affecting the public sensibility; to provide relative to the crimes of simple cruelty to animals and aggravated cruelty to animals; to provide for conduct that constitutes simple cruelty to animals; to provide for conduct that constitutes aggravated cruelty to animals; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:102.1(A)(1)(introductory paragraph), (b), (d), (e), and (h) and (2), (B), and (C)(6) are hereby amended and reenacted to read as follows:

§102.1. Cruelty to animals; simple and aggravated

A.(1) ~~Any person who~~ Simple cruelty to animals is when a person intentionally or with criminal negligence ~~commits~~ does any of the following ~~shall be guilty of simple cruelty to animals:~~

\* \* \*

(b) Torments, cruelly beats, or unjustifiably injures any living animal; ~~whether belonging to himself or another.~~

\* \* \*

(d) Abandons any animal. A person shall not be considered to have abandoned an animal if he delivers to an animal which he found running at large in the care of an animal control center ~~an animal which he found running at large~~ shelter, or rescue location.

1                   (e) Impounds or confines or causes ~~to be impounded or confined~~ the  
 2                   impoundment or confinement of a living animal in a pound or other place, ~~a living~~  
 3                   ~~animal~~ and fails to supply it ~~during such confinement~~ with proper food, proper ~~drink~~  
 4                   water, and or proper shelter during such confinement.

\* \* \*

6                   (h) ~~Injures any animal belonging to another person.~~

7                   (i) ~~Mistreats any living animal by any act or omission whereby unnecessary~~  
 8                   ~~or unjustifiable physical pain, suffering or death is caused to or permitted upon the~~  
 9                   ~~animal.~~

10                  (j) Causes or procures to be done by any person any act enumerated in this  
 11                  Subsection Paragraph.

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. The court may also order the offender to pay for any expenses incurred for the  
 15                  housing of the animal and for medical treatment of the animal, pursuant to Code of  
 16                  Criminal Procedure Article 883.2. In addition, the court may issue an order  
 17                  prohibiting the ~~defendant~~ offender from owning or keeping animals for a period of  
 18                  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 may issue an order  
 23                  prohibiting the ~~defendant~~ offender from owning or keeping animals for a period of  
 24                  not more than five years.

25                  (c) In addition to any other penalty imposed, a person who commits the  
 26                  crime of simple cruelty to animals shall be ordered to perform five eight-hour days  
 27                  of court-approved community service. The community service requirement shall not  
 28                  be suspended.

29                  (d) In addition to any other penalty imposed, the court may order a  
 30                  psychological evaluation or anger management treatment for a first conviction of the

1 crime of simple cruelty to animals. For a second or subsequent offense of the crime  
2 of simple cruelty to ~~an animal~~ animals, the court shall order a psychological  
3 evaluation or anger management treatment. Any costs associated with any  
4 evaluation or treatment ordered by the court shall be borne by the ~~defendant~~  
5 offender.

6 \* \* \*

7 B.(1) ~~Any person who~~ Aggravated cruelty to animals is when a person  
8 intentionally or with criminal negligence ~~tortures, maims, or mutilates any living~~  
9 ~~animal, whether belonging to himself or another, shall be guilty of aggravated cruelty~~  
10 ~~to animals.~~ does any of the following:

11 (a) Tortures, maims, or mutilates any living animal.

12 (2) ~~Any person who tampers~~ (b) Tampers with livestock at a public  
13 livestock exhibition or at a private sale ~~shall also be guilty of aggravated cruelty to~~  
14 ~~animals.~~

15 (3) ~~Any person who causes~~ (c) Causes or procures to be done by ~~any another~~  
16 person any act designated in this Subsection ~~shall also be guilty of aggravated cruelty~~  
17 ~~to animals~~ Paragraph.

18 (4) ~~Any person who intentionally or with criminal negligence mistreats~~  
19 (d) Mistreats any living animal ~~whether belonging to himself or another~~ by any act  
20 or omission which causes or permits unnecessary or unjustifiable physical pain,  
21 suffering, or death to the animal ~~shall also be guilty of aggravated cruelty to animals.~~

22 (e) Having charge, custody, or possession of any animal as either an owner  
23 or otherwise, unjustifiably fails to provide it with proper food, proper water, proper  
24 shelter, or proper veterinary care, which results in the animal's death.

25 (5) (2) In addition to any other penalty imposed for a violation of Paragraph  
26 (1) of this Subsection, the offender shall be ordered to undergo a psychological  
27 evaluation and subsequently recommended psychological treatment and may be  
28 banned by court order from owning or keeping animals for a period of not more than  
29 ten years. Any costs associated with any evaluation or treatment ordered by the  
30 court shall be borne by the ~~defendant~~ offender.

1                     ~~(6)~~ (3) Whoever commits the crime of aggravated cruelty to animals shall  
 2                     be fined not less than five thousand dollars nor more than twenty-five thousand  
 3                     dollars or imprisoned, with or without hard labor, for not less than one year nor more  
 4                     than ten years, or both.

5                     ~~(7)~~ (4) For purposes of this Subsection, where more than one animal is  
 6                     tortured, maimed, mutilated, or maliciously killed or where more than one head of  
 7                     livestock is tampered with, each act comprises a separate offense.

8                     C. This Section shall not apply to any of the following:

9   \*        \*        \*

10                    (6) Nothing in this Section shall prohibit the standard transportation and  
 11                    agricultural processing of agriculture products as defined in R.S. 3:3602~~(5)~~ and ~~(6)~~.  
 12                    Section 2. R.S. 14:102.1(A)(1)(i) and (j) are hereby repealed in their entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 209

2025 Regular Session

HOUSE BILL NO. 584

BY REPRESENTATIVES LYONS, CHASSION, AND KNOX

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AN ACT

To amend and reenact R.S. 15:951(C) and (E) and to enact R.S. 15:827.3(A)(2)(d), relative to children; to provide relative to the Back on Track Youth Pilot Program; to provide relative to allocation of certain monies; to provide for administration of the program; to provide for an intermediary; to provide relative to the definition of "youth or youths"; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:951(C) and (E) are hereby amended and reenacted and R.S. 15:827.3(A)(2)(d) is hereby enacted to read as follows:

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

A.

\* \* \*

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

\* \* \*

(d) Fifteen percent shall be allocated to the Louisiana Children's Trust Fund Board to administer and operate the Back on Track Youth Pilot Program as provided in R.S. 15:951.

\* \* \*

§951. Back on Track Youth Pilot Program

\* \* \*

1                   C.(1) This program shall be administered by selected nonprofit groups as  
 2                   well as the Department of Public Safety and Corrections, the Department of Children  
 3                   and Family Services, the Department of Education, ~~and~~ the Louisiana Workforce  
 4                   Commission, and the Louisiana Children's Trust Fund Board.

5                   (2) The Louisiana Children's Trust Fund Board is hereby named as the  
 6                   intermediary of the program with the authority to manage or administer funds and  
 7                   address any changes in program funding as needed.

8   \*       \*       \*

9                   E. For the purposes of this Section, "youth or youths" shall mean a person  
 10                  who has ~~not attained eighteen~~ at least sixteen years of age and not more than twenty-  
 11                  four years of age.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 225

2025 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE MIKE JOHNSON AND SENATORS BARROW, CLOUD, FOIL,  
HENRY, MILLER, MIZELL, AND PRICE

1 AN ACT

2 To enact R.S. 14:323(E) and Chapter 28-E of Title 46 of the Louisiana Revised Statutes of  
3 1950, to be comprised of R.S. 46:2191 through 2196, relative to the disabling of  
4 remote access technology on motor vehicles; to provide for definitions; to provide  
5 for a civil fine; to establish a fund; to provide limitations on manufacturers; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:323(E) is hereby enacted to read as follows:

9 §323. Tracking devices prohibited; penalty

10 \* \* \*

11 E. The exception provided in Subsection C of this Section shall not apply  
12 under any of the following circumstances:

13 (1) An individual with ownership interest who has been granted a protective  
14 order as provided in R.S. 46:2136 or a temporary restraining order as provided in  
15 R.S. 46:2135.

16 (2) If another individual has been granted exclusive use of the vehicle by a  
17 court of competent jurisdiction.

18 Section 2. Chapter 28-E of Title 46 of the Louisiana Revised Statutes of 1950,  
19 comprised of R.S. 46:2191 through 2196, is hereby enacted to read as follows:

20 CHAPTER 28-E. DISABLING OF REMOTE ACCESS TECHNOLOGY

21 §2191. Definitions

22 A. For purposes of this Chapter:



1                   (1) "Abuser" means an individual who has committed, or is presumed to  
 2                   have committed a covered act against a survivor, as defined in this Section.

3                   (2) "Covered act" means conduct that constitutes:

4                   (a) Domestic abuse as defined in R.S. 46:2132.

5                   (b) Sexual assault as defined in R.S. 29:220.

6                   (c) Stalking as defined in R.S. 14:40.2.

7                   (3) "Remote access technology" means technology that enables a driver of  
 8                   a motor vehicle to remotely track, control, or operate the driver's vehicle using a  
 9                   smartphone app or other device.

10                  (4) "Survivor" means an individual who is a victim of a covered act, as  
 11                  defined in this Section.

12                  §2192. Remote access suspension, survivor of a covered act

13                  A.(1) A motor vehicle manufacturer shall suspend the remote access  
 14                  technology on a motor vehicle within two business days from receipt of a complete  
 15                  remote access suspension request from a survivor.

16                  (2) A complete remote access suspension request requires the following:

17                  (a) A certified copy of a protective order as provided by R.S. 46:2136  
 18                  against the abuser that has been signed by a judge, hearing officer, or commissioner,  
 19                  a temporary restraining order as provided by R.S. 46:2135 against the abuser that has  
 20                  been signed by a judge, hearing officer, or commissioner, or any other official  
 21                  document that evidences that abuser has committed a covered act.

22                  (b) The survivor has ownership interest in the motor vehicle or a certified  
 23                  copy of a judgment that provides exclusive use of the motor vehicle regardless of  
 24                  ownership.

25                  B. The remote access technology may remain disabled for the duration of the  
 26                  protective order, temporary restraining order, or judgment granting exclusive use of  
 27                  the motor vehicle.

28                  C. The motor vehicle manufacturer shall provide a process that includes a  
 29                  prominent and clearly visible link entitled "HOW TO DISCONNECT REMOTE  
 30                  VEHICLE ACCESS" on the motor vehicle manufacturer's website.

1           D. The provisions of this Section shall not apply to a motor vehicle  
 2           manufacturer that technologically cannot disable the remote access technology on  
 3           a motor vehicle.

4           §2193. Civil fine

5           Any motor vehicle manufacturer that is found to have violated R.S. 46:2192  
 6           shall be subject to a civil fine of ten thousand dollars per violation, not to exceed a  
 7           sum of one million dollars. The attorney general may maintain a civil action in a  
 8           court of competent jurisdiction to recover such fines.

9           §2194. Survivor Empowerment Fund

10           A. There is hereby established in the state treasury, as a special fund, the  
 11           Survivor Empowerment Fund, hereinafter referred to as the "fund".

12           B.(1) After allocation of money to the Bond Security and Redemption Fund  
 13           as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the  
 14           treasurer shall deposit into the fund monies paid as a civil fine levied against a motor  
 15           vehicle manufacturer in violation of R.S. 46:2192. The treasurer shall also deposit  
 16           into the fund any monies transferred or appropriated by the legislature and any  
 17           grants, donations, gifts, or other monies which may become available.

18           (2) Monies in the fund shall be invested in the same manner as monies in the  
 19           state general fund. Interest earned on investment of monies in the fund shall be  
 20           deposited into the state general fund. Unexpended and unencumbered monies in the  
 21           fund at the end of the fiscal year shall remain in the fund.

22           C.(1) Subject to appropriation by the legislature to the Louisiana Commission  
 23           on Law Enforcement and the Administration of Criminal Justice, monies in the fund  
 24           shall be used to assist victims of crime pursuant to the Victims of Crime Act and the  
 25           Violence Against Women Act.

26           (2) In accordance with the Administrative Procedure Act, the Louisiana  
 27           Commission on Law Enforcement and the Administration of Criminal Justice shall  
 28           adopt and promulgate rules necessary for implementation and administration of the  
 29           provisions of Paragraph (1) of this Subsection.

1           §2195. Limitations on manufacturer; remote access suspension request

2                   A motor vehicle manufacturer may not do any of the following in order to  
3           disable the remote access technology:

4                   (1) Require the survivor to pay a fee or any outstanding fines owed by the  
5           abuser.

6                   (2) Contact the abuser after the survivor submits a complete remote access  
7           suspension request.

8           §2196. Liability

9                   A motor vehicle manufacturer and any officer, director, employee, vendor,  
10           or agent thereof shall not be subject to liability for any claims deriving from the  
11           motor vehicle manufacturer's technological inability to disable the remote access  
12           technology, or for any claims initiated by an abuser deriving from an action taken  
13           pursuant to this Chapter.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 226

2025 Regular Session

HOUSE BILL NO. 163

BY REPRESENTATIVE DICKERSON AND SENATOR BARROW

1 AN ACT

2 To amend and reenact R.S. 15:539.1(F)(3) and 539.2, relative to victims of certain sex-  
3 related crimes; to provide for a mandatory monetary assessment for certain sex-  
4 related crimes; to provide relative to the Exploited Children's Survivor Special Fund;  
5 to provide for a renaming of the fund; to provide for distribution and use of monies  
6 deposited into the fund; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:539.1(F)(3) and 539.2 are hereby amended and reenacted to read  
9 as follows:

10 §539.1. Forfeited property related to certain sex crimes; exempt property; allocation  
11 of forfeited property

12 \* \* \*

13 F. Notwithstanding Subsection E of this Section, when the currency,  
14 instruments, securities, or other property is forfeited following a conviction for a  
15 violation of R.S. 14:46.2 (human trafficking), R.S. 14:46.3 (trafficking of children  
16 for sexual purposes), R.S. 14:81.1 (pornography involving juveniles), R.S. 14:81.3  
17 (computer-aided solicitation of a minor), R.S. 14:82.1 (prostitution; persons under  
18 eighteen; additional offenses), R.S. 14:83 (soliciting for prostitutes), R.S. 14:83.1  
19 (inciting prostitution), R.S. 14:83.2 (promoting prostitution), R.S. 14:84 (pandering),  
20 R.S. 14:85 (letting premises for prostitution), R.S. 14:86 (enticing persons into  
21 prostitution), R.S. 14:104 (keeping a disorderly place), R.S. 14:105 (letting a  
22 disorderly place), and R.S. 14:282 (operation of places of prostitution), the currency,  
23 instruments, and securities and proceeds of the public sale or public auction shall pay  
24 the costs of the public sale or public auction, court costs, and fees related to the  
25 seizure and storage of the personal property and shall then be applied to any

1 restitution granted to the victim. Any remaining currency, instruments, securities, or  
 2 proceeds shall be distributed in the following manner:

3 \* \* \*

4 (3) Fifty percent to the ~~Exploited Children's~~ Survivor Special Fund pursuant  
 5 to R.S. 15:539.2.

6 §539.2. ~~Exploited Children's~~ Survivor Special Fund

7 A.(1) Any person who is convicted or pleads guilty or nolo contendere to ~~an~~  
 8 ~~offense involving trafficking of children for sexual purposes under R.S. 14:46.3,~~  
 9 ~~prostitution with persons under seventeen under R.S. 14:82.1, or enticing persons~~  
 10 ~~into prostitution under R.S. 14:86~~ any of the following offenses shall be ordered to  
 11 pay a mandatory monetary assessment of two thousand dollars:;

12 (a) Battery of a dating partner under R.S. 14:34.9(E), (F), (L), (M), (N), (O),  
 13 or (P).

14 (b) Domestic abuse battery under R.S. 14:35.3(L), (M), (N), (O), or (P).

15 (c) First degree rape under R.S. 14:42.

16 (d) Second degree rape under R.S. 14:42.1.

17 (e) Sexual battery under R.S. 14:43.1(C)(2) or (3).

18 (f) Second degree sexual battery under R.S. 14:43.2.

19 (g) Oral sexual battery under R.S. 14:43.3.

20 (h) Aggravated kidnapping of a child under R.S. 14:44.2.

21 (i) Human trafficking under R.S. 14:46.2.

22 (j) Trafficking of children for sexual purposes under R.S. 14:46.3.

23 (k) Pornography involving juveniles under R.S. 14:81.1.

24 (l) Molestation of a juvenile or a person with a physical or mental disability  
 25 under R.S. 14:81.2.

26 (m) Computer-aided solicitation of a minor under R.S. 14:81.3.

27 (n) Possessing, trafficking, or importing a child sex doll under R.S. 14:81.6.

28 (o) Prostitution with persons under eighteen under R.S. 14:82.1.

29 (p) Purchase of commercial sexual activity under R.S. 14:82.2.

30 (q) Soliciting for prostitutes under R.S. 14:83(B)(2) or (3).

- 1                   (r) Promoting prostitution under R.S. 14:83.2(B)(2) or (3).
- 2                   (s) Pandering under R.S. 14:84(B)(2) or (3).
- 3                   (t) Enticing persons into prostitution under R.S. 14:86(B)(1)(b) or (c).
- 4                   (u) Aggravated crime against nature under R.S. 14:89.1.
- 5                   (v) Crime against nature by solicitation under R.S. 14:89.2(B)(3)(a) or (b).
- 6                   (w) Sexual battery of persons with infirmities under R.S. 14:93.5.

7                   (2) Notwithstanding any law to the contrary, the assessments provided by  
 8 this Section shall be in addition to and not in lieu of, and shall not be used to offset  
 9 or reduce, any fine authorized or required by law. Nothing in this Section shall alter  
 10 the dispositions of fines and forfeitures ordered by the court under R.S. 15:571.11.  
 11 If the court finds that the offender is indigent and therefore unable to pay the  
 12 mandatory assessment at the time of conviction, the court shall order a periodic  
 13 payment plan consistent with the person's financial ability.

14                   B.(1) There is established in the state treasury the ~~Exploited Children's~~  
 15 Survivor Special Fund, hereinafter referred to as the "fund". Appropriations by the  
 16 legislature and all monetary assessments paid and interest accrued on funds collected  
 17 pursuant to Subsection A of this Section shall be deposited into the Bond Security  
 18 and Redemption Fund, and after a sufficient amount is allocated from the Bond  
 19 Security and Redemption Fund to pay all the obligations secured by the full faith and  
 20 credit of the state which become due and payable within any fiscal year, the treasurer  
 21 shall pay the remainder of such monies into the fund. The fund shall be subject to  
 22 public audit.

23                   (2)~~(a)~~ Subject to appropriation by the legislature and except as provided in  
 24 ~~Subparagraph (b) of this Paragraph~~ (3) of this Subsection, monies in the fund shall  
 25 be used for the provision of services and treatment ~~administered by the Department~~  
 26 ~~of Children and Family Services, such as securing residential housing, health~~  
 27 ~~services, and social services, to sexually exploited children and adults.~~ ~~The~~  
 28 ~~department may also use the funds for grants or to provide services for sexually~~  
 29 ~~exploited children and adults~~ to adult and minor victims of human trafficking,  
 30 domestic violence, and sexual assault.

1            ~~(b) (3)~~ Subject to appropriation by the legislature, ~~and notwithstanding the~~  
 2            ~~provisions of Subparagraph (a) of this Paragraph, a portion of the monies in the fund;~~  
 3            ~~not to exceed fifty percent, may be used for the development of training programs~~  
 4            ~~relative to human trafficking and trafficking of children for sexual purposes and for~~  
 5            ~~the providing of law enforcement training programs administered by the Council of~~  
 6            ~~Peace Officer Standards and Training within the Louisiana Commission on Law~~  
 7            ~~Enforcement and the Administration of Criminal Justice, shall be administered to the~~  
 8            Office of Human Trafficking Prevention for disbursement as follows:

9            (a) Twenty-five percent of the monies to child advocacy centers, in  
 10           compliance with Children's Code Article 524, for programs to serve child victims of  
 11           sexual abuse, physical abuse, neglect, or human trafficking in this state.

12           (b) Twenty-five percent of the monies to the state domestic violence  
 13           coalition, as defined in 42 U.S.C. 10402, for distribution to member programs that  
 14           provide community services and shelter programs to victims of domestic violence  
 15           pursuant to R.S. 46:2124.

16           (c) Fifty percent of the monies to accredited sexual assault crisis centers  
 17           within this state, as defined in R.S. 46:2187(A)(2), to serve victims of sexual assault  
 18           and exploitation.

19           (4) The governor's office of human trafficking prevention is authorized to  
 20           retain not more than ten percent of the monies in the fund for necessary and  
 21           associated administrative expenses of the fund.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 230

2025 Regular Session

HOUSE BILL NO. 5

BY REPRESENTATIVES JACKSON AND KNOX

1 AN ACT  
2 To amend and reenact R.S. 14:46.3(A)(1) and (D)(2), 82.2(C)(1), (4), and (5), 83(B)(1)(b),  
3 (2), and (3), 83.1(B)(2) and (3), 83.2(B)(2) and (3), 84(B)(2) and (3), 85(B)(2) and  
4 (3), 86(B)(1)(b) and (c), 89.2(B)(3)(a), 104(B)(2) and (3), 105(B)(2) and (3), and  
5 282(B)(2) and (3), R.S. 15:539.1(A) and 541(24)(a), and R.S. 46:1844(W)(2)(a) and  
6 to enact R.S. 14:46.3(A)(7) and 83(C), relative to offenses concerning prostitution;  
7 to provide for certain prostitution offenses; to provide for penalties; to provide for  
8 a definition; to provide with respect to sex offender registration and notification  
9 requirements; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 14:46.3(A)(1) and (D)(2), 82.2(C)(1), (4), and (5), 83(B)(1)(b), (2),  
12 and (3), 83.1(B)(2) and (3), 83.2(B)(2) and (3), 84(B)(2) and (3), 85(B)(2) and (3),  
13 86(B)(1)(b) and (c), 89.2(B)(3)(a), 104(B)(2) and (3), 105(B)(2) and (3), and 282(B)(2) and  
14 (3) are hereby amended and reenacted and R.S. 14:46.3(A)(7) and 83(C) are hereby enacted  
15 to read as follows:



1 §46.3. Trafficking of children for sexual purposes

2 A. It shall be unlawful:

3 (1) For any person to knowingly recruit, harbor, transport, provide, sell,  
4 ~~purchase~~, receive, isolate, entice, obtain, or maintain the use of a person under the  
5 age of eighteen years for the purpose of engaging in commercial sexual activity.

6 \* \* \*

7 (7) For any person to knowingly solicit or purchase a person under the age  
8 of eighteen years for the purpose of engaging in commercial sexual activity.

9 \* \* \*

10 D.(1)

11 \* \* \*

12 (2) Whoever violates the provisions of Paragraph (A)(3) or (7) of this  
13 Section shall be fined not more than fifty thousand dollars, imprisoned at hard labor  
14 for not less than fifteen nor more than fifty years, or both, with at least five years  
15 being served without benefit of probation, parole, or suspension of sentence.  
16 Whoever violates the provisions of Paragraph (A)(3) of this Section when the victim  
17 is under the age of fourteen years shall be fined not more than seventy-five thousand  
18 dollars and imprisoned at hard labor for not less than twenty-five nor more than fifty  
19 years, with at least ten years being served without benefit of probation, parole, or  
20 suspension of sentence.

21 \* \* \*

22 §82.2. Purchase of commercial sexual activity; penalties

23 \* \* \*

24 C.(1) Whoever violates the provisions of this Section shall be fined not more  
25 than ~~seven hundred fifty~~ one thousand dollars, ~~or be imprisoned with or without hard~~  
26 labor for not more than ~~six months~~ one year, or both, ~~and one-half~~. One-half of the  
27 fines collected pursuant to this Paragraph shall be distributed in accordance with R.S.  
28 15:539.4.

29 \* \* \*

1 (4) Whoever violates the provisions of this Section with a person the offender  
 2 knows to be under the age of eighteen years, or with a person the offender knows to  
 3 be a victim of human trafficking as defined by R.S. 14:46.2 or trafficking of children  
 4 for sexual purposes as defined by R.S. 14:46.3, shall be fined not ~~less than three~~  
 5 ~~thousand~~ and not more than fifty thousand dollars, imprisoned at hard labor for not less  
 6 than fifteen years nor more than fifty years, or both, with at least five years being  
 7 served without benefit of probation, parole, or suspension of sentence. ~~and one-half~~  
 8 One-half of the fines collected pursuant to this Paragraph shall be distributed in  
 9 accordance with R.S. 15:539.4.

10 (5) Whoever violates the provisions of this Section with a person the  
 11 offender knows to be under the age of fourteen years shall be fined not ~~less than five~~  
 12 ~~thousand~~ and not more than seventy-five thousand dollars, imprisoned at hard labor  
 13 for not less than twenty-five years nor more than fifty years, or both, with at least ten  
 14 years being served without benefit of probation, parole, or suspension of sentence.  
 15 ~~and one-half~~ One-half of the fines collected pursuant to this Paragraph shall be  
 16 distributed in accordance with R.S. 15:539.4.

17 \* \* \*

18 §83. Soliciting for prostitutes

19 \* \* \*

20 B.(1)

21 \* \* \*

22 (b) Whoever commits a second or subsequent offense for the crime of  
 23 soliciting for prostitutes shall be fined not less than one thousand five hundred  
 24 dollars nor more than two thousand dollars, imprisoned, with or without hard labor,  
 25 for not more than one year, or both, and one-half of the fines collected shall be  
 26 distributed in accordance with R.S. 15:539.4.

27 (2) Whoever commits the crime of soliciting for prostitutes when the person  
 28 being solicited is under the age of eighteen years shall be fined not ~~less than three~~  
 29 ~~thousand dollars~~ nor more than fifty thousand dollars, imprisoned at hard labor for  
 30 not less than fifteen years nor more than fifty years, or both, with at least five years

1 being served without benefit of probation, parole, or suspension of sentence. and  
 2 ~~one-half~~ One-half of the fines collected pursuant to this Paragraph shall be  
 3 distributed in accordance with R.S. 15:539.4.

4 (3) Whoever commits the crime of soliciting for prostitutes when the person  
 5 being solicited is under the age of fourteen years shall be fined not ~~less than five~~  
 6 ~~thousand dollars nor~~ more than seventy-five thousand dollars, imprisoned at hard  
 7 labor for not less than twenty-five years nor more than fifty years, or both, with at  
 8 least ten years being served without benefit of probation, parole, or suspension of  
 9 sentence. and ~~one-half~~ One-half of the fines collected pursuant to this Paragraph  
 10 shall be distributed in accordance with R.S. 15:539.4.

11 \* \* \*

12 C.(1) Any child who is identified to be a victim of the crime of soliciting for  
 13 prostitutes shall be referred and be eligible for specialized services for victims of  
 14 human trafficking pursuant to R.S. 14:46.2 or trafficking of children for sexual  
 15 purposes pursuant to R.S. 14:46.3. In accordance with R.S. 14:46.3(E), no victim  
 16 of trafficking of children for sexual purposes shall be prosecuted for a violation of  
 17 this Section if such violation is committed as a direct result of being trafficked.

18 (2) Any other person who is eighteen years of age or older who is identified  
 19 as a victim of the crime of soliciting for prostitutes shall be notified of any treatment  
 20 or specialized services for sexually exploited persons to the extent that such services  
 21 are available.

22 §83.1. Inciting prostitution

23 \* \* \*

24 B.

25 \* \* \*

26 (2) Whoever commits the crime of inciting prostitution of persons under the  
 27 age of eighteen years shall be fined not more than fifty thousand dollars, imprisoned  
 28 at hard labor for not less than fifteen years nor more than fifty years, or both, with

1 at least five years being served without benefit of probation, parole, or suspension  
2 of sentence.

3 (3) Whoever commits the crime of inciting prostitution of persons under the  
4 age of fourteen years shall be fined not more than seventy-five thousand dollars,  
5 imprisoned at hard labor for not less than twenty-five years nor more than fifty years,  
6 or both, with at least ten years being served without benefit of probation, parole, or  
7 suspension of sentence.

8 §83.2. Promoting prostitution

9 \* \* \*

10 B.

11 \* \* \*

12 (2) Whoever commits the crime of promoting prostitution of persons under  
13 the age of eighteen years shall be fined not more than fifty thousand dollars,  
14 imprisoned at hard labor for not less than fifteen years nor more than fifty years, or  
15 both, with at least five years being served without benefit of probation, parole, or  
16 suspension of sentence.

17 (3) Whoever commits the crime of promoting prostitution of persons under  
18 the age of fourteen years shall be fined not more than seventy-five thousand dollars,  
19 imprisoned at hard labor for not less than twenty-five years nor more than fifty years,  
20 or both, with at least ten years being served without benefit of probation, parole, or  
21 suspension of sentence.

22 §84. Pandering

23 \* \* \*

24 B.

25 \* \* \*

26 (2) Whoever commits the crime of pandering involving the prostitution of  
27 persons under the age of eighteen years shall be fined not more than fifty thousand  
28 dollars, imprisoned at hard labor for not less than fifteen years nor more than fifty  
29 years, or both, with at least five years being served without benefit of probation,  
30 parole, or suspension of sentence.



1 (c) Whoever commits the crime of enticing persons into prostitution when the  
 2 person being enticed into prostitution is under the age of fourteen years shall be fined  
 3 not more than seventy-five thousand dollars, imprisoned at hard labor for not less  
 4 than twenty-five years nor more than fifty years, or both, with at least ten years being  
 5 served without benefit of probation, parole, or suspension of sentence.

6 \* \* \*

7 §89.2. Crime against nature by solicitation

8 \* \* \*

9 B.

10 \* \* \*

11 (3)(a) Whoever violates the provisions of this Section, when the person being  
 12 solicited is under the age of eighteen years, shall be fined not more than fifty  
 13 thousand dollars, imprisoned at hard labor for not less than fifteen years nor more  
 14 than fifty years, or both, with at least five years being served without benefit of  
 15 probation, parole, or suspension of sentence.

16 \* \* \*

17 §104. Keeping a disorderly place

18 \* \* \*

19 B.

20 \* \* \*

21 (2) Whoever commits the crime of keeping a disorderly place for the purpose  
 22 of prostitution of persons under the age of eighteen years shall be fined not more  
 23 than fifty thousand dollars, imprisoned at hard labor for not less than fifteen years  
 24 nor more than fifty years, or both, with at least five years being served without  
 25 benefit of probation, parole, or suspension of sentence.

26 (3) Whoever commits the crime of keeping a disorderly place for the purpose  
 27 of prostitution of persons under the age of fourteen years shall be fined not more than  
 28 seventy-five thousand dollars, imprisoned at hard labor for not less than twenty-five  
 29 years nor more than fifty years, or both, with at least ten years being served without  
 30 benefit of probation, parole, or suspension of sentence.

1 §105. Letting a disorderly place

2 \* \* \*

3 B.

4 \* \* \*

5 (2) Whoever commits the crime of letting a disorderly place for the purpose  
6 of prostitution of persons under the age of eighteen years shall be fined not more  
7 than fifty thousand dollars, imprisoned at hard labor for not less than fifteen years  
8 nor more than fifty years, or both, with at least five years being served without  
9 benefit of probation, parole, or suspension of sentence.

10 (3) Whoever commits the crime of letting a disorderly place for the purpose  
11 of prostitution of persons under the age of fourteen years shall be fined not more than  
12 seventy-five thousand dollars, imprisoned at hard labor for not less than twenty-five  
13 years nor more than fifty years, or both, with at least ten years being served without  
14 benefit of probation, parole, or suspension of sentence.

15 \* \* \*

16 §282. Operation of places of prostitution prohibited; penalty

17 \* \* \*

18 B.

19 \* \* \*

20 (2) Whoever violates any provision of this Section for the purpose of  
21 lewdness, assignation, or prostitution of persons under the age of eighteen shall be  
22 fined not more than fifty thousand dollars, imprisoned at hard labor for not less than  
23 fifteen years nor more than fifty years, or both, with at least five years being served  
24 without benefit of probation, parole, or suspension of sentence.

25 (3) Whoever violates any provision of this Section for the purpose of  
26 lewdness, assignation, or prostitution of persons under the age of fourteen years shall  
27 be fined not more than seventy-five thousand dollars, imprisoned at hard labor for  
28 not less than twenty-five years nor more than fifty years, or both, with at least ten  
29 years being served without benefit of probation, parole, or suspension of sentence.

1 Section 2. R.S. 15:539.1(A) and 541(24)(a) are hereby amended and reenacted to  
2 read as follows:

3 §539.1. Forfeited property related to certain sex crimes; exempt property; allocation  
4 of forfeited property

5 A. Upon conviction of a human trafficking-related offense as defined in R.S.  
6 46:1844(W), any felony sex offense as defined in R.S. 46:1844(W), R.S. 14:40.3  
7 (cyberstalking), R.S. 14:46.2 (human trafficking), R.S. 14:46.3 (trafficking of  
8 children for sexual purposes), R.S. 14:81.1.1 (sexting; prohibited acts; penalties),  
9 R.S. 14:283.2 (nonconsensual disclosure of a private image), R.S. 14:78 (incest) as  
10 that offense existed prior to its repeal by Act Nos. 177 and 602 of the 2014 Regular  
11 Session of the Legislature, R.S. 14:78.1 (aggravated incest) as that offense existed  
12 prior to its repeal by Act Nos. 177 and 602 of the 2014 Regular Session of the  
13 Legislature, R.S. 14:89 (crime against nature), or R.S. 14:89.1 (aggravated crime  
14 against nature), the court shall order that the personal property used in the  
15 commission of the offense be seized or impounded and sold at public sale or auction  
16 by the district attorney or otherwise distributed or disposed of in accordance with the  
17 provisions of this Section. The personal property made subject to seizure and  
18 disposition pursuant to this Section may include any electronic communication  
19 devices, computers, computer-related equipment, motor vehicles, photographic  
20 equipment used to record or create still or moving visual images of any victim that  
21 are recorded on paper, film, video tape, disc, or any other type of digital recording  
22 media, currency, instruments, or securities. Forfeiture of personal property under the  
23 provisions of this Section shall not preclude the application of any other remedy,  
24 civil or criminal, under any other provision of law. All materials seized as evidence  
25 in an offense enumerated in this Section shall constitute contraband. The court, upon  
26 motion of the prosecuting attorney, after contradictory hearing, shall order the  
27 destruction of the contraband when it is determined that it is no longer needed as  
28 evidence. The contraband shall be presumed necessary as evidence if an appeal of  
29 the conviction is pending, if the convicted person is pursuing post-conviction



1 remedies, or the time for pursuing an appeal or post-conviction remedies has not  
2 expired.

3 \* \* \*

4 §541. Definitions

5 For the purposes of this Chapter, the definitions of terms in this Section shall  
6 apply:

7 \* \* \*

8 (24)(a) "Sex offense" means deferred adjudication, adjudication withheld,  
9 or conviction for the perpetration or attempted perpetration of or conspiracy to  
10 commit human trafficking when prosecuted under the provisions of R.S.  
11 14:46.2(B)(2), R.S. 14:46.3 (trafficking of children for sexual purposes), R.S. 14:89  
12 (crime against nature), R.S. 14:89.1 (aggravated crime against nature), R.S.  
13 14:89.2(B)(3) (crime against nature by solicitation), R.S. 14:80 (felony carnal  
14 knowledge of a juvenile), R.S. 14:81 (indecent behavior with juveniles), R.S. 14:81.1  
15 (pornography involving juveniles), R.S. 14:81.2 (molestation of a juvenile or a  
16 person with a physical or mental disability), R.S. 14:81.3 (computer-aided  
17 solicitation of a minor), R.S. 14:81.4 (prohibited sexual conduct between an educator  
18 and student), R.S. 14:82.1 (prostitution; persons under eighteen), R.S. 14:82.2(C)(4)  
19 ~~and~~ or (5) (purchase of commercial sexual activity), R.S. 14:83(B)(2) or (3)  
20 (soliciting for prostitutes), R.S. 14:92(A)(7) (contributing to the delinquency of  
21 juveniles), R.S. 14:93.5 (sexual battery of persons with infirmities), R.S.  
22 14:106(A)(5) (obscenity by solicitation of a person under the age of seventeen), R.S.  
23 14:283 (video voyeurism), R.S. 14:41 (rape), R.S. 14:42 (aggravated or first degree  
24 rape), R.S. 14:42.1 (forcible or second degree rape), R.S. 14:43 (simple or third  
25 degree rape), R.S. 14:43.1 (sexual battery), R.S. 14:43.2 (second degree sexual  
26 battery), R.S. 14:43.3 (oral sexual battery), R.S. 14:43.5 (intentional exposure to  
27 HIV), a second or subsequent conviction of R.S. 14:283.1 (voyeurism), or a second  
28 or subsequent conviction of R.S. 14:89.3 (sexual abuse of an animal), committed on  
29 or after June 18, 1992, or committed prior to June 18, 1992, if the person, as a result  
30 of the offense, is under the custody of the Department of Public Safety and

1 Corrections on or after June 18, 1992. A conviction for any offense provided in this  
 2 definition includes a conviction for the offense under the laws of another state, or  
 3 military, territorial, foreign, tribal, or federal law which is equivalent to an offense  
 4 provided for in this Chapter, unless the tribal court or foreign conviction was not  
 5 obtained with sufficient safeguards for fundamental fairness and due process for the  
 6 accused as provided by the federal guidelines adopted pursuant to the Adam Walsh  
 7 Child Protection and Safety Act of 2006.

\* \* \*

9 Section 3. R.S. 46:1844(W)(2)(a) is hereby amended and reenacted to read as  
 10 follows:

11 §1844. Basic rights for victim and witness

12 \* \* \*

13 W.

14 \* \* \*

15 (2) For purposes of this Section:

16 (a) "Human trafficking-related offense" shall include the perpetration or  
 17 attempted perpetration of R.S. 14:46.2, ~~or~~ R.S. 14:46.3, or any other crime involving  
 18 commercial sexual exploitation including R.S. 14:81.1, 81.3, 82, 82.1, 82.2, 83, 83.1,  
 19 83.2, 83.3, 83.4, 84, 85, 86, 89.2, 104, 105, ~~and~~ or 282.

20 \* \* \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 231

2025 Regular Session

HOUSE BILL NO. 6

BY REPRESENTATIVE JACKSON

1 AN ACT

2 To enact R.S. 14:71.5, relative to misappropriation without violence; to create the crime of  
3 misappropriation of funds in connection with the payment of utility services; to  
4 provide for definitions; to provide for penalties; to provide for exceptions; to provide  
5 for a statement of legislative intent; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:71.5 is hereby enacted to read as follows:

8 §71.5. Misappropriation of funds; utility services

9 A. No person who has received money or payment in accordance with a  
10 lease contract or rental agreement to pay utility services shall knowingly:

11 (1) Fail to apply the money or payment as necessary to satisfy the amount  
12 owed for the utility services within sixty days of the person's receipt of the bill for  
13 utility services.

14 (2) Use or cause an agent or employee to use any deception, false pretense,  
15 or false promise in the failure to apply the money or payment as necessary to satisfy  
16 the amount owed for the utility services.

17 B.(1) Whoever violates the provisions of this Section when the  
18 misappropriation or taking amounts to a value of twenty-five thousand dollars or  
19 more shall be imprisoned at hard labor for not more than twenty years, fined not  
20 more than fifty thousand dollars, or both.

21 (2) When the misappropriation or taking amounts to a value of five thousand  
22 dollars or more, but less than a value of twenty-five thousand dollars, the offender

1 shall be imprisoned with or without hard labor for not more than ten years, fined not  
 2 more than ten thousand dollars, or both.

3 (3) When the misappropriation or taking amounts to a value of one thousand  
 4 dollars or more, but less than a value of five thousand dollars, the offender shall be  
 5 imprisoned with or without hard labor for not more than five years, fined not more  
 6 than three thousand dollars, or both.

7 (4)(a) When the misappropriation or taking amounts to less than a value of  
 8 one thousand dollars, the offender shall be imprisoned for not more than six months,  
 9 fined not more than one thousand dollars, or both.

10 (b) If the offender in such cases has been convicted two or more times  
 11 previously, upon any subsequent conviction, the offender shall be imprisoned with  
 12 or without hard labor for not more than two years, fined not more than two thousand  
 13 dollars, or both.

14 (5) In addition to the penalties provided in Paragraphs (1) through (4) of this  
 15 Subsection, a person convicted under the provisions of this Section shall be ordered  
 16 to make full restitution to the victim and any other person who has suffered a  
 17 financial loss as a result of the offense in accordance with Code of Criminal  
 18 Procedure Article 883.2.

19 C. The provisions of this Section shall not apply if the person who has  
 20 received money or payment for utility services is unable to pay the bill for utility  
 21 services because either:

22 (1) The tenant or lessee has failed to timely pay sufficient funds to satisfy the  
 23 specific amount owed in the bill for utility services.

24 (2) The reason for the delay in receipt of either the bill or payment for utility  
 25 services is due to an administrative, clerical, or technical error or omission on behalf  
 26 of the company providing utility services.

27 D. For purposes of this Section:

28 (1) "Person" means a natural or juridical person, including but not limited  
 29 to a sole proprietorship, corporation, company, limited liability company,  
 30 partnership, limited liability partnership, trust, incorporated or unincorporated

1            association, or any other individual or entity. "Person" shall also include any  
 2            representative, director, trustee, agent, or officer of a juridical person who is  
 3            authorized and responsible for making payments for utility services.

4            (2) "Utility services" means any water, electricity, gas, heat, or sewer  
 5            services, whether privately, municipally, cooperatively, or investor-owned.

6            Section 2. It is the intent of the legislature to establish a clear criminal offense for  
 7            the misappropriation of utility funds received under a lease or rental agreement. This statute  
 8            is designed to address circumstances where payments collected for utility services are  
 9            knowingly or fraudulently diverted, resulting in harm to tenants and utility providers. It is  
 10           not intended to apply to isolated errors or good-faith disputes, but rather to conduct that  
 11           reflects a pattern of intentional nonpayment, misrepresentation, or deception. The legislature  
 12           further intends for this statute to apply to both natural and juridical persons, including  
 13           entities, in line with other Louisiana statutes addressing contract-based financial misconduct.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 233

2025 Regular Session

HOUSE BILL NO. 12

BY REPRESENTATIVE SCHLEGEL

1 AN ACT

2 To amend and reenact R.S. 40:961.1 and 966(A)(3) and to enact R.S. 14:93.16 and 93.17  
3 and R.S. 40:966(A)(4) and (B)(4), relative to unlawful sales of consumable hemp;  
4 to provide for possession of consumable hemp by minors; to prohibit the  
5 manufacturing and possession of consumable hemp under certain circumstances; to  
6 provide for penalties; to provide exceptions for industrial hemp; to provide for  
7 exceptions; to provide for defenses; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:93.16 and 93.17 are hereby enacted to read as follows:

10 §93.16. Unlawful sales of consumable hemp products to persons under twenty-one

11 A. It is unlawful for any person to sell, distribute, dispense, or otherwise  
12 deliver any consumable hemp product, as defined in R.S. 3:1481, to any person  
13 under twenty-one years of age unless such person is the lawful owner or lawful  
14 employee of an establishment to which the sale is being made and is accepting such  
15 delivery pursuant to such ownership or employment. Lack of knowledge of the  
16 person's age shall not be a defense.

17 B. Whoever violates the provisions of this Section shall be fined not less  
18 than five hundred dollars nor more than one thousand dollars, or imprisoned for not  
19 less than thirty days nor more than six months, or both.

1            §93.17. Purchase and possession of consumable hemp products by a minor;  
2                               penalties

3                               A. It is unlawful for any person under twenty-one years of age to purchase  
4                               or possess any consumable hemp product as defined in R.S. 3:1481.

5                               B.(1) Whoever violates the provisions of this Section shall be fined not more  
6                               than one hundred dollars.

7                               (2) Any person apprehended while violating the provisions of this Section  
8                               shall be issued a citation by the apprehending law enforcement officer, which shall  
9                               be paid in the same manner as provided for the offenders of local traffic violations.  
10                              A citation issued by a law enforcement officer for such violation shall not be  
11                              included on the person's criminal history record.

12            Section 2. R.S. 40:961.1 and 966(A)(3) are hereby amended and reenacted and R.S.  
13            40:966(A)(4) and (B)(4) are hereby enacted to read as follows:

14            §961.1. Industrial hemp exemption

15                              A. Notwithstanding the definitions provided for in R.S. 40:961(6) and (27),  
16                              the provisions of the Uniform Controlled Dangerous Substances Law shall not apply  
17                              to industrial hemp or consumable hemp products ~~as provided for in Parts V and VI~~  
18                              of Chapter 10-A of Title 3 of the Louisiana Revised Statutes of 1950 that are  
19                              possessed, stored, cultivated, trimmed, dried, cured, and transported by a licensee in  
20                              accordance with Part V of Chapter 10-A of Title 3 of the Louisiana Revised Statutes  
21                              of 1950 or that are processed, distributed, sold, or offered to be sold by a permittee  
22                              in accordance with Part VI of Chapter 10-A of Title 3 of the Louisiana Revised  
23                              Statutes of 1950.

24                              B. Nothing in this Part shall be construed to prohibit the transportation and  
25                              shipment of federally compliant hemp products through the state to the limited extent  
26                              currently provided by federal law. For the purposes of this Section, "through the  
27                              state" means from one geographic boundary of the state to another geographic  
28                              boundary of the state.

29    \*           \*           \*

1 §966. Penalty for distribution or possession with intent to distribute narcotic drugs  
2 listed in Schedule I; possession of marijuana, synthetic cannabinoids, and  
3 heroin

4 A. Manufacture; distribution. Except as authorized by this Part, it shall be  
5 unlawful for any person knowingly or intentionally:

6 \* \* \*

7 (3)(a) To produce, manufacture, distribute, or dispense or possess with intent  
8 to produce, manufacture, distribute, or dispense a consumable hemp product, as  
9 defined in R.S. 3:1481, in violation of R.S. 3:1483.

10 (b) It shall not be considered a violation of Paragraph (A)(3) of this Section  
11 if the sole basis for the alleged offense is that the processor, wholesaler, or retailer  
12 was operating without an active permit if both of the following occur:

13 (i) The processor, wholesaler, or retailer held a valid permit at the time of  
14 applying for permit renewal.

15 (ii) The renewal application was under review by the Louisiana Department  
16 of Health or the office of alcohol and tobacco control at the time of the alleged  
17 offense.

18 (c) It shall not be considered a violation of Subparagraph (A)(3)(a) of this  
19 Section if the consumable hemp product was approved by the Louisiana Department  
20 of Health at the time of the alleged offense. If the product's approval has been  
21 revoked, no violation shall be deemed to have occurred unless the revocation  
22 occurred more than sixty days prior to the alleged offense.

23 ~~(3)~~(4) To cultivate, possess, process, or sell industrial hemp, industrial hemp  
24 products, or viable industrial hemp seeds not in accordance with the ~~U.S.~~ Agriculture  
25 Improvement Act of 2018 or the plan submitted by the Department of Agriculture  
26 and Forestry that is in compliance with U.S. Department of Agriculture rules.

27 \* \* \*

28 B. Violations of Subsection A. Any person who violates Subsection A of  
29 this Section with respect to:

30 \* \* \*





**ACT No. 240**

2025 Regular Session

HOUSE BILL NO. 93

BY REPRESENTATIVES HENRY, BERAULT, BOYER, BRYANT, DOMANGUE,  
JACKSON, OWEN, ROMERO, AND SPELL

1 AN ACT

2 To enact R.S. 15:1109.5(C), relative to the authority of the Acadiana Regional Juvenile  
3 Justice District to levy certain taxes; to provide for the authorization and levy of  
4 certain taxes; to provide for an effective date; and to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:1109.5(C) is hereby enacted to read as follows:

10 §1109.5. Power to levy taxes, incur debt, and issue bonds

11 \* \* \*

12 C. In addition to the taxes authorized by this Section, the board is hereby  
13 authorized to levy and collect a sales and use tax not to exceed one percent within  
14 the district, levied upon the sale at retail, the use, consumption, the distribution, the  
15 storage for use or consumption, and the lease or rental of tangible personal property  
16 or digital products, and on sales of services in the district, all as defined in Chapter  
17 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950. The ordinance  
18 imposing the tax shall be adopted by the board only after the question of the  
19 imposition of the tax has been submitted to the qualified electors of the district at an  
20 election conducted in accordance with the Louisiana Election Code and the majority

1           of those voting in the election voted in favor of the imposition of the tax. The tax  
2           shall be levied for the purposes set forth in the proposition approved at the election.

3           Section 2. This Act shall become effective upon signature by the governor or, if not  
4 signed by the governor, upon expiration of the time for bills to become law without signature  
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7 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. 243**

2025 Regular Session

HOUSE BILL NO. 124

BY REPRESENTATIVE FREIBERG

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19

AN ACT

To amend and reenact R.S. 13:477(19) and 621.19 and to repeal Section 5(E) of Act No. 145 of the 1994 Third Extraordinary Session of the Legislature of Louisiana, relative to the Nineteenth Judicial District Court; to provide for the election sections from which judges are elected; to reduce the number of election sections; to provide for the assignment of judgeships to election sections; to provide for a judgeship to be elected at-large; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:477(19) and 621.19 are hereby amended and reenacted to read as follows:

§477. Judicial districts

There shall be forty-one judicial districts in the state and each district shall be composed as follows:

\* \* \*

(19) The parish of East Baton Rouge shall compose the Nineteenth District. The Nineteenth District shall consist of ~~three~~ two election sections. Election section one shall consist of Precincts ~~INDUSTRIAL COMPLEX, INDUSTRIAL COMPLEX A, INDUSTRIAL COMPLEX B, 1-1, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 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           ~~1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-37, 1-38, 1-40, 1-44, 1-45, 1-46, 1-50,~~  
2           ~~1-51, 1-58, 1-61, 1-62, 1-63, 1-67, 1-68, 1-77, 1-84, 1-85, 1-86, 1-91, 1-92, 1-94,~~  
3           ~~1-95, 1-100, 1-101, 2-16, 2-20, and 2-23~~ 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-9, 1-10,  
4           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,  
5           1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-36, 1-37, 1-38, 1-44, 1-45, 1-46, 1-50,  
6           1-51, 1-52, 1-53, 1-54, 1-55, 1-58, 1-60, 1-61, 1-62, 1-63, 1-67, 1-68, 1-70, 1-71,  
7           1-72, 1-76, 1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-91, 1-92,  
8           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,  
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,  
10          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,  
11          3-11, 3-24, 3-27, 3-28, 3-32, 3-42, 3-54, and 3-72 of East Baton Rouge Parish.  
12          Election section two shall consist of Precincts ~~1-9, 1-52, 1-53, 1-54, 1-55, 1-60, 1-70,~~  
13          ~~1-71, 1-72, 1-78, 1-81, 1-82, 1-83, 1-87, 1-88, 1-93, 1-97, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6,~~  
14          ~~2-7, 2-8, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-17, 2-18, 2-21, 2-22, 2-24, 2-25,~~  
15          ~~2-26, 2-26A\*, 2-26B\*, 3-1, 3-2, 3-6, 3-8, 3-9, 3-12, 3-14, 3-24, 3-25, 3-26, 3-28,~~  
16          ~~3-30, and 3-32~~ 1-8, 1-12, 1-33, 1-34, 1-35, 1-39, 1-40, 1-41, 1-42, 1-43, 1-47, 1-48,  
17          1-49, 1-56, 1-57, 1-59, 1-64, 1-65, 1-66, 1-69, 1-73, 1-74, 1-75, 1-79, 1-80, 1-89,  
18          1-90, 1-98, 1-99, 1-103, 1-105, 1-106, 1-107, 2-6, 2-7, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4,  
19          3-5, 3-6, 3-7, 3-9, 3-10, 3-12, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21,  
20          3-22, 3-23, 3-25, 3-26, 3-29, 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39,  
21          3-40, 3-41, 3-43, 3-44, 3-45, 3-46, 3-47, 3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-55,  
22          3-56, 3-57, 3-58, 3-59, 3-60, 3-61, 3-62, 3-63, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69,  
23          3-70, 3-71, 3-73, 3-74, 3-75, and 3-76 of East Baton Rouge Parish. Election section  
24          ~~three shall consist of Precincts 1-2, 1-12, 1-33, 1-34, 1-35, 1-36, 1-39, 1-41, 1-42,~~  
25          ~~1-43, 1-47, 1-48, 1-49, 1-56, 1-57, 1-59, 1-64, 1-65, 1-66, 1-69, 1-73, 1-74, 1-75,~~  
26          ~~1-76, 1-79, 1-80, 1-89, 1-90, 1-96, 1-98, 1-99, 1-102, 1-103, 3-3, 3-4, 3-5, 3-7, 3-10,~~  
27          ~~3-11, 3-13, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, 3-27, 3-29, 3-31,~~  
28          ~~3-33, 3-34, 3-35, 3-36, 3-37, and 3-38~~ of East Baton Rouge Parish.

\* \* \*

1 §621.19. Nineteenth Judicial District

2 The Nineteenth Judicial District Court shall have fifteen judges. ~~Five~~ Seven  
 3 judges shall be elected from election section one, ~~five~~ seven judges shall be elected  
 4 from election section two, and ~~five judges shall be elected from election section three~~  
 5 one judge shall be elected at large. The judgeships designated as Divisions A, D, J,  
 6 K, L, M, and O are assigned to election section one; the judgeships designated as  
 7 Divisions C, E, F, G, H, I, and N are assigned to election section two; and the  
 8 judgeship designated as Division B shall be elected at large.

9 Section 2. Section 5(E) of Act No. 145 of the 1994 Third Extraordinary Session of  
 10 the Legislature of Louisiana is hereby repealed.

11 Section 3. (A) The precincts referenced in this Act are those contained in the file  
 12 named "2025 Precinct Shapefiles (01-16-2025)" available on the Legislature of Louisiana's  
 13 website on the effective date of this Section. The 2025 Precinct Shapefiles are based upon  
 14 those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line  
 15 Shapefiles for the State of Louisiana as those files have been modified and validated through  
 16 the data verification program of the Louisiana House of Representatives and the Louisiana  
 17 Senate to represent precinct changes submitted through January 16, 2025, to the Legislature  
 18 of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and  
 19 532.1.

20 (B) When a precinct referenced in this Act has been subdivided by action of the  
 21 parish governing authority on a nongeographic basis or subdivided by action of the parish  
 22 governing authority on a geographic basis in accordance with the provisions of R.S.  
 23 18:532.1, the enumeration in this Act of the general precinct designation shall include all  
 24 nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
 25 designated.

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

1           Section 4. 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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 246

2025 Regular Session

HOUSE BILL NO. 146

BY REPRESENTATIVE WILEY

1 AN ACT

2 To amend and reenact R.S. 15:529.1(C)(1) and (2), relative to the habitual offender law; to  
3 provide relative to the time period between the current and prior offense for the  
4 habitual offender law to apply; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:529.1(C)(1) and (2) are hereby amended and reenacted to read as  
7 follows:

8 §529.1. Sentences for second and subsequent offenses; certificate of warden or clerk  
9 of court in the state of Louisiana as evidence

10 \* \* \*

11 C.(1) Except as provided in Paragraphs (2) and (3) of this Subsection, the  
12 current offense shall not be counted as, respectively, a second, third, fourth, or higher  
13 offense if more than five years have elapsed between the date of the commission of  
14 the current offense or offenses and the ~~expiration of the correctional supervision, or~~  
15 ~~term of imprisonment if the offender is not placed on supervision following~~  
16 ~~imprisonment,~~ date of the completion of sentence, probation, parole, or suspension  
17 of sentence for the previous conviction or convictions, or between the ~~expiration of~~  
18 ~~the correctional supervision, or term of imprisonment if the offender is not placed~~  
19 ~~on supervision following imprisonment,~~ date of the completion of sentence,  
20 probation, parole, or suspension of sentence for each preceding conviction or  
21 convictions alleged in the multiple offender bill and the date of the commission of  
22 the following offense or offenses. ~~In computing the intervals of time as provided in~~



~~this Paragraph, any period of parole, probation, or incarceration by a person in a penal institution, within or without the state, shall not be included in the computation of any of the five-year periods between the expiration of the correctional supervision, or term of imprisonment if the offender is not placed on supervision following imprisonment, and the next succeeding offense or offenses. The following shall not be included in the computation of any of the five-year periods provided in this Paragraph:~~

(a) Any period of time during which the offender was incarcerated in a penal institution in this state or any other state.

(b) Any period of time during which the offender was under probation or parole supervision in this state or any other state.

(2) Except as provided in Paragraph (3) of this Subsection, the current offense shall not be counted as, respectively, a second, third, fourth, or higher offense if more than ten years have elapsed between the date of the commission of the current offense or offenses and the ~~expiration of correctional supervision, or term of imprisonment if the offender is not placed on supervision following imprisonment,~~ date of the completion of sentence, probation, parole, or suspension of sentence for the previous conviction or convictions if the current offense or offenses or the previous conviction or convictions are for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or between the expiration of correctional supervision, or term of imprisonment if the offender is not placed on supervision following imprisonment, date of the completion of sentence, probation, parole, or suspension of sentence for each preceding conviction or convictions alleged in the multiple offender bill ~~for~~ and the date of the commission of the following offense or offenses if the preceding conviction or convictions or the following offense or offenses are a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 and the date of the commission of the following offense or offenses. ~~In computing the intervals of time as provided in this Paragraph, any period of parole, probation, or incarceration by a person in a penal institution, within or without the state, shall not be included in the computation of~~

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

1           ~~any of the ten-year periods between the expiration of correctional supervision, or~~  
 2           ~~term of imprisonment if the offender is not placed on supervision following~~  
 3           ~~imprisonment, for a crime of violence as defined in R.S. 14:2(B) or a sex offense as~~  
 4           ~~defined in R.S. 15:541 and the next succeeding offense or offenses. The following~~  
 5           ~~shall not be included in the computation of any of the ten-year periods provided in~~  
 6           ~~this Paragraph:~~

7                     (a) Any period of time during which the offender was incarcerated in a penal  
 8                     institution in this state or any other state.

9                     (b) Any period of time during which the offender was under probation or  
 10                    parole supervision in this state or any other state.

11   \*       \*       \*

\_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 248

2025 Regular Session

HOUSE BILL NO. 171

BY REPRESENTATIVE COATES

1 AN ACT

2 To amend and reenact R.S. 15:574.2(A)(7), relative to the members of the committee on  
3 parole; to provide relative to the annual compensation of members; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.2(A)(7) is hereby amended and reenacted to read as follows:

7 §574.2. Committee on parole, Board of Pardons; membership; qualifications;  
8 vacancies; compensation; domicile; venue; meetings; quorum; panels;  
9 powers and duties; transfer of property to committee; representation of  
10 applicants before the committee; prohibitions

11 A.

12 \* \* \*

13 (7) The chairman of the board ~~shall receive an annual salary not to exceed~~  
14 ~~fifty thousand dollars, the vice chairman shall receive an annual salary not to exceed~~  
15 ~~forty-seven thousand dollars, the two-at-large appointees to the committee on parole,~~  
16 and each of the other members of the board, except for the ex officio member, shall  
17 receive an annual salary ~~not to exceed forty-four thousand dollars payable on his~~  
18 ~~own warrant, and shall be reimbursed for necessary travel and other expenses~~  
19 ~~actually incurred in the discharge of his duties. The actual salaries, subject to the~~  
20 ~~limits provided for in this Paragraph, shall be authorized by executive order of the~~  
21 ~~governor. The legislature shall, by specific appropriation in the general appropriation~~  
22 bill, provide the rate of annual compensation for the members of the board and

1 committee on parole, except for the ex-officio member. Annual compensation shall  
 2 be payable upon the warrant of the member and each member shall be reimbursed  
 3 for necessary travel and other expenses actually incurred in the discharge of his  
 4 official duties. The actual salaries and expenses shall be paid from the general  
 5 operating fund of the Department of Public Safety and Corrections in an annual  
 6 amount as authorized by the secretary. The salary shall be structured so that the  
 7 salary of the chairman is set at a rate that is ten percent higher than that of a board  
 8 or committee member and the salary of the vice chairman is adjusted to five percent  
 9 above that of a board or committee member.

10 \* \* \*

\_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 253**

2025 Regular Session

HOUSE BILL NO. 199

BY REPRESENTATIVE EDMONSTON

1 AN ACT

2 To amend and reenact R.S. 15:1186(A) and (B)(1) and 1188(B)(2), relative to civil claims  
3 of prisoners; to provide relative for proceeding in forma pauperis; to provide for  
4 procedural requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:1186(A) and (B)(1) and 1188(B)(2) are hereby amended and  
7 reenacted to read as follows:

8 §1186. Proceedings in forma pauperis

9 A.(1) A prisoner who seeks to bring a civil action or file an appeal or writ  
10 application in a civil action without prepayment of fees or security ~~must~~ shall comply  
11 with all requirements for proceeding in forma pauperis except for Code of Civil  
12 Procedure Article 5183(A)(2).

13 (2)(a) and A prisoner who is incarcerated in any prison at the time of his  
14 application to proceed in forma pauperis shall submit a certified copy of the trust  
15 fund account statement or institutional equivalent for the six-month period  
16 immediately preceding the filing of the petition, notice of appeal, or writ application  
17 obtained from the appropriate official of each prison ~~at which~~ where the prisoner is  
18 ~~or was~~ confined. If the prisoner was incarcerated for less than six months at the time  
19 of his application to proceed in forma pauperis, his account statement shall be  
20 limited to the period of incarceration.

21 (b) A prisoner who is no longer incarcerated in any prison at the time of his  
22 application to proceed in forma pauperis shall submit an affidavit of the prisoner's  
23 present assets and any supporting documentation pursuant to Code of Civil  
24 Procedure Article 5183(A)(1).

1                   ~~(2)~~ (3) If a prisoner brings a civil action or files an appeal or writ application  
 2                   in forma pauperis as authorized by Paragraph (A)(1) of this Section, the prisoner  
 3                   shall still be required to pay the full amount of a filing fee. The court shall assess  
 4                   and, when funds exist, collect, as a partial payment of any court fees required by law,  
 5                   an initial partial filing fee ~~of~~ calculated as follows:

6                   (a) For partial filing fees based on a trust account or institutional equivalent,  
 7                   the fee shall be twenty percent of the greater of the average monthly deposits to the  
 8                   prisoner's account, or the average monthly balance in the prisoner's account for the  
 9                   six-month period immediately preceding the filing of the petition, notice of appeal,  
 10                  or writ application.

11                  (b) For partial filing fees based on a prisoner's present assets, the fee shall  
 12                  be determined based on the fee schedule in Code of Civil Procedure Article 5181.

13                  ~~(3)~~ (4) If a prisoner brings a civil action, files an appeal, or files a writ  
 14                  application in which the prisoner is not allowed to proceed as a pauper, the prisoner  
 15                  ~~must~~ shall pay the required costs in advance. If the prisoner does not pay the costs  
 16                  in advance, the civil action, appeal, or writ application shall be dismissed without  
 17                  prejudice. If the action is dismissed pursuant to this Paragraph, the filing of the suit  
 18                  shall not be considered an interruption of prescription for purposes of Civil Code  
 19                  Article 3463.

20                  B.(1) After payment of the initial partial filing fee, as required by Paragraph  
 21                  ~~(A)(2)~~ (A)(3) of this Section, the prisoner shall be required to make monthly  
 22                  payments of twenty percent of the preceding month's income credited to the  
 23                  prisoner's account. ~~The agency having custody of the prisoner shall forward~~  
 24                  ~~payments from the prisoner's account to the clerk of the court each time the amount~~  
 25                  ~~in the account exceeds ten dollars until the filing fees are paid.~~ In no event shall the  
 26                  filing fee collected exceed the amount of fees permitted by statute law.

27                  (a) If the prisoner is incarcerated in a prison, the order granting pauper status  
 28                  shall direct the agency having custody of the prisoner to forward payments from the  
 29                  prisoner's account to the clerk of court each time the amount in the account exceeds  
 30                  ten dollars until the filing fees are paid.

1                   (b) If the prisoner is not incarcerated, the prisoner shall forward the  
2                   payments to the clerk of court whenever the amount in his possession exceeds ten  
3                   dollars until the filing fees are paid.

4   \*       \*       \*

5                   §1188. Judicial screening and service of process

6   \*       \*       \*

7                   B. A court shall not authorize or permit service of a prisoner suit until  
8                   compliance with both of the following:

9   \*       \*       \*

10                   (2) The provisions of R.S. 15:1186(A)(1)~~2~~ and (2), and (3) have been  
11                   satisfied, if the plaintiff is proceeding in forma pauperis.

12   \*       \*       \*

\_\_\_\_\_   
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_   
PRESIDENT OF THE SENATE

\_\_\_\_\_   
GOVERNOR OF THE STATE OF LOUISIANA

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

2025 Regular Session

# ACT No. 255

HOUSE BILL NO. 234

BY REPRESENTATIVES MANDIE LANDRY, BAYHAM, CARPENTER, CHASSION, FISHER, FREEMAN, GREEN, HILFERTY, HUGHES, KNOX, LARVADAIN, LYONS, MARCELLE, NEWELL, PHELPS, SCHLEGEL, TAYLOR, VILLIO, WALTERS, AND WILLARD

1 AN ACT

2 To amend and reenact R.S. 14:107.3(A)(1) and (3)(introductory paragraph) and (B) and R.S.  
3 33:1374(B)(1), relative to criminal blighting of property; to provide relative to  
4 definitions; to provide relative to the elements of criminal blighting of property; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:107.3(A)(1) and (3)(introductory paragraph) and (B) are hereby  
8 amended and reenacted to read as follows:

9 §107.3. Criminal blighting of property

10 A. The terms used in this Section shall have the following meanings:

11 (1) "Blighted property" means ~~those commercial or residential premises,~~  
12 ~~including lots, which have been declared vacant, uninhabitable, and hazardous by an~~  
13 ~~administrative hearing officer acting pursuant to R.S. 13:2575 or 2576 or other~~  
14 ~~applicable law. Such premises may include premises which, because of their~~



1           ~~physical condition, are considered hazardous to persons or property, have been~~ any  
 2           vacant or occupied immovable property that has been declared or certified as  
 3           ~~blighted, and have been declared to be~~ or a public nuisance by a court of competent  
 4           jurisdiction or by an administrative hearing officer acting pursuant to R.S. 13:2575  
 5           or 2576, or any other applicable law.

6   \*           \*           \*

7                           (3) "Public nuisance" means any garage, shed, barn, house, building,  
 8           apartment, or structure, that by reason of the condition in which it is permitted to  
 9           remain, may endanger the health, life, limb, or property of any person, or cause any  
 10          hurt, harm, damages, injury, or loss to any person in any one or more of the  
 11          following conditions:

12   \*           \*           \*

13                           B. Criminal blighting of property is the intentional or criminally negligent  
 14          permitting of the existence of a condition of deterioration of property by the owner,  
 15          which is deemed to have occurred when the property has been declared or certified  
 16          as blighted ~~after~~ or a public nuisance by an administrative hearing; officer acting  
 17          pursuant to R.S. 13:2575 or 2576, or any other applicable law.

18   \*           \*           \*

19          Section 2. R.S. 33:1374(B)(1) is hereby amended and reenacted to read as follows:  
 20          §1374. Enforcement of health, safety, and welfare ordinances of Orleans Parish

21   \*           \*           \*

22                           B. The following terms, whenever used or referred to in any proceedings  
 23          pursuant to this Section or in R.S. 13:2575, shall have the following respective  
 24          meanings, unless a different meaning clearly appears from the context:

25                           (1) "Blighted property" means ~~commercial or residential premises, including~~  
 26          ~~lots, which are vacant, uninhabitable, and hazardous and because of their physical~~  
 27          ~~condition, are considered hazardous to persons or property, or~~ any vacant or  
 28          occupied immovable property that ~~have~~ has been declared or certified blighted, and  
 29          ~~have~~ has been declared to be a public nuisance by a court of competent jurisdiction,  
 30          ~~or by~~ an administrative hearing officer acting pursuant to competent jurisdiction<sub>2</sub> or

1 by an administrative hearing officer acting pursuant to R.S. 13:2575 et seq., or any  
2 other applicable law.

3 \* \* \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 261

2025 Regular Session

HOUSE BILL NO. 268

BY REPRESENTATIVES LAFLEUR, ADAMS, BACALA, BAYHAM, BERAULT, BILLINGS, BOYD, BOYER, BRASS, BRYANT, CARLSON, CARRIER, CARVER, CHASSION, CHENEVERT, COATES, COX, DEVILLIER, DEWITT, DICKERSON, EDMONSTON, EGAN, FISHER, HORTON, HUGHES, JACKSON, JORDAN, KNOX, LACOMBE, JACOB LANDRY, LARVADAIN, LYONS, MOORE, NEWELL, OWEN, ROMERO, SCHLEGEL, SPELL, TAYLOR, THOMPSON, WALTERS, WYBLE, AND YOUNG

1 AN ACT

2 To amend and reenact R.S. 14:73.8 (A), (C), and (D), 81.1(A), (B)(8) and (9), (E)(1) through  
3 (4) and (5)(a) and (b), (F)(2), (3)(b) and (c), (4), and (5)(introductory paragraph) and  
4 (d), 89.1(A)(2)(b)(i), 91.2(B), and 91.5(A)(1), R.S. 15:537(A), 539.1(F)(introductory  
5 paragraph), 541(24)(a) and (25)(d), 543.1(18), 545.1(C), and 1352(A)(45), R.S.  
6 17:100.7(A)(1), R.S. 46:51.2(C)(1)(a), Code of Criminal Procedure Articles  
7 648(B)(3)(i) and 718.1(A) and (B), Children's Code Articles 502(3) and (4)(I),  
8 603(8) and (12)(I), and 610(F), and Civil Code Article 2315.3 and to enact R.S.  
9 14:81.1(I) and R.S. 15:541(24)(c), relative to pornography involving juveniles; to  
10 change all references of "pornography involving juveniles" to "child sexual abuse  
11 materials"; to provide relative to the effects of these changes; and to provide for  
12 related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 14:73.8(A), (C), and (D), 81.1(A), (B)(8) and (9), (E)(1) through (4)  
15 and (5)(a) and (b), (F)(2), (3)(b) and (c), (4), and (5)(introductory paragraph) and (d),  
16 89.1(A)(2)(b)(i), 91.2(B), and 91.5(A)(1) are hereby amended and reenacted and R.S.  
17 14:81.1(I) is hereby enacted to read as follows:

18 §73.8. Unauthorized use of a wireless router system; ~~pornography involving~~  
19 juveniles child sexual abuse materials; penalty

20 A. Unauthorized use of a wireless router system is the accessing or causing  
21 to be accessed of any computer, computer system, computer network, or any part  
22 thereof via any wireless router system for the purposes of uploading, downloading,

1 or selling of ~~pornography involving juveniles~~ child sexual abuse materials as defined  
2 in R.S. 14:81.1.

3 \* \* \*

4 C. Whoever commits the crime of unauthorized use of a wireless router  
5 system for the purpose of accessing ~~pornography involving a juvenile~~ child sexual  
6 abuse materials shall be imprisoned at hard labor for not less than two years or more  
7 than ten years, and fined not more than ten thousand dollars. Imprisonment shall be  
8 without benefit of parole, probation, or suspension of sentence.

9 D. Whoever commits the crime of unauthorized use of a wireless routing  
10 system for the purpose of accessing ~~pornography involving a juvenile~~ child sexual  
11 abuse materials when the victim is under the age of thirteen years and the offender  
12 is seventeen years of age or older, shall be punished by imprisonment at hard labor  
13 for not less than twenty-five years nor more than ninety-nine years. At least  
14 twenty-five years of the sentence imposed shall be served without benefit of parole,  
15 probation, or suspension of sentence.

16 \* \* \*

17 §81.1. ~~Pornography involving juveniles~~ Child sexual abuse materials

18 A.(1) It shall be unlawful for a person to produce, promote, advertise,  
19 distribute, possess, or possess with the intent to distribute ~~pornography involving~~  
20 ~~juveniles~~ child sexual abuse materials.

21 (2) It shall also be a violation of the provision of this Section for a parent,  
22 legal guardian, or custodian of a child to consent to the participation of the child in  
23 ~~pornography involving juveniles~~ child sexual abuse materials.

24 B. For purposes of this Section, the following definitions shall apply:

25 \* \* \*

26 (8) "~~Pornography involving juveniles~~ Child sexual abuse materials" is any  
27 photograph, videotape, film, or other reproduction, whether electronic or otherwise,  
28 of any sexual performance involving a child under the age of seventeen.

29 (9) "Produce" means to photograph, videotape, film, or otherwise reproduce  
30 ~~pornography involving juveniles~~ child sexual abuse materials, or to solicit, promote,

1 or coerce any child for the purpose of ~~pornography involving juveniles~~ child sexual  
2 abuse materials.

3 \* \* \*

4 E.(1)(a) Whoever intentionally possesses ~~pornography involving juveniles~~  
5 child sexual abuse materials shall be fined not more than fifty thousand dollars and  
6 shall be imprisoned at hard labor for not less than five years or more than twenty  
7 years, without benefit of parole, probation, or suspension of sentence.

8 (b) On a second or subsequent conviction for the intentional possession of  
9 ~~pornography involving juveniles~~ child sexual abuse materials, the offender shall be  
10 fined not more than seventy-five thousand dollars and imprisoned at hard labor for  
11 not less than ten years nor more than forty years, without benefit of parole,  
12 probation, or suspension of sentence.

13 (2)(a) Whoever distributes or possesses with the intent to distribute  
14 ~~pornography involving juveniles~~ child sexual abuse materials shall be fined not more  
15 than fifty thousand dollars and shall be imprisoned at hard labor for not less than five  
16 years or more than twenty years, without benefit of parole, probation, or suspension  
17 of sentence.

18 (b) On a second or subsequent conviction for distributing or possessing with  
19 the intent to distribute ~~pornography involving juveniles~~ child sexual abuse materials,  
20 the offender shall be fined not more than seventy-five thousand dollars and  
21 imprisoned at hard labor for not less than ten years nor more than forty years,  
22 without benefit of parole, probation, or suspension of sentence.

23 (3) Any parent, legal guardian, or custodian of a child who consents to the  
24 participation of the child in ~~pornography involving juveniles~~ child sexual abuse  
25 materials shall be fined not more than fifty thousand dollars and imprisoned at hard  
26 labor for not less than five years nor more than twenty years, without benefit of  
27 probation, parole, or suspension of sentence.

28 (4)(a) Whoever engages in the promotion, advertisement, or production of  
29 ~~pornography involving juveniles~~ child sexual abuse materials shall be fined not more  
30 than fifty thousand dollars and imprisoned at hard labor for not less than ten years

1 nor more than twenty years, without benefit of probation, parole, or suspension of  
2 sentence.

3 (b) On a second or subsequent conviction for promotion, advertisement, or  
4 production of ~~pornography involving juveniles~~ child sexual abuse materials, the  
5 offender shall be fined not more than seventy-five thousand dollars and imprisoned  
6 at hard labor for not less than twenty years nor more than forty years, without benefit  
7 of parole, probation, or suspension of sentence.

8 (5)(a) Whoever commits the crime of ~~pornography involving juveniles~~ child  
9 sexual abuse materials punishable by the provisions of Paragraph (1), (2), or (3) of  
10 this Subsection when the victim is under the age of thirteen years and the offender  
11 is seventeen years of age or older shall be punished by imprisonment at hard labor  
12 for not less than one-half the longest term nor more than twice the longest term of  
13 imprisonment provided in Paragraphs (1), (2), and (3) of this Subsection. The  
14 sentence imposed shall be served without benefit of parole, probation, or suspension  
15 of sentence.

16 (b) Whoever commits the crime of ~~pornography involving juveniles~~ child  
17 sexual abuse materials punishable by the provisions of Paragraph (4) of this  
18 Subsection when the victim is under the age of thirteen years, and the offender is  
19 seventeen years of age or older, shall be punished by imprisonment at hard labor for  
20 not less than twenty-five years nor more than ninety-nine years. At least twenty-five  
21 years of the sentence imposed shall be served without benefit of parole, probation,  
22 or suspension of sentence.

23 \* \* \*

24 F.

25 \* \* \*

26 (2) Upon the filing of any information or indictment by the prosecuting  
27 authority for a violation of this Section, the investigating law enforcement agency  
28 which seized the photographs, films, videotapes, or other visual reproductions of  
29 ~~pornography involving juveniles~~ child sexual abuse materials shall provide copies

1 of those reproductions to the Internet crimes against children division within the  
2 attorney general's office.

3 (3) Upon receipt of the reproductions as provided in Paragraph (2) of this  
4 Subsection, the Internet crimes against children division shall:

5 \* \* \*

6 (b) Request the Child Victim Identification Program provide the law  
7 enforcement agency contact information for any visual reproductions recovered  
8 which contain an identified victim of ~~pornography involving juveniles~~ child sexual  
9 abuse materials as defined in this Section.

10 (c) Provide case information to the Child Victim Identification Program, as  
11 requested by the National Center for Missing and Exploited Children guidelines, in  
12 any case where the Internet crimes against children division within the attorney  
13 general's office identifies a previously unidentified victim of ~~pornography involving~~  
14 ~~juveniles~~ child sexual abuse materials.

15 (4) The Internet crimes against children division shall submit to the  
16 designated prosecutor the law enforcement agency contact information provided by  
17 the Child Victim Identification Program at the National Center for Missing and  
18 Exploited Children, for any visual reproductions involved in the case which contain  
19 the depiction of an identified victim of ~~pornography involving juveniles~~ child sexual  
20 abuse materials as defined in this Section.

21 (5) In all cases in which the prosecuting authority has filed an indictment or  
22 information for a violation of this Section and the victim of ~~pornography involving~~  
23 ~~juveniles~~ child sexual abuse materials has been identified and is a resident of this  
24 state, the prosecuting agency shall submit all of the following information to the  
25 attorney general for entry into the Louisiana Attorney General's Exploited Children's  
26 Identification database maintained by that office:

27 \* \* \*

28 (d) The contact information for the law enforcement agency which identified  
29 a victim of ~~pornography involving juveniles~~ child sexual abuse materials, including  
30 contact information maintained by the Child Victim Identification Program and

1 provided to the Internet crimes against children division in accordance with this  
2 Section.

3 \* \* \*

4 I. For all purposes, "pornography involving juveniles" and "child sexual  
5 abuse materials" mean the offense defined by the provisions of this Section and any  
6 reference to the crime of pornography involving juveniles is the same as a reference  
7 to the crime of child sexual abuse materials. Any act in violation of the provisions  
8 of this Section that is committed on or after August 1, 2025, shall be referred to as  
9 "child sexual abuse materials".

10 \* \* \*

11 §89.1. Aggravated crime against nature

12 A. Aggravated crime against nature is either of the following:

13 \* \* \*

14 (2)

15 \* \* \*

16 (b) The following are prohibited acts under this Paragraph:

17 (i) Sexual intercourse, sexual battery, second degree sexual battery, carnal  
18 knowledge of a juvenile, indecent behavior with juveniles, ~~pornography involving~~  
19 ~~juveniles~~ child sexual abuse materials, molestation of a juvenile or a person with a  
20 physical or mental disability, crime against nature, cruelty to juveniles, parent  
21 enticing a child into prostitution, or any other involvement of a child in sexual  
22 activity constituting a crime under the laws of this state.

23 \* \* \*

24 §91.2. Unlawful presence of a sex offender

25 \* \* \*

26 B. The following acts, when committed by a person convicted of either an  
27 aggravated offense as defined in R.S. 15:541 when the victim is under the age of  
28 fifteen years or ~~pornography involving juveniles~~ child sexual abuse materials as



1 defined in R.S. 14:81.1 when the victim is under the age of fifteen years, shall  
2 constitute the crime of unlawful residence or presence of a sex offender:

3 \* \* \*

4 §91.5. Unlawful use of a social networking website

5 A. The following shall constitute unlawful use of a social networking  
6 website:

7 (1) The intentional use of a social networking website by a person who is  
8 required to register as a sex offender and who was convicted of R.S. 14:81 (indecent  
9 behavior with juveniles), R.S. 14:81.1 (~~pornography involving juveniles~~ child sexual  
10 abuse materials), R.S. 14:81.3 (computer-aided solicitation of a minor), or R.S.  
11 14:283 (video voyeurism) or was convicted of a sex offense as defined in R.S.  
12 15:541 in which the victim of the sex offense was a minor.

13 \* \* \*

14 Section 2. R.S. 15:537(A), 539.1(F)(introductory paragraph), 541(24)(a) and (25)(d),  
15 543.1(18), 545.1(C), and 1352(A)(45) are hereby amended and reenacted and R.S.  
16 15:541(24)(c) is hereby enacted to read as follows:

17 §537. Sentencing of sexual offenders; serial sexual offenders

18 A. If a person is convicted of or pleads guilty to, or where adjudication has  
19 been deferred or withheld for a violation of R.S. 14:80 (felony carnal knowledge of  
20 a juvenile), R.S. 14:81 (indecent behavior with juveniles), R.S. 14:81.1 (~~pornography~~  
21 ~~involving juveniles~~ child sexual abuse materials), R.S. 14:81.2 (molestation of a  
22 juvenile or a person with a physical or mental disability), R.S. 14:81.3 (computer-  
23 aided solicitation of a minor), R.S. 14:89 (crime against nature), R.S. 14:89.1  
24 (aggravated crime against nature), R.S. 14:93.5 (sexual battery of persons with  
25 infirmities), or any provision of Subpart C of Part II of Chapter 1 of Title 14 of the  
26 Louisiana Revised Statutes of 1950, and is sentenced to imprisonment for a stated  
27 number of years or months, the person shall not be eligible for diminution of  
28 sentence for good behavior.

29 \* \* \*

1 §539.1. Forfeited property related to certain sex crimes; exempt property; allocation  
2 of forfeited property

3 \* \* \*

4 F. Notwithstanding Subsection E of this Section, when the currency,  
5 instruments, securities, or other property is forfeited following a conviction for a  
6 violation of R.S. 14:46.2 (human trafficking), R.S. 14:46.3 (trafficking of children  
7 for sexual purposes), R.S. 14:81.1 (~~pornography involving juveniles~~ child sexual  
8 abuse materials), R.S. 14:81.3 (computer-aided solicitation of a minor), R.S. 14:82.1  
9 (prostitution; persons under eighteen; additional offenses), R.S. 14:83 (soliciting for  
10 prostitutes), R.S. 14:83.1 (inciting prostitution), R.S. 14:83.2 (promoting  
11 prostitution), R.S. 14:84 (pandering), R.S. 14:85 (letting premises for prostitution),  
12 R.S. 14:86 (enticing persons into prostitution), R.S. 14:104 (keeping a disorderly  
13 place), R.S. 14:105 (letting a disorderly place), and R.S. 14:282 (operation of places  
14 of prostitution), the currency, instruments, and securities and proceeds of the public  
15 sale or public auction shall pay the costs of the public sale or public auction, court  
16 costs, and fees related to the seizure and storage of the personal property and shall  
17 then be applied to any restitution granted to the victim. Any remaining currency,  
18 instruments, securities, or proceeds shall be distributed in the following manner:

19 \* \* \*

20 §541. Definitions

21 For the purposes of this Chapter, the definitions of terms in this Section shall  
22 apply:

23 \* \* \*

24 (24)(a) "Sex offense" means deferred adjudication, adjudication withheld,  
25 or conviction for the perpetration or attempted perpetration of or conspiracy to  
26 commit human trafficking when prosecuted under the provisions of R.S.  
27 14:46.2(B)(2), R.S. 14:46.3 (trafficking of children for sexual purposes), R.S. 14:89  
28 (crime against nature), R.S. 14:89.1 (aggravated crime against nature), R.S.  
29 14:89.2(B)(3) (crime against nature by solicitation), R.S. 14:80 (felony carnal  
30 knowledge of a juvenile), R.S. 14:81 (indecent behavior with juveniles), R.S. 14:81.1

1 (pornography involving juveniles) which occurred prior to August 1, 2025, R.S.  
 2 14:81.2 (molestation of a juvenile or a person with a physical or mental disability),  
 3 R.S. 14:81.3 (computer-aided solicitation of a minor), R.S. 14:81.4 (prohibited  
 4 sexual conduct between an educator and student), R.S. 14:82.1 (prostitution; persons  
 5 under eighteen), R.S. 14:82.2(C)(4) and (5) (purchase of commercial sexual activity),  
 6 R.S. 14:92(A)(7) (contributing to the delinquency of juveniles), R.S. 14:93.5 (sexual  
 7 battery of persons with infirmities), R.S. 14:106(A)(5) (obscenity by solicitation of  
 8 a person under the age of seventeen), R.S. 14:283 (video voyeurism), R.S. 14:41  
 9 (rape), R.S. 14:42 (aggravated or first degree rape), R.S. 14:42.1 (forcible or second  
 10 degree rape), R.S. 14:43 (simple or third degree rape), R.S. 14:43.1 (sexual battery),  
 11 R.S. 14:43.2 (second degree sexual battery), R.S. 14:43.3 (oral sexual battery), R.S.  
 12 14:43.5 (intentional exposure to HIV), a second or subsequent conviction of R.S.  
 13 14:283.1 (voyeurism), or a second or subsequent conviction of R.S. 14:89.3 (sexual  
 14 abuse of an animal), committed on or after June 18, 1992, or committed prior to June  
 15 18, 1992, if the person, as a result of the offense, is under the custody of the  
 16 Department of Public Safety and Corrections on or after June 18, 1992. A conviction  
 17 for any offense provided in this definition includes a conviction for the offense under  
 18 the laws of another state, or military, territorial, foreign, tribal, or federal law which  
 19 is equivalent to an offense provided for in this Chapter, unless the tribal court or  
 20 foreign conviction was not obtained with sufficient safeguards for fundamental  
 21 fairness and due process for the accused as provided by the federal guidelines  
 22 adopted pursuant to the Adam Walsh Child Protection and Safety Act of 2006.

23 \* \* \*

24 (c) For purposes of this Chapter, "sex offense" shall include deferred  
 25 adjudication, adjudication withheld, or conviction for the perpetration or attempted  
 26 perpetration of or conspiracy to commit child sexual abuse materials (R.S. 14:81.1)  
 27 occurring on or after August 1, 2025.

1 (25) "Sexual offense against a victim who is a minor" means a conviction for  
2 the perpetration or attempted perpetration of, or conspiracy to commit, any of the  
3 following:

4 \* \* \*

5 (d)(i) Pornography involving juveniles (R.S. 14:81.1), which occurred prior  
6 to August 1, 2025.

7 (ii) Child sexual abuse materials (R.S. 14:81.1), which occurred on or after  
8 August 1, 2025.

9 \* \* \*

10 §543.1. Written notification by the courts; form to be used

11 \* \* \*

12 Based on the foregoing, you are hereby notified of the following:

13 \* \* \*

14 (18) For those offenders who have been convicted of R.S. 14:81 (indecent  
15 behavior with juveniles), R.S. 14:81.1 (pornography involving juveniles) which  
16 occurred prior to August 1, 2025, R.S. 14:81.1 (child sexual abuse materials) which  
17 occurred on or after August 1, 2025, R.S. 14:81.3 (computer-aided solicitation of a  
18 minor), or R.S. 14:283 (video voyeurism) or have been convicted of a sex offense  
19 as defined in R.S. 15:541 in which the victim of the sex offense was a minor, R.S.  
20 14:91.5, which prohibits such offenders from using certain social networking  
21 websites, is applicable. A copy of this statute is provided to you with this  
22 notification.

23 \* \* \*

24 §545.1. Duty of interactive computer service

25 \* \* \*

26 C. An interactive computer service doing business in this state that obtains  
27 knowledge of facts or circumstances from which a violation of any law in this state  
28 prohibiting possession, distribution or creation of images containing child  
29 pornography or child sexual abuse materials or prohibiting sexual activity involving  
30 a child is apparent, shall make a report, as soon as reasonably possible, of such facts

1 or circumstances to the ~~Cyber Tip Line~~ CyberTipline at the National Center for  
2 Missing and Exploited Children consistent with the requirements of 42 U.S.C.  
3 13032.

4 \* \* \*

5 §1352. Definitions

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

11 \* \* \*

12 (45)(a) R.S. 14:81.1 (Pornography involving juveniles) which occurred prior  
13 to August 1, 2025.

14 (b) R.S. 14:81.1 (child sexual abuse materials) which occurred on or after  
15 August 1, 2025.

16 \* \* \*

17 Section 3. R.S. 17:100.7(A)(1) is hereby amended and reenacted to read as follows:

18 §100.7. Policies; governing authorities of public elementary and secondary schools;  
19 Internet and online sites; access by students and employees; resources for  
20 parents; exceptions

21 A.(1) Each governing authority of a public elementary or secondary school  
22 shall adopt policies, in accordance with policies adopted by the State Board of  
23 Elementary and Secondary Education, regarding access by students and employees  
24 to Internet and online sites that contain or make reference to harmful material the  
25 character of which is such that it is reasonably believed to be obscene, child  
26 pornography, child sexual abuse materials, conducive to the creation of a hostile or  
27 dangerous school environment, pervasively vulgar, excessively violent, or sexually  
28 harassing in the school environment all as defined by any applicable state or federal  
29 laws and the policies adopted pursuant to this Subsection. Such policies shall include

1 but not be limited to prohibitions against accessing sites containing information on  
2 the manufacturing or production of bombs or other incendiary devices.

3 \* \* \*

4 Section 4. R.S. 46:51.2(C)(1)(a) is hereby amended and reenacted to read as follows:

5 §51.2. Criminal history and central registry information

6 \* \* \*

7 C.(1) No prospective foster or adoptive parent or relative guardian shall be  
8 finally approved for placement of a child or to receive kinship guardian assistance  
9 payments until it is determined that the prospective foster or adoptive parent, or  
10 relative guardian and any other adult living in the home of the relative guardian, does  
11 not have any of the following:

12 (a) A felony conviction for child abuse or neglect; for spousal abuse; for a  
13 crime against children, including child pornography or child sexual abuse materials;  
14 or for a crime involving violence including rape, sexual assault, or homicide, but not  
15 including other assault or battery.

16 \* \* \*

17 Section 5. Code of Criminal Procedure Articles 648(B)(3)(i) and 718.1(A) and (B),  
18 are hereby amended and reenacted to read as follows:

19 Art. 648. Procedure after determination of mental capacity or incapacity

20 \* \* \*

21 B.

22 \* \* \*

23 (3) If, after the hearing, the court determines that the incompetent defendant  
24 is unlikely in the foreseeable future to be capable of standing trial, the court shall  
25 order the defendant released or remanded to the custody of the Louisiana Department  
26 of Health which, within ten days exclusive of weekends and holidays, may institute  
27 civil commitment proceedings pursuant to Title 28 of the Louisiana Revised Statutes  
28 of 1950, or release the defendant. The defendant shall remain in custody pending  
29 such civil commitment proceedings. If the defendant is committed to a treatment  
30 facility pursuant to Title 28 of the Louisiana Revised Statutes of 1950, the director

1 of the institution designated for the patient's treatment shall, in writing, notify the  
 2 court and the district attorney when the patient is to be discharged or conditionally  
 3 discharged, as long as the charges are pending. If not dismissed without prejudice  
 4 at an earlier trial, charges against an unrestorable incompetent defendant shall be  
 5 dismissed on the date upon which his sentence would have expired had he been  
 6 convicted and received the maximum sentence for the crime charged, or on the date  
 7 five years from the date of his arrest for such charges, whichever is sooner, except  
 8 for the following charges:

9 \* \* \*

10 (i) R.S. 14:81.1 (~~pornography involving juveniles~~ child sexual abuse  
 11 materials).

12 \* \* \*

13 Art. 718.1. Evidence of obscenity, video voyeurism, ~~pornography involving~~  
 14 ~~juveniles~~ child sexual abuse materials, or unlawful posting of criminal  
 15 activity for notoriety and publicity; prohibition on reproduction of  
 16 ~~pornography involving juveniles~~ child sexual abuse materials

17 A. In any criminal proceeding, any property or material that is alleged to  
 18 constitute evidence of obscenity as defined in R.S. 14:106(A)(2) that is unlawfully  
 19 possessed, video voyeurism as defined in R.S. 14:283, ~~pornography involving~~  
 20 ~~juveniles~~ child sexual abuse materials as defined in R.S. 14:81.1, or unlawful posting  
 21 of criminal activity for notoriety and publicity as defined in R.S. 14:107.4, shall  
 22 remain in the care, custody, and control of the investigating law enforcement agency,  
 23 the court, or the district attorney.

24 B. Notwithstanding any other provision of law to the contrary, the court shall  
 25 deny any request by the defendant to copy, photograph, duplicate, or otherwise  
 26 reproduce any property or material that is alleged to constitute evidence of obscenity  
 27 as defined in R.S. 14:106(A)(2) that is unlawfully possessed, video voyeurism as  
 28 defined in R.S. 14:283, ~~pornography involving juveniles~~ child sexual abuse materials  
 29 as defined in R.S. 14:81.1, or unlawful posting of criminal activity for notoriety and

1 publicity as defined in R.S. 14:107.4, provided that the district attorney makes the  
2 property or material reasonably available to the defendant.

3 \* \* \*

4 Section 6. Children's Code Articles 502(3) and (4)(1), 603(8) and (12)(1), and 610(F)  
5 are hereby amended and reenacted to read as follows:

6 Art. 502. Definitions

7 For the purposes of this Title, the following terms have the following  
8 meanings, unless the context clearly indicates otherwise:

9 \* \* \*

10 (3) "Child pornography" or "child sexual abuse materials" means visual  
11 depiction of a child engaged in actual or simulated sexual intercourse, deviate sexual  
12 intercourse, sexual bestiality, masturbation, sadomasochistic abuse, or lewd  
13 exhibition of the genitals.

14 (4) "Crime against the child" shall include the commission of or the  
15 attempted commission of any of the following crimes against the child as provided  
16 by federal or state statutes:

17 \* \* \*

18 (1) ~~Pornography involving juveniles~~ Child sexual abuse materials.

19 \* \* \*

20 Art. 603. Definitions

21 As used in this Title:

22 \* \* \*

23 (8) "Child pornography" or "child sexual abuse materials" means visual  
24 depiction of a child engaged in actual or simulated sexual intercourse, deviate sexual  
25 intercourse, sexual bestiality, masturbation, sadomasochistic abuse, or lewd  
26 exhibition of the genitals.

27 \* \* \*



1 (12) "Crime against the child" shall include the commission of or the  
2 attempted commission of any of the following crimes against the child as provided  
3 by federal or state statutes:

4 \* \* \*

5 (1) ~~Pornography involving juveniles~~ Child sexual abuse materials.

6 \* \* \*

7 Art. 610. Reporting procedure; reports to the legislature and the United States  
8 Department of Defense Family Advocacy Program

9 \* \* \*

10 F. Any commercial film or photographic print processor who has knowledge  
11 of or observes, within the scope of this professional capacity or employment, any  
12 film, photograph, video tape, negative, or slide depicting a child who he knows or  
13 should know is under the age of seventeen years, which constitutes child  
14 pornography or child sexual abuse materials as defined in Article 603, shall report  
15 immediately to the local law enforcement agency having jurisdiction over the case.  
16 The reporter shall provide a copy of the film, photograph, videotape, negative, or  
17 slide to the agency receiving the report.

18 \* \* \*

19 Section 7. Civil Code Article 2315.3 is hereby amended and reenacted to read as  
20 follows:

21 Art. 2315.3. Additional damages; ~~child pornography;~~ child sexual abuse materials

22 In addition to general and special damages, exemplary damages may be  
23 awarded upon proof that the injuries on which the action is based were caused by a  
24 wanton and reckless disregard for the rights and safety of the person through an act  
25 of ~~pornography involving juveniles~~ child sexual abuse materials, as defined by R.S.  
26 14:81.1, regardless of whether the defendant was prosecuted for his acts.

27 Section 8. Nothing in this Act alleviates any person arrested, convicted, or  
28 adjudicated delinquent for pornography involving juveniles prior to the effective date of this  
29 Act from any requirement, obligation, or consequence imposed by law as a result of that  
30 arrest, conviction, or adjudication including but not limited to any requirements regarding

1 the setting of bail, sex offender registration and notification, parental rights, probation,  
 2 parole, sentencing, or any other requirement, obligation, or consequence imposed by law as  
 3 a result of that arrest, conviction, or adjudication.

4 Section 9. This Act shall be cited and referred to as "The Audrey Wascome Act".

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 272**

2025 Regular Session

HOUSE BILL NO. 409

BY REPRESENTATIVE LAFLEUR

1 AN ACT

2 To amend and reenact R.S. 13:713(A) and (B)(2)(e) and (l) and (3)(d) and to repeal R.S.  
3 13:713(B)(2)(m) and (3)(c), relative to court commissioners of the 19th Judicial  
4 District Court; to provide for the powers and duties of the commissioners; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:713(A) and (B)(2)(e) and (l) and (3)(d) are hereby amended and  
8 reenacted to read as follows:

9 §713. Commissioners; duties; powers; contempt

10 A. Commissioners of the Nineteenth Judicial District Court shall perform  
11 such duties as are assigned to them by the chief judge of the district in accordance  
12 with rules which shall be prescribed by the elected judges of the court, not  
13 inconsistent herewith or with the constitution and laws of the state. Such duties shall  
14 include but shall not be limited to hearing and recommendation of disposition, when  
15 necessary, of any civil, criminal, or domestic violence matter which may be assigned  
16 by rule of court or by any judge of the Nineteenth Judicial District Court and hearing  
17 and recommendation of disposition, when necessary, of criminal and civil  
18 proceedings arising out of the incarceration of state prisoners. In such proceedings,  
19 the commissioners may hold hearings at the facilities where the state prisoners are  
20 incarcerated.

21 B.

22 \* \* \*

23 (2) In criminal matters, the powers and duties of the commissioners shall  
24 include but are not limited to the power to:

25 \* \* \*

1 (e) Hear and dispose of preliminary motions prior to filing the bill of  
2 information or indictment and make recommendations, when necessary, to the  
3 district judge.

4 \* \* \*

5 ~~(1) Review and act on petitions for protective orders and matters of domestic~~  
6 ~~violence, including the issuance of temporary orders of protection and temporary~~  
7 ~~restraining orders, until such time as hearings may be conducted on the matters.~~  
8 Issue protective orders if a condition of bail or if required by statute.

9 \* \* \*

10 (3) In civil matters, the powers and duties of the commissioners shall include  
11 but are not limited to the power to:

12 \* \* \*

13 (d) Conduct hearings regarding protective orders, ~~and make~~  
14 ~~recommendations to the appropriate district judge for issuance of a preliminary or~~  
15 ~~permanent injunction.~~

16 \* \* \*

17 Section 2. R.S. 13:713(B)(2)(m) and (3)(c) are hereby repealed in their entirety.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 275

2025 Regular Session

HOUSE BILL NO. 425

BY REPRESENTATIVE CARLSON

1 AN ACT

2 To amend and reenact R.S. 14:66(A)(introductory paragraph) and (6) and 87.6 and to enact  
3 R.S. 14:66(A)(7), relative to abortion; to provide relative to the crime of coerced  
4 abortion; to provide relative to the elements of coerced abortion; to provide for  
5 circumstances that constitute coerced abortion; to provide for penalties; to provide  
6 for conduct that constitutes extortion; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:66(A)(introductory paragraph) and (6) and 87.6 are hereby  
9 amended and reenacted and R.S. 14:66(A)(7) is hereby enacted to read as follows:

10 §66. Extortion

11 A. Extortion is the communication of threats to another with the intention  
12 thereby to obtain anything of value or any acquittance, advantage, or immunity of  
13 any description. Any ~~one~~ of the following ~~kinds of~~ threats shall be sufficient to  
14 constitute extortion:

15 \* \* \*

16 (6) A threat intended to compel a pregnant woman to have an abortion as  
17 defined in R.S. 14:87.1.

18 (7) A threat to do any other harm.

19 \* \* \*

1           §87.6. Coerced abortion

2                   A. Coerced abortion is committed when any person ~~intentionally~~ knowingly  
3           engages in the use or threatened use of physical force, control, or intimidation  
4           ~~against the person of a pregnant woman~~, with the intent to compel ~~the~~ a pregnant  
5           woman to undergo an abortion against her will, whether or not the abortion  
6           procedure has been attempted or completed. For purposes of this Section, physical  
7           force, control, or intimidation shall mean any of the following:

- 8                   (1) Battery as defined in R.S. 14:33.
- 9                   (2) Assault as defined in R.S. 14:36.
- 10                  (3) Simple kidnapping as defined in R.S. 14:45.
- 11                  (4) False imprisonment as defined in R.S. 14:46.
- 12                  (5) Extortion as defined in R.S. 14:66.

13                   B. Whoever commits the crime of coerced abortion shall be fined not more  
14           than five thousand dollars, ~~or~~ imprisoned with or without hard labor for not more  
15           than five years, or both.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

# ACT No. 278

2025 Regular Session

HOUSE BILL NO. 457

BY REPRESENTATIVES MARCELLE AND MANDIE LANDRY

1 AN ACT

2 To enact R.S. 15:865(D) and (E), relative to solitary confinement; to provide for access to  
3 certain materials during periods of solitary confinement; to provide for a definition;  
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:865(D) and (E) are hereby enacted to read as follows:

7 §865. Solitary confinement abolished

8 \* \* \*

9 D. Any prisoner in a penal or correctional institution who is placed into  
10 solitary confinement shall be provided access to all educational training and  
11 materials or religious materials he would otherwise have access to in the least  
12 restrictive housing available at the institution unless the governing authority of the  
13 penal or correctional institution, or its designee, determines any of the following:

14 (1) Access to educational training and materials or religious materials  
15 presents a security risk.

16 (2) Access to educational training and materials or religious materials is not  
17 feasible due to the nature of the program, training, or materials.

18 (3) Circumstances exist pertaining to the reason for the prisoner's placement  
19 in solitary confinement that are incongruous with access to educational training and  
20 materials or religious materials.

21 E. For the purposes of this Section, "educational training" means any  
22 program offered at that penal or correctional institution, including but not limited to

1            career and technical education, special education, high school equivalency  
2            preparation, literacy, adult basic education, developmental studies, higher education  
3            degree programs, and any other programs that are or will be offered.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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



# ACT No. 288

2025 Regular Session

HOUSE BILL NO. 519

BY REPRESENTATIVES GLORIOSO, BAMBURG, BERAULT, CARVER, COATES, DOMANGUE, HEBERT, HENRY, MANDIE LANDRY, MELERINE, AND WYBLE AND SENATOR MCMATH

1 AN ACT

2 To amend and reenact R.S. 15:571.11(A)(4), to enact R.S. 32:59, and to repeal R.S. 32:300.5  
3 through 300.8, relative to the operation of motor vehicles while using a wireless  
4 telecommunications device; to provide for definitions and application of terms; to  
5 provide for exceptions; to provide for penalties; to provide for disposition of fines;  
6 to provide for limitation on law enforcement; to provide for the prevention of search  
7 and inspection; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:571.11(A)(4) is hereby amended and reenacted to read as follows:

10 §571.11. Dispositions of fines and forfeitures

11 A.

12 \* \* \*

13 (4) Notwithstanding any provision of law to the contrary, ~~twenty-five dollars~~  
14 ~~from all fines collected pursuant to R.S. 32:300.5, 300.6, 300.7, and 300.8~~ one  
15 hundred dollars from all fines collected pursuant to R.S. 32:59 for a violation which  
16 occurs in a school zone or in a highway construction zone and fifty dollars from all  
17 fines collected pursuant to R.S. 32:59 for a violation which occurs in any location  
18 other than a school zone or highway construction zone shall be distributed to the  
19 indigent defender fund of the judicial district in which the citation was issued.

20 \* \* \*

21 Section 2. R.S. 32:59 is hereby enacted to read as follows:

22 §59. Use of wireless telecommunications device prohibited; exceptions

23 A. Unless otherwise provided in this Subsection, all terms used in this  
24 Section shall have the same meaning as defined in R.S. 32:1. As used in this  
25 Section, the following terms shall apply:

1           (1) "Autonomous vehicle" means a vehicle that is equipped with autonomous  
2           technology as defined in R.S. 32:1, which is licensed to operate on the public roads  
3           and highways of this state and shall meet all applicable financial responsibility  
4           requirements.

5           (2) "Hands-free wireless telephone" means a wireless telecommunications  
6           device that has an internal feature or function, or is equipped with an attachment or  
7           addition, whether or not permanently part of such device, by which a user engages  
8           in a conversation without the use of either hand. The term "hands-free wireless  
9           telephone" as defined in this Paragraph shall not preclude the use of either hand to  
10           activate, deactivate, or initiate a function of the device.

11           (3) "Lawfully stationary" means any motor vehicle that has stopped, is in  
12           park or neutral, or is standing while in gear and not moving, while also in a travel  
13           lane or on the shoulder of a public road or highway, including when such action is  
14           necessary to observe or avoid conflict with traffic or in compliance with the  
15           directions of law enforcement or a traffic control device or signal.

16           (4) "Motor vehicle" means any self-propelled mechanical device on wheels,  
17           designed primarily for use or that is primarily used on public roads and highways.  
18           The term "motor vehicle" shall not include autonomous vehicles, all-terrain vehicles,  
19           golf carts, vehicles propelled or drawn by horses or human power, or motorists  
20           wheelchairs operated by handicapped persons.

21           (5) "Wireless telecommunications device" means a cellular telephone, a text-  
22           messaging device, a personal digital assistant, a stand-alone computer or other  
23           electronic device, or any other substantially similar portable wireless device that is  
24           readily removable from the vehicle and is used to write, send, or read text or data  
25           through manual input. The term "wireless telecommunications device" shall not  
26           mean any device or component that is permanently affixed to a motor vehicle, or a  
27           device used hands-free, citizens band radios, citizens band radio hybrids, commercial  
28           two-way radio communications devices, two-way radio transmitters or receivers used  
29           by licensees of the Federal Communications Commission in the Amateur Radio  
30           Service, or electronic communication devices with a push-to-talk function.

31           B.(1) Notwithstanding any provision of law to the contrary, except as  
32           provided in Subsection C of this Section, no person shall operate any wireless

1 telecommunications device while operating a motor vehicle upon any public road or  
2 highway, unless the motor vehicle is lawfully stationary.

3 (2) Operating a wireless telecommunications device shall include:

4 (a) Engaging in a call, which means talking or listening during a voice  
5 transmission on a wireless telecommunications device or manually entering names  
6 or telephone numbers to initiate a voice transmission, except when using a hands-  
7 free wireless telephone.

8 (b) Writing, sending, or reading a text-based communication, which means  
9 using a text message, instant message, electronic mail, or other text-based  
10 application to communicate with any person.

11 (c) Accessing, reading, or posting to a social networking site, which means  
12 using a wireless telecommunications device to access, read, or post on such device  
13 to any web-based service that allows individuals to construct a profile within a  
14 bounded system, articulate a list of other users with whom they share a connection,  
15 and communicate with other members of the site.

16 (d) Accessing, viewing, posting, editing, or creating a video, photograph, or  
17 other image.

18 (e) Accessing, reading, viewing, composing, browsing, transmitting, saving,  
19 or retrieving electronic data from any application or other media.

20 (f) Using any application or feature of a wireless telecommunications device  
21 by making manual entries of letters, numbers, symbols, commands, or any  
22 combination thereof.

23 (g) Holding or physically supporting a wireless telecommunications device  
24 in either or both hands, except for an earpiece or headphone device as defined in R.S.  
25 32:295.2(A) or a device worn on the wrist to talk or listen during a voice  
26 transmission.

27 C. The provisions of Subsection B of this Section shall not apply to a person  
28 who uses a wireless telecommunications device to do any of the following:

29 (1) Report a traffic collision, medical emergency, other emergency, or  
30 serious road hazard.

31 (2) Report a situation in which the person believes that an individual is in  
32 jeopardy of serious injury or death.

1           (3) Relay information between a transit of a for-hire operator, including a  
2           transportation network company driver, and that operator's dispatcher, in which the  
3           device is affixed to the vehicle.

4           (4) Operate a wireless telecommunications device while the motor vehicle  
5           is lawfully stationary and not in violation of any other law. A utility vehicle or  
6           roadside assistance vehicle which is parked while the utility worker or roadside  
7           responder is in the course and scope of performing his duties shall be considered  
8           lawfully stationary.

9           (5) Use a wireless telecommunications device in an official capacity as an  
10          operator of an authorized emergency vehicle while in performance of official duties  
11          as a law enforcement officer, firefighter, or emergency services or EMS practitioner.

12          (6) View data or images related to navigation of a motor vehicle using a  
13          hands-free global positioning system.

14          (7) Dial 9-1-1 to report a crime in progress.

15          D.(1) Any violation of this Section shall constitute a nonmoving violation.

16          (2) If a violation of this Section occurs in a school zone or in a highway  
17          construction zone it shall be a primary offense and shall be punishable as follows:

18           (a) By a fine of two hundred fifty dollars. At the judge's discretion, the fine  
19           may be reduced to one hundred dollars with community service not to exceed fifteen  
20           hours, at least half of which shall consist of a litter abatement program in a school  
21           zone or highway construction zone.

22           (b) If a person is involved in a crash at the time of the violation, then the fine  
23           shall be equal to double the amount of the fine imposed in Subparagraph (a) of this  
24           Paragraph and the law enforcement officer investigating the crash shall indicate on  
25           the written accident report that the person was using a wireless telecommunications  
26           device at the time of the crash.

27          (3) If a violation of this Section occurs in any location other than a school  
28          zone or highway construction zone it shall constitute a secondary offense when the  
29          officer detains a driver for an alleged violation of another provision of this Chapter  
30          and shall be punishable as follows:

1           (a) By a fine of one hundred dollars. At the judges discretion, the fine may  
2           be reduced to fifty dollars with community service not to exceed fifteen hours, at  
3           least half of which shall consist of the litter abatement program.

4           (b) If a person is involved in a crash at the time of the violation, then the fine  
5           shall be equal to double the amount of the fine imposed in Subparagraph (a) of this  
6           Paragraph and the law enforcement officer investigating the crash shall indicate on  
7           the written accident report that the person was using a wireless telecommunications  
8           device at the time of the crash.

9           (4) For violations of this Section not resulting in a crash causing bodily  
10          injury or death of another person, a person may plead guilty or nolo contendere to  
11          the alleged offense and pay the applicable fine specified in this Subsection. If a  
12          person pleads guilty or nolo contendere to the alleged offense, the person shall not  
13          be required to appear in court if he waives the right to contest the charges and pays  
14          the applicable fine specified in this Subsection.

15          (5) Use of a wireless telecommunications device for any purpose provided  
16          for in Subsection C of this Section shall be an affirmative defense to a violation of  
17          this Section and the operator of a motor vehicle may produce documentary or other  
18          evidence in support of his defense.

19          (6) For any violation occurring before January 1, 2026, the law enforcement  
20          officer shall only issue a written warning.

21          E.(1) A citation for a secondary offense violation of this Section shall be  
22          based solely upon a law enforcement officer's clear and unobstructed view of a  
23          person using a wireless telecommunications device as prohibited by this Section.

24          (2) A law enforcement officer shall not do any of the following based solely  
25          upon a secondary offense violation of this Section:

26                 (a) Seize, search, view, or require the forfeiture of a wireless  
27                 telecommunications device.

28                 (b) Search or request to search a motor vehicle, motor vehicle operator, or  
29                 passenger.

30                 (c) Make a custodial arrest except upon any open warrant including but not  
31                 limited to a warrant issued for failure to appear in court when summoned or for  
32                 failure to pay an imposed fine.

1           F. The state preempts the field of regulating the use of a wireless  
 2           telecommunications device by the operators of motor vehicles. The provisions of  
 3           this Section shall supersede any local laws, ordinances, rules, or regulations enacted  
 4           by a parish, municipality, or other political subdivision to regulate the use of a  
 5           wireless telecommunications device by the operator of a motor vehicle.

6           G. Beginning April 1, 2027, and continuing until April 1, 2032, the  
 7           Department of Transportation and Development and the Department of Public Safety  
 8           and Corrections, office of state police shall submit a report annually to the legislature  
 9           regarding the impact of the provisions of this Section, including the number of  
 10          crashes caused by inattentive or distracted driving for each year, divided by different  
 11          areas of the state, as such data is already collected. The report shall be based on data  
 12          the Department of Transportation and Development and the office of state police  
 13          collect under existing state law.

14          Section 3. R.S. 32:300.5 through 300.8 are hereby repealed.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 299**

2025 Regular Session

HOUSE BILL NO. 644

BY REPRESENTATIVE BROWN

1 AN ACT

2 To amend and reenact R.S. 13:86, relative to court costs; to provide relative to court costs  
3 collected for civil filings and criminal convictions; to provide for the allocation of  
4 such costs; to provide for the use of proceeds of such costs; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:86 is hereby amended and reenacted to read as follows:

8 §86. Judicial College; education account; sources of funds

9 A. In addition to any other filing fee or cost imposed or authorized by law,  
10 the clerk of the supreme court and each city, parish, juvenile, family, district, and  
11 appellate court shall impose and collect from each party liable for court costs the  
12 additional sum of two dollars and fifty cents for the initial filing in all civil matters.

13 B. In addition to the costs provided for in Subsection A of this Section, a  
14 person convicted of a felony, a misdemeanor, or violating an ordinance of any local  
15 government, including a traffic felony, traffic misdemeanor, or a local traffic  
16 violation, shall be assessed an additional two dollars and fifty cents as a special court  
17 cost. These costs shall be imposed by all courts, including mayor's courts and  
18 magistrate courts.

19 C. All funds collected pursuant to this Section shall be deposited into a  
20 special account and transmitted monthly to the Louisiana Supreme Court in the  
21 manner and form specified by the supreme court ~~and~~ provided that one-third of the  
22 total collected shall be used solely to defray the costs associated with the general  
23 growth and program improvement strategies of the Judicial College, and the  
24 remainder shall be used pursuant to the court's direction to defray the costs

1           associated with coordinated efforts between the Judicial College and the Judiciary  
 2           Commission for improved education concerning judicial ethics and best practices of  
 3           the court or for other expenses of the Judiciary Commission related to the education,  
 4           investigation, or enforcement of judicial ethics. The supreme court shall conduct an  
 5           annual audit of the books and accounts relating to the funds collected pursuant to this  
 6           Section, and shall file the audit with the legislative auditor where it shall be available  
 7           for public inspection.

8           Section 2. In accordance with the provisions of R.S. 13:62, the change in court costs  
 9           or fees as provided by this Act shall become effective on January 1, 2026, if the Judicial  
 10          Council provides a recommendation that such court costs and fees meet the applicable  
 11          guidelines in its report to the Louisiana Legislature. No fee shall be imposed or collected  
 12          without Judicial Council approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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



# ACT No. 343

2025 Regular Session

HOUSE BILL NO. 14

BY REPRESENTATIVES COX AND VILLIO

1 AN ACT

2 To amend and reenact R.S. 14:30(A)(1) and 30.1(A)(2), relative to homicide; to add cruelty  
3 to the elderly and persons with infirmities as a predicate felony to first and second  
4 degree murder; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:30(A)(1) and 30.1(A)(2) are hereby amended and reenacted to  
7 read as follows:

8 §30. First degree murder

9 A. First degree murder is the killing of a human being:

10 (1) When the offender has specific intent to kill or to inflict great bodily  
11 harm and is engaged in the perpetration or attempted perpetration of aggravated  
12 kidnapping, second degree kidnapping, aggravated escape, aggravated arson,  
13 aggravated or first degree rape, forcible or second degree rape, aggravated burglary,  
14 armed robbery, assault by drive-by shooting, first degree robbery, second degree  
15 robbery, simple robbery, terrorism, cruelty to juveniles, ~~or~~ second degree cruelty to  
16 juveniles, or cruelty to the elderly and persons with infirmities.

17 \* \* \*

18 §30.1. Second degree murder

19 A. Second degree murder is the killing of a human being:

20 \* \* \*

21 (2) When the offender is engaged in the perpetration or attempted  
22 perpetration of aggravated or first degree rape, forcible or second degree rape,



# ACT No. 346

BY REPRESENTATIVES HORTON, ADAMS, AMEDEE, BACALA, BOYER, BRYANT, BUTLER, COX, DEVILLIER, ECHOLS, EDMONSTON, FIRMENT, FISHER, KERNER, JACOB LANDRY, MOORE, OWEN, PHELPS, SCHLEGEL, SPELL, THOMPSON, WILDER, WILEY, AND ZERINGUE

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AN ACT

To amend and reenact Code of Criminal Procedure Article 571.1 and Code of Evidence Article 804(B)(5) and to enact R.S. 14:42.1(A)(3), relative to sex offenses involving minors; to provide for an additional circumstance that constitutes second degree rape; to provide relative to the time limitations upon which to institute prosecution for certain sex offenses; to provide relative to hearsay exceptions in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:42.1(A)(3) is hereby enacted to read as follows:

§42.1. Second degree rape

A. Second degree rape is rape committed when the anal, oral, or vaginal sexual intercourse is deemed to be without the lawful consent of the victim because it is committed under any one or more of the following circumstances:

\* \* \*

(3) When the offender acts without the consent of the victim, the victim is thirteen years of age or older but less than seventeen years of age, and the difference between the age of the victim and the age of the offender is three years or greater. Lack of knowledge of the victim's age shall not be a defense.

\* \* \*

1 Section 2. Code of Criminal Procedure Article 571.1 is hereby amended and  
2 reenacted to read as follows:

3 Art. 571.1. Time limitation for certain sex offenses

4 Except as provided by Article 571, 572, or any other provision of law that  
5 establishes a longer period of limitation, the time within which to institute  
6 prosecution of the following sex offenses, regardless of whether the crime involves  
7 force, serious physical injury, death, or is punishable by imprisonment at hard labor  
8 shall be thirty years: ~~attempted first degree rape, also formerly titled aggravated rape~~  
9 ~~(R.S. 14:27, R.S. 14:42), attempted second degree rape, also formerly titled forcible~~  
10 ~~rape (R.S. 14:27, R.S. 14:42.1), sexual battery (R.S. 14:43.1), second degree sexual~~  
11 ~~battery (R.S. 14:43.2), oral sexual battery (R.S. 14:43.3), human trafficking (R.S.~~  
12 ~~14:46.2(B)(2) or (3)), trafficking of children for sexual purposes (R.S. 14:46.3),~~  
13 ~~felony carnal knowledge of a juvenile (R.S. 14:80), indecent behavior with juveniles~~  
14 ~~(R.S. 14:81), pornography involving juveniles (R.S. 14:81.1), prostitution of persons~~  
15 ~~under eighteen (R.S. 14:82.1), enticing persons into prostitution (R.S. 14:86), crime~~  
16 ~~against nature (R.S. 14:89), aggravated crime against nature (R.S. 14:89.1), crime~~  
17 ~~against nature by solicitation (R.S. 14:89.2(B)(3)) that involves a victim under~~  
18 ~~eighteen years of age. perpetration or attempted perpetration of, conspiracy to~~  
19 ~~commit, or commission of any sex offense as defined in R.S. 15:541(24) that~~  
20 ~~involves a victim under eighteen years of age shall be thirty years. This thirty-year~~  
21 period begins to run when the victim attains the age of eighteen.

22 Section 3. Code of Evidence Article 804(B)(5) is hereby amended and reenacted to  
23 read as follows:

24 Art. 804. Hearsay exceptions; declarant unavailable

25 \* \* \*

26 B. Hearsay exceptions. The following are not excluded by the hearsay rule  
27 if the declarant is unavailable as a witness:

28 \* \* \*



# ACT No. 352

2025 Regular Session

HOUSE BILL NO. 310

BY REPRESENTATIVE ZERINGUE

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AN ACT

To amend and reenact Code of Civil Procedure Article 253(B)(2) and Code of Criminal Procedure Article 14.1(B) and to enact Code of Civil Procedure Article 253(B)(3), relative to civil and criminal court filings; to provide that civil and criminal court filings shall be filed in person in paper form or electronically; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Article 253(B)(2) is hereby amended and reenacted and Code of Civil Procedure Article 253(B)(3) is hereby enacted to read as follows:

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

\* \* \*

B.

\* \* \*

(2) On and after January 1, 2026, all filings as provided in Paragraph A of this Article and all other provisions of this Chapter filed by an attorney shall only be filed in person in paper form or transmitted electronically in accordance with a system established by a clerk of court or by Louisiana Clerks' Remote Access Authority. The filer shall be responsible for ensuring that private information is not included in filings. No filing shall include the first five digits of any social security number, tax identification numbers, state identification numbers, driver's license numbers, financial account numbers, full dates of birth, or any information protected from disclosure by state or federal law. The clerk of court shall adopt a system for

1 the electronic filing and storage of any pleading, document, or exhibit filed with a  
2 pleading. A pleading or document filed electronically is deemed filed on the date  
3 and time stated on the confirmation of electronic filing sent from the system, if the  
4 clerk of court accepts the electronic filing. Public access to electronically filed  
5 pleadings and documents shall be in accordance with the rules governing access to  
6 paper filings.

7 (3) Notwithstanding the provisions of Subparagraph (B)(2) of this Article, the  
8 following original documents may be filed in paper form, either in person, by U.S.  
9 mail, or by commercial courier:

10 (a) An original will or testament filed and retained in accordance with Code  
11 of Civil Procedure Article 2911.

12 (b) An original promissory note, other instrument, or any evidence required  
13 to be in authentic form in accordance with Code of Civil Procedure Article 2635.

14 (c) Motions for default judgment which do not require a hearing in open  
15 court pursuant to Code of Civil Procedure Articles 1702 and 1702.1 and supporting  
16 attached documentation.

17 (d) Documents which are required to be original in order to support or  
18 defend against a claim.

19 \* \* \*

20 Section 2. Code of Criminal Procedure Article 14.1(B) is hereby amended and  
21 reenacted to read as follows:

22 Art. 14.1. Electronic filings

23 \* \* \*

24 B. Beginning January 1, 2026, all filings as provided in this Article and all  
25 other provisions of this Code filed by an attorney shall only be filed in person in  
26 paper form or transmitted electronically in accordance with a system established by  
27 a clerk of court or by the Louisiana Clerks' Remote Access Authority. The filer shall  
28 be responsible for ensuring that private information is not included in filings. No  
29 filing shall include the first five digits of any social security number, tax  
30 identification numbers, state identification numbers, driver's license numbers,

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

11 \* \* \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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



# ACT No. 358

2025 Regular Session

HOUSE BILL NO. 371

BY REPRESENTATIVES AMEDEE, BAYHAM, BERAULT, CARRIER, CARVER, CHENEVERT, COX, CREWS, DEVILLIER, EDMONSTON, EGAN, FIRMENT, GLORIOSO, HORTON, MACK, MCCORMICK, MOORE, OWEN, SCHAMERHORN, TARVER, TAYLOR, VENTRELLA, WILDER, AND WYBLE AND SENATOR HODGES

1 AN ACT

2 To amend and reenact R.S. 13:5232(1), 5233, 5234(3), (5), and (6)(introductory paragraph),  
3 5237, 5239, and 5240(A) and (B) and R.S. 17:407.33(1) and to enact R.S. 13:5232(7)  
4 and 5233.1 and R.S. 17:407.33(9), relative to the Preservation of Religious Freedom  
5 Act; to provide relative to the free exercise of religion; to provide for protections for  
6 places of worship; to prohibit certain restrictions against places of worship; to  
7 provide for an effective date; to provide for definitions; and to provide for related  
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:5232(1), 5233, 5234(3), (5), and (6)(introductory paragraph),  
11 5237, 5239, and 5240(A) and (B) are hereby amended and reenacted and R.S. 13:5232(7)  
12 and 5233.1 are hereby enacted to read as follows:

13 §5232. Legislative findings

14 The legislature finds and declares that:

15 (1) ~~Free~~ The free exercise of religion is a fundamental right of the highest  
16 order in this state.

17 \* \* \*

18 (7) In 2023, the legislature and the people of Louisiana adopted Article XII,  
19 Section 17 of the Constitution of Louisiana which provides for the freedom of  
20 worship in churches or other places of worship.

21 §5233. Free exercise of religion protected

22 A. Government shall not substantially burden a person's exercise of religion,  
23 even if the burden results from a facially neutral rule or a rule of general

1 applicability, unless it demonstrates that application of the burden to the person is  
2 both:

- 3 (1) In furtherance of a compelling governmental interest.
- 4 (2) The least restrictive means of furthering that compelling governmental  
5 interest.

6 B. Notwithstanding any other provision of law to the contrary, the  
7 government shall provide protections of the highest order to every church or other  
8 place of worship and shall not discriminate against any church or other place of  
9 worship by requiring restrictions that are greater than the least severe restrictions that  
10 are imposed upon or enforced against any secular business, service, or assembly.

11 §5233.1. Protection of the freedom of worship in churches and other religious  
12 institutions; protection of religious education

13 A. If a church or other place of worship has met the requirements for zoning,  
14 building code, and fire safety regulation, and has received an occupancy license for  
15 the use of the building, the government shall not do any of the following:

16 (1) Restrict or deny the use of the building for a meeting based upon the day  
17 of the week the building is being used.

18 (2) Restrict or deny the use of the building based upon the content or types  
19 of religious instruction, education, or activities conducted in the building.

20 (3) Restrict or deny the use of the building for a mother's day out program.

21 (4) Restrict or deny the use of the building for a meeting of two or more  
22 parents or children participating in a home study program, pursuant to R.S. 17:236.1,  
23 or a nonpublic school not seeking state approval for the purpose of the following:

24 (a) Increasing their child's academic performance.

25 (b) Facilitating socialization for student enrichment.

26 (c) Facilitating student recreational or athletic activities.

27 (5) Restrict or deny the use of the building for a Vacation Bible School or  
28 a Bible Camp.

1                   B. Nothing in this Section shall prevent enforcement of Title 14 of the  
2                   Louisiana Revised Statutes of 1950 or any other applicable provisions of criminal  
3                   law.

4                   §5234. Definitions

5                   In this Part, unless the context otherwise requires:

6   \*           \*           \*

7                   (3) "Compelling state interest" means a government interest of the highest  
8                   magnitude that cannot otherwise be achieved without burdening a person's right to  
9                   the free exercise of religion and includes the interest of the state to protect the best  
10                   interest of a child and the health, safety, and welfare of a child.

11   \*           \*           \*

12                   (5) "Exercise of religion" means the practice or observance of religion under  
13                   Article 1, Section 8, of the Constitution of Louisiana and the First Amendment of the  
14                   Constitution of the United States of America and includes the ability to act or refuse  
15                   to act in a manner substantially motivated by a sincerely-held religious belief,  
16                   whether or not the exercise is compulsory or a central part or central requirement of  
17                   the person's religious belief and includes the freedom of worship in churches or other  
18                   places of worship under Article XII, Section 17 of the Constitution of Louisiana.

19                   (6) "Government" ~~or~~ "governmental agency", or "agency" means any of the  
20                   following:

21   \*           \*           \*

22                   §5237. Remedies

23                   A. Subject to the provisions of R.S. 13:5240(C), a person whose religious  
24                   exercise is being, has been, or is likely to be burdened in violation of this Part may  
25                   assert that violation as a claim or defense in a judicial, or an administrative, or other  
26                   proceeding and obtain appropriate relief, not to include punitive or exemplary  
27                   damages, without regard to whether the proceeding is brought in the name of the  
28                   state or by any other person, including but not limited to:

29                   (1) Injunctive relief, protective order, writ of mandamus or prohibition, or  
30                   declaratory relief to prevent any violation of these provisions.

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

1 (2) The actual damages, reasonable attorney fees, and court costs, including  
2 court approved expert witness fees.

3 B. If after satisfying the notice provisions provided in R.S. 13:5238, a person  
4 obtains preliminary injunctive relief under this Part, the person shall remain entitled  
5 to the remedies provided in Paragraph (A)(2) of this Section, notwithstanding any  
6 voluntary cessation or efforts to remove the infringing burden on the moving party's  
7 religious beliefs.

8 \* \* \*

9 §5239. Remediation

10 Prior to the expiration of the thirty-day period referred to in R.S. 13:5238, an  
11 agency which receives notice in accordance with R.S. 13:5238 may remedy the  
12 substantial burden on the person's free exercise of religion. A person with respect  
13 to whom a substantial burden on the person's free exercise of religion has been cured  
14 may not bring an action under this ~~Section~~ Part or shall dismiss such action if it is  
15 already pending.

16 §5240. Limitations and procedures

17 A. Except as stated in Subsection B of this Section, and except as to  
18 objections, protective orders or writs of mandamus or prohibition, the provisions of  
19 the Louisiana Governmental Claims Act, R.S. 13:5101 ~~through 5108~~ et seq., as  
20 applicable, shall apply to an action ~~under~~ pursuant to this Part.

21 B. A person shall bring an action to assert a claim for damages under this  
22 Part not later than one year after any of the following:

23 (1) ~~the~~ The date the person knew or should have known of the substantial  
24 burden on the person's free exercise of religion.

25 (2) The date that an action pursuant to this Part was dismissed by an  
26 administrative law judge or a court, or there was a finding in favor of the person on  
27 the merit which resulted in a claim authorized pursuant to this Part.

28 (3) Mailing notice under R.S. 13:5238 shall toll the one-year period until the  
29 seventy-fifth day after the date on which the notice is mailed.

30 \* \* \*

1 Section 2. R.S. 17:407.33(1) is hereby amended and reenacted and R.S. 17:407.33(9)  
2 is hereby enacted to read as follows:

3 §407.33. Definitions

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

6 (1) "Camp" means any place or facility operated by any institution, society,  
7 agency, corporation, person or persons, or any other group which serves only  
8 children five years of age or older and operates only when school is not in session  
9 during the summer months or school holidays including, but not limited to, a  
10 Vacation Bible School, or Bible Camp.

11 \* \* \*

12 (9) "Mother's day out program" means a religious enrichment program for  
13 children offered at a church or other place of worship that meets the requirements of  
14 R.S. 17:407.35(B).

15 Section 3. 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  
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
19 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. 364**

2025 Regular Session

HOUSE BILL NO. 445

BY REPRESENTATIVE VILLIO

1 AN ACT

2 To amend and reenact Children's Code Article 412(M) and R.S. 15:576(2) and 579 and to  
3 enact Children's Code Article 412(P) and R.S. 15:589.1, relative to juvenile records;  
4 to provide for applicability; to provide relative to what constitutes information or  
5 record of criminal history; to provide relative to duties of the Louisiana Bureau of  
6 Criminal Identification and Information; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Children's Code Article 412(M) is hereby amended and reenacted and  
9 Children's Code Article 412(P) is hereby enacted to read as follows:

10 Art. 412. Confidentiality of records; disclosure exceptions; sanctions

11 \* \* \*

12 M. Records of juvenile criminal conduct shall not be ~~made a part of any state~~  
13 ~~or local~~ disseminated as a criminal background check to anyone outside of the  
14 criminal justice system as defined in R.S. 15:576(5).

15 \* \* \*

16 P. This Article shall not prohibit the creation of an interoperable set of  
17 criminal justice information systems at the state and local levels pursuant to R.S.  
18 15:575 et seq., or preclude the dissemination of criminal history record information  
19 as defined in R.S. 15:576(2) in and to the criminal justice system as defined in R.S.  
20 15:576(5).

1 Section 2. R.S. 15:576(2) and 579 are hereby amended and reenacted and R.S.  
2 15:589.1 is hereby enacted to read as follows:

3 §576. Definitions

4 As used in this Chapter:

5 \* \* \*

6 (2) The terms "criminal history record" or "criminal history record  
7 information" mean information collected by criminal justice agencies on individuals  
8 consisting of identifiable descriptions and notations of arrests, detentions,  
9 indictments, bills of information, or any formal criminal charges, and any disposition  
10 arising therefrom, including sentencing, correctional supervision, and release. The  
11 terms do not include intelligence or investigatory purposes, nor ~~does it~~ do they  
12 include any identification information which does not indicate involvement of the  
13 individual in the criminal justice system. ~~The terms do not include records of~~  
14 ~~juvenile criminal conduct.~~

15 \* \* \*

16 §579. Rules and regulations

17 The bureau shall issue rules and regulations, consistent with United States  
18 Department of Justice requirements, the Constitution of Louisiana, the Code of  
19 Criminal Procedure, the Children's Code, and the Louisiana Revised Statutes of  
20 1950, governing the maintenance of privacy and security of criminal history records  
21 and records of juvenile criminal conduct; governing access to and use of records  
22 maintained by the central repository; governing restrictions to access and use by  
23 authorized agencies or individuals of any state owned or operated system of  
24 communications utilized for transmitting criminal history record information to or  
25 from the bureau; and governing the purging of any information maintained by the  
26 bureau as permitted by law. Records of juvenile criminal conduct shall not be ~~made~~  
27 ~~a part of any state or local~~ disseminated as a criminal background check to anyone  
28 outside of the criminal justice system as defined in R.S. 15:576(5).

29 \* \* \*

1           §589.1. Handling of information; juvenile criminal conduct

2                   Any information on juvenile criminal conduct obtained by the bureau under  
3           this Title shall be handled in accordance with the provisions of Children's Code  
4           Articles 412, 414, and 917 through 926 and shall be made available pursuant to such  
5           provisions. Such access and use shall include an audit trail to maintain the integrity  
6           of the records and ensure accountability. Such trail shall include all of the following:

7                   (1) Who accessed the system.

8                   (2) When the system was accessed.

9                   (3) What actions were performed during access.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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



# ACT No. 370

HOUSE BILL NO. 479

BY REPRESENTATIVES MANDIE LANDRY, BACALA, BOYD, BOYER, BRASS, BRAUD, BRYANT, BUTLER, CARLSON, COATES, COX, DEWITT, DOMANGUE, EDMONSTON, EGAN, FREEMAN, FREIBERG, HILFERTY, HORTON, HUGHES, JORDAN, KERNER, KNOX, LAFLEUR, LARVADAIN, LYONS, MACK, MARCELLE, MELERINE, MOORE, NEWELL, OWEN, PHELPS, ROMERO, SPELL, STAGNI, TAYLOR, THOMPSON, VILLIO, WALTERS, WYBLE, AND ZERINGUE

1 AN ACT

2 To enact R.S. 15:715 and R.S. 46:1847 and 1848, relative to the creation of a comprehensive  
3 victims' services system; to provide for a Crime Victims' Bill of Rights; to provide  
4 for victim notification; to provide for definitions; to provide for legislative findings;  
5 to provide certain rights to crime victims, witnesses, and family members; to provide  
6 for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:715 is hereby enacted to read as follows:

9 §715. Reporting of escapes from parish prison facilities and jails

10 A. The sheriff, the highest ranking employee of the sheriff's office, or the  
11 person acting on behalf of the sheriff who is physically present at and in charge of  
12 the parish prison or jail at the time of an escape from that facility shall immediately  
13 notify or take necessary steps to ensure that notification is provided to every law  
14 enforcement agency and local media outlet after receiving notification that an inmate  
15 has escaped from or left the premises of the facility without authority. Such notice  
16 shall be provided by the most reasonable and expedient means available.

1           B.(1) The sheriff, his designee, or the highest ranking employee of the  
2           sheriff's office shall immediately notify any known witnesses and the victim of the  
3           crime for which the escaped inmate was imprisoned. Such notice shall be provided  
4           by the most reasonable and expedient means available.

5           (2) If the inmate is recaptured, the sheriff, his designee, or the highest  
6           ranking employee of the sheriff's office shall send notice to the persons and entities  
7           designated in this Section as soon as possible but in no event not later than one  
8           working day after the sheriff learns of such recapture.

9           C. As used in this Section, the following terms shall have the following  
10          meanings:

11          (1) "Law enforcement agency" means the Department of Public Safety and  
12          Corrections, office of public safety services and office of state police, and all police  
13          departments in the parish.

14          (2) "Local media outlet" means a local news service, including but not  
15          limited to a print, broadcast, or online platform.

16          Section 2. R.S. 46:1847 and 1848 are hereby enacted to read as follows:

17          §1847. Comprehensive victims' services system; legislative findings; intent; purpose

18          A. The legislature hereby recognizes that the State of Louisiana has created  
19          numerous rights and duties to be afforded to crime victims, witnesses, and designated  
20          family members. The legislature further recognizes the challenges of fulfilling those  
21          rights and duties through numerous law enforcement and other state and local  
22          entities.

23          B. Accordingly, the legislature hereby finds and declares that, in order to  
24          ensure to the greatest extent possible that the rights and duties afforded to crime  
25          victims and witnesses are upheld, the state of Louisiana is committed to the creation,  
26          consolidation, and coordination of a comprehensive victims' services system. This  
27          system shall provide the information and services described in the Crime Victims'  
28          Bill of Rights and R.S. 46:1844 to crime victims and witnesses at all relevant points  
29          throughout the life cycle of a case moving through the criminal justice system in a  
30          timely, consistent, and easily understandable manner. This system shall be created

1 and administered by the Department of Public Safety and Corrections (the  
2 department), which shall coordinate with and provide assistance to prosecutors and  
3 law enforcement agencies utilizing the systems, processes, standards, and guidelines  
4 implemented by the department. The department shall create this system in  
5 conjunction with the Integrated Criminal Justice Information System Policy Board  
6 (ICJIS) and all such component parts of this system shall be created in conformity  
7 with the requirements set forth in R.S. 15:1228.10. The system shall be created and  
8 in operation no later than July 1, 2026.

9 C. The legislature recognizes that the creation and implementation of a  
10 comprehensive victims' services system requires the input, coordination, and  
11 cooperation of relevant stakeholders responsible for providing services to crime  
12 victims and witnesses and urges relevant stakeholders to work collaboratively to  
13 create and implement this comprehensive victims' services system as expeditiously  
14 as possible.

15 §1848. Crime Victims' Bill of Rights

16 A.(1) The legislature hereby finds and declares the urgent need to establish  
17 a comprehensive Crime Victims' Bill of Rights. A bill of rights, written in plain  
18 language and collected in one place, is vital for crime victims, witnesses, and  
19 designated family members to be able to know and understand the rights and duties  
20 to which the state of Louisiana affords to them and to ensure that they receive the  
21 support, protection, and justice that they deserve.

22 (2) Subsection C of this Section shall be known and may be cited as the  
23 "Crime Victims' Bill of Rights".

24 B.(1) Notwithstanding any other provision of law to the contrary, nothing in  
25 this Section shall be construed to negate, impair, diminish, or limit any other rights  
26 or duties afforded to crime victims, witnesses, and designated family members in any  
27 other provision of law.

28 (2) Notwithstanding any other provision of law to the contrary, a defendant  
29 or person accused or convicted of a crime for which a crime victim, witness, or  
30 designated family member is afforded any rights or duties within this Section does

1 not have standing to seek to have their conviction or sentence set aside for any  
2 violation of the Crime Victims' Bill of Rights.

3 C. A crime victim or designated family member, as defined in this Chapter,  
4 shall have the following rights:

5 (1) The right to receive emergency, social, or medical services as soon as  
6 possible and to receive a Victim Notice and Registration Form from law enforcement  
7 as provided in R.S. 46:1844(A)(1).

8 (2) The right to be notified of the following: the defendant's arrest, release  
9 on recognizance, posting of bond, release pending charges being filed or due to  
10 rejection of charges by the prosecutor, escape, or re-apprehension as provided in R.S.  
11 46:1844(A)(3) and (Z).

12 (3) The right to receive advance notification of, and to be present for, judicial  
13 proceedings or probation hearings as provided in R.S. 46:1844(B).

14 (4) The right, subject to reasonable efforts by the prosecutor prior to trial, to  
15 be interviewed by the prosecutor regarding the facts of the case and requests for  
16 restitution as provided in R.S. 46:1844(C).

17 (5) The right for such interviews to be conducted in a private setting, with  
18 access if requested to a victim advocate, social worker, or psychologist for support  
19 as provided in R.S. 46:1844(C).

20 (6) The right to refuse requests for interviews with the defense attorney as  
21 provided in R.S. 46:1844(C)(3).

22 (7) The right to retain the victim's or designated family member's own legal  
23 counsel for discussions with the district attorney and judicial agencies as provided  
24 in R.S. 46:1844(D)(1).

25 (8) The right to request, orally or in writing, a conference with the  
26 prosecutor's office to discuss the disposition of the case by dismissal, plea, or trial,  
27 the use of sentencing alternatives, and requests for payment of restitution to the  
28 victim as provided in R.S. 46:1844(D)(2).

1           (9) The right to assistance in informing employers that the participation of  
2           the victim and designated family member in the prosecution of the case may  
3           necessitate absence from work as provided in R.S. 46:1844(E).

4           (10) The right to be notified of scheduling changes as provided in R.S.  
5           46:1844(F).

6           (11) The right to a secure waiting area during court proceedings away from  
7           the defendant or the family of the defendant as provided in R.S. 46:1844(G).

8           (12) The right to review and comment on pre-sentence or post-sentence  
9           reports as provided in R.S. 46:1844(H).

10          (13) The right to protection by all rules and laws governing criminal  
11          procedure and the admissibility of evidence applicable to criminal proceedings as  
12          provided in R.S. 46:1844(I).

13          (14) The right to a speedy disposition and prompt and final conclusion of the  
14          case after conviction and sentencing as provided in R.S. 46:1844(J).

15          (15) The right to be present and heard at all critical stages of the proceedings,  
16          including the right to make a written or oral victim impact statement as provided in  
17          R.S. 46:1844(K)(1).

18          (16) The right to request that the victim impact statement be sealed for  
19          privacy concerns as provided in R.S. 46:1844(K)(2).

20          (17) The right to be provided with notice from the court of the minimum and  
21          maximum sentence allowed by law and the opportunity to comment on the proposed  
22          sentence as provided in R.S. 46:1844(K)(3).

23          (18) The right to have property of the victim returned as provided in R.S.  
24          46:1844(L).

25          (19) The right to seek restitution or payment from the defendant to the victim  
26          or the family of the victim, with no court filing fees as provided in R.S. 46:1844(M).

27          (20) For death penalty cases, the right to notification of execution details and  
28          the right to be present as provided in R.S. 46:1844(N).

29          (21) For death penalty cases, the right to not be contacted by the offender or  
30          supporters or representatives of the offender as provided in R.S. 46:1844(Y).

1                   (22) The right to be notified of a parole hearing and to make written or oral  
 2                   victim impact statements, including proposed contact and proximity restrictions that  
 3                   may be included as parole conditions, for the protection of the victim as provided in  
 4                   R.S. 46:1844(O).

5                   (23) The right to confidentiality, and to prevent the release of the name,  
 6                   address, contact information or identity of the victim, if the victim is a minor, victim  
 7                   of a sex offense, or victim of a human trafficking offense as provided in R.S.  
 8                   46:1844(W).

9                   (24) For all victims of violent crime, the right to request and obtain a copy  
 10                   of their initial police report at no cost to them as provided in R.S. 46:1844(X).

11                   D. A witness or a designated family member, as defined in this Chapter,  
 12                   shall have the following rights:

13                   (1) The right to receive emergency, social, or medical services as soon as  
 14                   possible and to receive a Victim Notice and Registration Form from law enforcement  
 15                   as provided in R.S. 46:1844(A)(1).

16                   (2) The right to be notified of the following: release, discharge of sentence,  
 17                   escape, or reapprehension as provided in R.S. 46:1844(N)(2) and (3).

18                   (3) The right to assistance in informing employers that the participation of  
 19                   the witness or designated family member in the prosecution of the case may  
 20                   necessitate absence from work as provided in R.S. 46:1844(E).

21                   (4) The right to be notified of scheduling changes as provided in R.S.  
 22                   46:1844(F).

23                   (5) The right to a secure waiting area during court proceedings away from  
 24                   the defendant or the family of the defendant as provided in R.S. 46:1844(G).

25                   Section 2. The office of the governor shall prepare a printable version of the Crime  
 26                   Victims' Bill of Rights as set forth above for public consumption.

27                   Section 3. This Act shall become effective upon signature by the governor or, if not  
 28                   signed by the governor, upon expiration of the time for bills to become law without signature  
 29                   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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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

2025 Regular Session

# ACT No. 393

HOUSE BILL NO. 675 (Substitute for House Bill No. 572 by Representative Glorioso)

BY REPRESENTATIVES GLORIOSO, BACALA, CARRIER, COATES, COX, CREWS,  
DICKERSON, EDMONSTON, EMERSON, FIRMENT, HORTON, MIKE  
JOHNSON, MCMAKIN, SCHLEGEL, VILLIO, AND WILDER

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 926(B) and (E), 926.2(A) and  
3 (B)(2) and (3)(introductory paragraph), 927, 930(A) and (C), 930.2, 930.4(article  
4 heading), (A), and (D) through (G), 930.5, 930.6(B), 930.8(A)(introductory  
5 paragraph) and (2) through (4) and (B) through (E) and R.S. 15:178, to enact Code  
6 of Criminal Procedure Articles 924(5) and (6), 926(F) and (G), 926.4, 927.1,  
7 930.4(H), 930.8(F), 930.11, and R.S. 15:169(C), and to repeal Code of Criminal  
8 Procedure Articles 928, 930.6(C), and 930.10, relative to post conviction relief; to  
9 provide for procedures; to provide for definitions; to provide for appeals; to provide  
10 for applications; to provide for motions; to provide for summary disposition; to  
11 provide for judgments; to provide for grounds for relief; to provide relative to claims;  
12 to provide for duties of the court, district attorney, attorney general, and petitioner;  
13 to provide for time periods; to provide relative to time limitations; to provide for  
14 burden of proof; to provide relative to a writ of mandamus; to provide for the  
15 appointment of counsel in certain circumstances; and to provide for related matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Code of Criminal Procedure Articles 926(B) and (E), 926.2(A) and (B)(2)  
18 and (3)(introductory paragraph), 927, 930(A) and (C), 930.2, 930.4(article heading), (A), and  
19 (D) through (G), 930.5, 930.6(B), 930.8(A)(introductory paragraph) and (2) through (4) and  
20 (B) through (E) are hereby amended and reenacted and Code of Criminal Procedure Articles



1 924(5) and (6), 926(F) and (G), 926.4, 927.1, 930.4(H), 930.8(F), and 930.11 are hereby  
2 enacted to read as follows:

3 Art. 924. Definitions

4 As used in this Title:

5 \* \* \*

6 (5) "Post conviction relief" means a procedure that allows an individual who  
7 has been convicted of a crime in this state to challenge the legality of his  
8 confinement. It is a form of post conviction habeas corpus and is a collateral action  
9 to test the detention of a criminal defendant after his sentence and conviction have  
10 become final.

11 (6) "Shell petition" means a petition that does not contain fully briefed  
12 claims for relief.

13 \* \* \*

14 Art. 926. Petition

15 \* \* \*

16 B. The petition shall allege all of the following:

17 (1) The name of the person in custody and the place of custody, if known,  
18 or if not known, a statement to that effect;

19 (2) That the person is actually in custody, and the name of the place of  
20 custody, if known.

21 ~~(2)~~ (3) The name of the custodian, if known, or if not known, a designation  
22 or description of him as far as possible;

23 ~~(3)~~ (4) A statement of the grounds upon which relief is sought, alleged in  
24 good faith and specifying with reasonable particularity the factual basis for such  
25 relief;

26 ~~(4)~~ (5) A statement of all prior applications for writs of habeas corpus or for  
27 post conviction relief filed by or on behalf of the person in custody in connection  
28 with his present custody; ~~and~~

29 ~~(5)~~ (6) All errors known or discoverable by the exercise of due diligence.

30 \* \* \*





1           (d) Whether the application states legal grounds for relief that are not  
 2           meritorious.

3           (e) Whether the application states factual grounds which, if established, do  
 4           not entitle the petitioner to relief.

5           (f) Whether the application states factual grounds that, if true, entitle the  
 6           petitioner to relief but are so contradicted by the court record that the court is  
 7           satisfied that the factual allegations are untrue.

8           (g) Whether each claim in the application is procedurally barred or frivolous  
 9           on its face.

10           (2) If it is evident from the petition and any attached exhibits that the  
 11           petitioner is not entitled to relief, the court shall dismiss the application. If the  
 12           application is not dismissed, the judge shall order an answer pursuant to Paragraph  
 13           B of this Article. The fact that the court has not dismissed the application upon  
 14           preliminary review shall not preclude the district attorney or the attorney general  
 15           from subsequently raising objections on any of the grounds listed in Subparagraph  
 16           (1) of this Paragraph or any other grounds provided by law.

17           A. B. If an application alleges a claim which, if established, would entitle the  
 18           petitioner to relief is not dismissed pursuant to Paragraph A of this Article, the court  
 19           shall order the custodian, through the district attorney in the parish in which the  
 20           defendant was convicted, to file any procedural objections he may have, or an  
 21           answer on the merits if there are no procedural objections, within a specified period  
 22           not in excess of ~~thirty~~ sixty days. If the district attorney waives or does not file  
 23           procedural objections, the response shall be provided to the attorney general  
 24           concurrent with filing. The court's order shall include a copy of the application for  
 25           post conviction relief and the attorney general shall have thirty days to file  
 26           objections. If procedural objections are ~~timely~~ filed by the district attorney or the  
 27           attorney general, no answer on the merits of the claim nor any hearing on the merits  
 28           may ~~shall~~ be ordered until such objections have been considered and rulings thereon  
 29           have become final.

1           ~~B. C.~~ In any order of the court requiring a response by the district attorney  
 2           or attorney general pursuant to this Article, the court shall render specific rulings  
 3           dismissing any claim which, if established as alleged, would not entitle the petitioner  
 4           to relief, and shall order a response only as to such claim or claims which, if  
 5           established as alleged, would entitle the petitioner to relief.

6           ~~C. D.~~ If the court orders an answer filed, the court need not order production  
 7           of the petitioner except as provided in Article 930.

8           E. Subject to the provisions of Article 930.4(F), if the application is  
 9           successive or supplemental to a previous application, the court shall send notice to  
 10          the attorney general.

11          F. If the court has determined that the application cannot be summarily  
 12          dismissed, the court shall determine after an answer is filed whether an evidentiary  
 13          hearing is necessary and shall set a status conference within sixty days.

14          Art. 927.1. Abandonment of application

15          A. After filing an application for post conviction relief, the petitioner is  
 16          responsible for seeking a ruling on his application and pursuing his claims. Failure  
 17          to actively seek a ruling on an application for post conviction relief after it has been  
 18          filed shall constitute abandonment of the application, resulting in the dismissal of the  
 19          application.

20          B. An application for post conviction relief shall be deemed to be abandoned  
 21          when the petitioner fails to file any pleading in furtherance of disposition of the  
 22          application for a period of two years following the filing of the application,  
 23          irrespective of the stage of the proceedings.

24          C. This Article shall be operative without a formal order when an  
 25          abandonment of an application pursuant to Paragraph B has occurred. On ex parte  
 26          motion of the district attorney or the attorney general, accompanied by an affidavit  
 27          that states that action has not been timely taken, the court shall enter a formal order  
 28          of dismissal as of the date of the application's abandonment.

29          D. If the petitioner has a shell petition pending as of July 1, 2025, he shall  
 30          submit a fully-briefed petition to the court no later than July 1, 2026, unless a shorter

1 period of time has been established by the court. Any application for post conviction  
2 relief filed before July 1, 2023, shall be dismissed, set for a hearing, or otherwise  
3 adjudicated no later than July 1, 2026, unless the court has good cause to establish  
4 a later date, provided however that the claims shall be fully adjudicated no later than  
5 January 1, 2027. The district attorney or the attorney general shall have a right to  
6 seek mandamus to enforce this Paragraph.

7 E. For the purposes of this Article, "pleading in furtherance of disposition  
8 of the application" means a filing that seeks the trial court's ruling on the merits of  
9 the application or a claim asserted therein, such as a motion to set the case on the  
10 docket, a motion seeking an order, or an application for writ of mandamus seeking  
11 a ruling on the application.

12 \* \* \*

13 Art. 930. Evidentiary hearing

14 A. An evidentiary hearing for the taking of testimony or other evidence shall  
15 be ordered within the time period provided in Article 930.11 whenever there are  
16 questions of fact which cannot properly be resolved pursuant to Articles 928 and  
17 929. The petitioner, in absence of an express waiver, is entitled to be present at such  
18 hearing, unless the only evidence to be received is evidence as permitted pursuant  
19 to ~~Subsection~~ Paragraph B of this Section Article, and the petitioner has been or will  
20 be provided with copies of such evidence and an opportunity to respond thereto in  
21 writing.

22 \* \* \*

23 C. No evidentiary hearing on the merits of a claim shall be ordered or  
24 conducted, nor shall any proffer of evidence be received over the objection of the  
25 respondent, and no ruling upon procedural objections to the petition shall purport to  
26 address the merits of the claim over the objection of the respondent, unless the court  
27 has first ruled upon all procedural objections raised by the respondent within the time  
28 period provided in Article 930.11, and such rulings have become final. Any  
29 language in a ruling on procedural objections raised by the respondent which







1 application shall be deemed to have been known by the petitioner. The provisions of  
2 this Subparagraph are applicable if the petitioner proves both of the following:

3 (i) That the petitioner exercised due diligence in attempting to discover any  
4 post conviction claims or facts upon which any claims may be based.

5 (ii) That exceptional circumstances exist, the interest of justice will be served  
6 by consideration of the claim based upon the previously unknown facts, and the  
7 newly discovered facts in support of the claim are sufficiently compelling that  
8 manifest injustice will result if the claim is not considered.

9 (b) The petitioner shall have the burden of proving the provisions of this  
10 Subsubparagraph by clear and convincing evidence.

11 ~~(2)~~ (3) The claim asserted in the petition is based upon a final ruling of an  
12 appellate court establishing a theretofore unknown interpretation of constitutional  
13 law and petitioner establishes that this interpretation is retroactively applicable to his  
14 case, and the petition is filed within one year of the finality of such ruling.

15 ~~(3)~~(4) The application would already be barred by the provisions of this  
16 Article, but the application is filed on or before ~~October 1, 2001~~ August 1, 2027, and  
17 the date on which the application was filed is within ~~three~~ two years after the  
18 judgment of conviction and sentence has become final.

19 ~~(4) The person asserting the claim has been sentenced to death.~~

20 \* \* \*

21 B.(1) When the petitioner has been sentenced to death, all appellate review  
22 of post-conviction relief applications, including supervisory review of  
23 post-conviction relief applications, shall be filed directly with the Louisiana Supreme  
24 Court.

25 (2) When an execution warrant has been issued, any application for  
26 post-conviction relief that contains a new claim, pleading, or other legal matter shall  
27 be filed no later than forty-five days prior to the execution date of the petitioner. A  
28 ruling on such application shall be issued no later than twenty-one days prior to the  
29 execution date of the petitioner. The exclusive means of review shall be a writ

1 application filed directly with the Louisiana Supreme Court within seven days of the  
2 ruling on the application.

3 ~~B. C.~~ An application for post conviction relief which is timely filed, or which  
4 is allowed under an exception to the time limitation as set forth in Paragraph A of  
5 this Article, shall be dismissed upon a showing by the state of prejudice to its ability  
6 to respond to, negate, or rebut the allegations of the petition caused by events not  
7 under the control of the state which have transpired since the date of original  
8 conviction, if the court finds, after a hearing limited to that issue, that the state's  
9 ability to respond to, negate, or rebut such allegations has been materially prejudiced  
10 thereby. When the petitioner fails to timely seek a hearing that is allowed by law or  
11 fails to pursue claims for a period of two years after filing an application, the delay  
12 caused by inaction shall be presumed as prejudicial. The petitioner shall bear the  
13 burden of rebutting the presumption of prejudice. A final judgment dismissing an  
14 application based upon prejudice shall be a final adjudication of state post conviction  
15 claims in the application for purposes of exhaustion of state court remedies and  
16 federal habeas corpus proceedings.

17 ~~E. D.~~ At the time of sentencing, the trial court shall inform the defendant of  
18 the prescriptive period for post-conviction relief either verbally or in writing. If a  
19 written waiver of rights form is used during the acceptance of a guilty plea, the  
20 notice required by this Paragraph may be included in the written waiver of rights.

21 ~~D. E.~~ Any attempt or request by a petitioner to supplement or amend the  
22 application shall be subject to all of the limitations and restrictions as set forth in this  
23 Article.

24 ~~E. F.~~ All of the limitations set forth in this Article shall be jurisdictional and  
25 shall not be waived or excused by the court or the district attorney.

26 \* \* \*

27 Art. 930.11. Time delays applicable to this Title; writ of mandamus

28 A. The court of appropriate jurisdiction shall adhere to the following time  
29 periods in post conviction proceedings:

1           (1) The court shall conduct the preliminary review provided in Article 927  
2           within thirty days of the filing of application.

3           (2) When ruling on procedural objections that have been filed pursuant to  
4           Article 927, the court shall issue its ruling within thirty days of receipt of such  
5           objections.

6           (3) If the court determines that no evidentiary hearing is necessary, it shall  
7           issue its ruling on the merits of any remaining claim alleged in the application within  
8           thirty days of the state's answer on the merits.

9           (4) When the court determines that there are questions of fact which cannot  
10          properly be resolved pursuant to Article 929, it shall conduct an evidentiary hearing  
11          provided in Article 930 within one hundred eighty days of such determination and  
12          issue a ruling on the merits of any remaining claim within thirty days following the  
13          conclusion of such hearing.

14          B. The district attorney and the attorney general shall adhere to the following  
15          time periods in post conviction proceedings:

16                 (1) The district attorney shall have sixty days to file procedural objections  
17                 pursuant to Article 927.

18                 (2) If an answer is required, the district attorney shall have sixty days from  
19                 the court's ruling on procedural objections to file an answer on the merits pursuant  
20                 to Article 927.

21                 (3) The attorney general shall have thirty days to file procedural objections  
22                 pursuant to Article 927 if the district attorney waives such objections.

23          C. A petitioner who has been sentenced to death shall only seek supervisory  
24          review directly from the Louisiana Supreme Court.

25          D. If a petitioner invokes the supervisory jurisdiction of the Louisiana  
26          Supreme Court, the supreme court shall rule on an application for a writ of review  
27          within one hundred eighty days of receipt. If there is an active death warrant, the  
28          court shall issue a ruling prior to the effective date of that warrant.

29          E. The state or petitioner shall have the right to seek a writ of mandamus to  
30          compel a court to issue a requested ruling within a specified period not to exceed

1 thirty days if that court has not issued a ruling within the deadlines provided in this  
2 Chapter. The reviewing court may order the lower court to submit a per curiam  
3 opinion to the reviewing court with an explanation regarding why the lower court has  
4 not issued a ruling within the deadlines provided in this Chapter.

5 F.(1) Upon the motion of either party, any deadline set forth in this Title,  
6 except for the deadline for filing applications for post-conviction relief set forth in  
7 Article 930.8, may be extended by the court subject to the requirements of this  
8 Section.

9 (2) Any motion for an extension of time filed by either party shall be filed not  
10 later than seven days prior to the deadline sought to be extended and shall be served  
11 on all parties and the court by any method allowed by law.

12 (3) Any motion for an extension of time granted by the court pursuant to this  
13 Section shall not exceed sixty days in length, and in no case shall either party be  
14 allowed more than three extensions of time.

15 (4) Each party's first motion for an extension of time may be granted by the  
16 court without a contradictory hearing.

17 (5) After a party's first motion for an extension of time has been granted, any  
18 subsequent motion for an additional extension of time by the same mover shall  
19 require a contradictory hearing. Following the contradictory hearing, the court may  
20 only grant the motion upon a showing by the mover that extraordinary circumstances  
21 outside of the control of the moving party exist that necessitate the requested  
22 extension of time.

23 Section 2. R.S. 15:178 is hereby amended and reenacted and R.S. 15:169(C) is  
24 hereby enacted to read as follows:

25 §169. Representation of capital defendants

26 \* \* \*

27 C. If in any fiscal year the state public defender determines, based on a  
28 review of pending litigation of post-conviction relief applications for capital cases,  
29 that insufficient funds exist to provide counsel for these cases; he may request  
30 supplemental funding, on a case by case basis, from the Joint Legislative Committee

1           on the Budget be distributed from the Overcollections Fund. The state public  
2           defender and the attorney general shall each submit a report to the committee prior  
3           to it taking action on a request.

4                                   \*       \*       \*

5           §178. Appointment of appellate and post-conviction counsel in death penalty case

6                       In a capital case in which the trial counsel was provided to an indigent  
7           defendant and in which the jury imposed the death penalty, the court, ~~after~~ within  
8           thirty days of the imposition of the sentence of death, shall ~~appoint~~ order the office;  
9           ~~which shall promptly cause~~ of the state public defender to have enrolled ~~counsel to~~  
10          ~~represent the defendant on~~ at least one attorney for direct appeal and ~~in any~~ at least  
11          one separate attorney for state ~~post-conviction~~ post conviction proceedings, ~~if~~  
12          appropriate.

13          Section 3. Code of Criminal Procedure Articles 928, 930.6(C), and 930.10 are  
14 hereby repealed in their entirety.

15          Section 4. The Louisiana State Law Institute is hereby authorized and directed to  
16 renumber the subparagraphs of Code of Criminal Procedure Article 924 so as to properly  
17 place Code of Criminal Procedure Article 924(5) and (6) as enacted by this Act.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 15

BY SENATOR MORRIS AND REPRESENTATIVES AMEDEE, BACALA, COX, ECHOLS, EMERSON, FIRMENT, FONTENOT, GLORIOSO, HORTON, JACOB LANDRY, OWEN, ROMERO, SCHAMERHORN, WILDER, WILEY AND WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S. 14:130.1(A) and 134(A) and to  
3 enact R.S. 14:130.1(A)(6) and (B)(6) and (7), relative to criminal interference with  
4 federal immigration enforcement activities; to provide relative to the crimes of  
5 obstruction of justice and malfeasance in office; to prohibit interference by public  
6 and private actors with immigration enforcement and other official governmental  
7 acts; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The introductory paragraph of R.S. 14:130.1(A) and 134(A) are hereby  
10 amended and reenacted and R.S. 14:130.1(A)(6) and (B)(6) and (7) are hereby enacted to  
11 read as follows:

12 §130.1. Obstruction of justice

13 A. The crime of obstruction of justice is any of the following **acts** when  
14 committed with the knowledge that ~~such the~~ act has, reasonably may, or will affect  
15 an actual or potential present, past, or future criminal proceeding ~~as described in this~~  
16 ~~Section:~~ **, civil immigration proceeding, or official act of an agent or employee**  
17 **of a governmental entity:**

18 \* \* \*

19 **(6) Knowingly committing any act intended to hinder, delay, prevent, or**  
20 **otherwise interfere with or thwart federal immigration enforcement efforts.**

21 B. Whoever commits the crime of obstruction of justice shall be subject to  
22 the following penalties:

23 \* \* \*

1                   (6) When the obstruction of justice involves a civil immigration  
2                   proceeding, the offender shall be fined not more than five thousand dollars,  
3                   imprisoned with or without hard labor for not more than one year, or both.

4                   (7) When the obstruction of justice involves an official act of an agent or  
5                   employee of a governmental entity, the offender shall be fined not more than  
6                   one thousand dollars, imprisoned for not more than six months, or both.

7   \*       \*       \*

8                   §134. Malfeasance in office

9                   A. Malfeasance in office is committed when any public officer or public  
10                  employee ~~shall~~ does any of the following:

11                  (1) Intentionally ~~refuse~~ refuses or ~~fail~~ fails to perform any duty lawfully  
12                  required of him, as such officer or employee; ~~or.~~

13                  (2) Intentionally ~~perform~~ performs any such duty in an unlawful manner; ~~or.~~

14                  (3) Knowingly ~~permit~~ permits any other public officer or public employee,  
15                  under his authority, to intentionally refuse or fail to perform any duty lawfully  
16                  required of him, or to perform any such duty in an unlawful manner; ~~or.~~

17                  (4) Willfully and knowingly ~~subject~~ subjects any person to the deprivation  
18                  of any right, privilege, or immunity secured or protected by the United States  
19                  Constitution and laws, if serious bodily injury or death results.

20                  (5) Knowingly releases a person, following arrest or booking, from state,  
21                  parish, or local law enforcement custody without providing advance notice to  
22                  United States Immigration and Customs Enforcement that the law enforcement  
23                  agency effecting release is aware that the person either illegally entered or  
24                  unlawfully remained in the United States.

25                  (6)(a) Takes any official action, fails to perform an official duty, or  
26                  refuses a lawful request for cooperation submitted by either United States  
27                  Immigration and Customs Enforcement, United States Customs and Border  
28                  Protection, or United States Citizenship and Immigration Services with the  
29                  intent to hinder, delay, prevent, or otherwise interfere, ignore, or thwart federal  
30                  immigration enforcement efforts.





SENATE BILL NO. 41

BY SENATORS BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, CONNICK, HODGES, JACKSON-ANDREWS, JENKINS, LAMBERT, LUNEAU, MCMATH, MIZELL, PRICE, SELDERS, STINE AND WOMACK AND REPRESENTATIVES ADAMS, BAYHAM, BERAULT, BILLINGS, BOYD, BRYANT, CARVER, CHASSION, CHENEVERT, DICKERSON, DOMANGUE, ECHOLS, FISHER, HILFERTY, HUGHES, ILLG, JACKSON, KNOX, LARVADAIN, LYONS, MARCELLE, MCMAHEN, MENA, NEWELL, PHELPS, SPELL, TAYLOR AND WALTERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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## AN ACT

To amend and reenact R.S. 14:91.3(A), the introductory paragraph of R.S. 15:587.1(C), 587.1(C)(1), and 1110.3(H), the introductory paragraph of R.S. 17:8.7(B) and 8.7(B)(1), 15(A)(1)(a), (b)(i)(bb) and (cc), and (b)(ii) and (2)(a)(ii) through (v), (D), and (E), 16(A), 24.8(A) and (B)(2), 407.33(5), 407.35(A), 407.42(A)(2) and (B)(1)(b), 407.46(A)(1), 407.71(A), 443(B)(1), 493(C)(1), and 3996(B)(28), R.S. 24:525(D), R.S. 40:2008.10(A)(3) and 2019(F)(3)(b), R.S. 46:51.2(A)(1)(b), 56(F)(1), (4)(c), (10)(b)(i), and (11), and 1414.1(A), Children's Code Art. 116(2.1) and (2.2), 603(4)(a) and (17)(d), 603.1(B), 610(A), (E)(1) and (2), and (H), 612(A)(3), 615(B)(2), (3), and (5), the introductory paragraph of 615(E) and 615(E)(1) and (4)(a) and (F), 616(B), the introductory paragraph of 616(D), 616(E) and (H), and 616.1.1(A) and to enact R.S. 17:15(A)(1)(b)(i)(dd) and (2)(a)(vi), 407.41, and 3996(B)(82), Children's Code Art. 603(17)(l) through (o) and 610(I) and Civil Code Art. 2315.12, relative to child welfare; to provide for review of the state central registry for school employees; to provide for reporting recordation on the state central registry; to provide for the licensure of early learning centers; to provide for child welfare and safety minimum standards for prekindergarten programs; to

1 provide for child abuse and neglect determinations; to provide for definitions in the  
 2 Children's Code; to provide for mandatory reporting training; to provide for  
 3 procedures for reporting child abuse and neglect; to provide for the responsibility of  
 4 the Department of Children and Family Services to respond to reports; to provide for  
 5 investigations of child sexual abuse in a school setting; to provide for liability for  
 6 damages caused by sexual abuse in a school setting; and to provide for related  
 7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:91.3(A) is hereby amended and reenacted to read as follows:

10 §91.3. Unlawful participation in a child-related business

11 A. No person who has been convicted of, or who has pled guilty or nolo  
 12 contendere to, an offense listed in R.S. 15:587.1(C) **or whose name is recorded on**  
 13 **the Department of Children and Family Services' state central registry on or**  
 14 **after August 1, 2018,** shall own, operate, or in any way participate in the governance  
 15 of any early learning center as defined by R.S. 17:407.33, residential home as  
 16 defined by R.S. 46:1403, or residence in which child care services are provided by  
 17 a family child care provider or in-home provider who is registered pursuant to R.S.  
 18 17:407.61 et seq.

19 \* \* \*

20 Section 2. The introductory paragraph of R.S. 15:587.1(C), 587.1(C)(1), and  
 21 1110.3(H) are hereby amended and reenacted to read as follows:

22 §587.1. Provision of information to protect children

23 \* \* \*

24 C. The provisions of R.S. 15:825.3, R.S. 17:8.9, 15, 407.42, and 407.71, R.S.  
 25 46:51.2 ~~and 1441.13~~, and Children's Code Article 424.1 shall govern the  
 26 employment of persons who have been convicted of, or pled guilty or nolo  
 27 contendere to, any of the following crimes:

28 (1) R.S. 14:30, R.S. 14:30.1, R.S. 14:31, R.S. 14:32.6 through R.S. 14:32.8,  
 29 R.S. 14:41 through R.S. 14:45, **R.S. 14:46.2 through** R.S. 14:46.4, R.S. 14:74, ~~R.S.~~  
 30 ~~14:78, R.S. 14:78.1~~, R.S. 14:79.1, R.S. 14:80 through R.S. 14:86, R.S. 14:89, R.S.

1 14:89.1, R.S. 14:89.2, R.S. 14:92, R.S. 14:93, R.S. 14:93.2.1, R.S. 14:93.3, R.S.  
 2 14:93.5, crimes of violence as defined in R.S. 14:2(B), sex offenses as defined in  
 3 R.S. 15:541, R.S. 14:106, R.S. 14:282, R.S. 14:283, R.S. 14:283.1, R.S. 14:284, R.S.  
 4 14:286, R.S. 40:966(A), R.S. 40:967(A), R.S. 40:968(A), R.S. 40:969(A), and R.S.  
 5 40:970(A) or convictions for attempt or conspiracy to commit any of those offenses;

6 \* \* \*

7 §1110.3. Licensing; transfer to office of juvenile justice

8 \* \* \*

9 H.(1) Any owner, operator, current or prospective employee, or volunteer of  
 10 a juvenile detention facility that is requesting licensure or is licensed by the office  
 11 of juvenile justice is prohibited from being employed by the facility if that  
 12 individual's name is recorded on the state central registry as a perpetrator for a  
 13 justified substantiated finding of abuse or neglect of a child.

14 (2) If the individual's name is or was entered on the state central registry, the  
 15 individual who is the subject of the finding may file a written motion seeking  
 16 correction to the division of administrative law for an administrative appeal of the  
 17 justified substantiated determination, in accordance with Children's Code Article  
 18 616.1.1 and the procedures promulgated by the office.

19 \* \* \*

20 Section 3. The introductory paragraph of R.S. 17:8.7(B) and 8.7(B)(1), 15(A)(1)(a),  
 21 (b)(i)(bb) and (cc), and (b)(ii) and (2)(a)(ii) through (v), (D), and (E), 16(A), 24.8(A) and  
 22 (B)(2), 407.33(5), 407.35(A), 407.42(A)(2) and (B)(1)(b), 407.46(A)(1), 407.71(A),  
 23 443(B)(1), 493(C)(1), and 3996(B)(28) are hereby amended and reenacted and R.S.  
 24 17:15(A)(1)(b)(i)(dd) and (2)(a)(vi), 407.41, and 3996(B)(82) are hereby enacted to read as  
 25 follows:

26 §8.7. Prohibition against granting an educator credential or teaching authorization  
 27 to certain persons; appeals

28 \* \* \*

29 B. The board may, after a successful appeal, issue an educator credential or  
 30 other teaching authorization to a person who has been convicted of or has pled nolo



1 as determined by the State Board of Elementary and Secondary Education.

2 (ii) A city, parish, or other local public school board or a nonpublic school  
3 or school system may hire a person as an administrator, teacher, or substitute teacher  
4 who is otherwise prohibited from being hired pursuant to ~~Item (i)~~ **Subitem (i)(cc)**  
5 **and (dd)** of this Subparagraph if the State Board of Elementary and Secondary  
6 Education approves a formal appeal request submitted by the person and issues a  
7 teaching certificate or authorization as provided in R.S. 17:8.7(B).

8 \* \* \*

9 (2)(a) A city, parish, or other local public school board shall dismiss:

10 \* \* \*

11 **(ii) An administrator, teacher, or substitute teacher whose name is**  
12 **recorded on the Department of Children and Family Services' state central**  
13 **registry on or after August 1, 2025.**

14 ~~(ii)~~**(iii)** An administrator, teacher, or substitute teacher who is found to have  
15 submitted fraudulent documentation to the State Board of Elementary and Secondary  
16 Education or the state Department of Education as part of an application for a  
17 Louisiana teaching certificate or other teaching authorization.

18 ~~(iii)~~**(iv)** An administrator, teacher, or substitute teacher who is found to have  
19 facilitated cheating on any state assessment as determined by the State Board of  
20 Elementary and Secondary Education.

21 ~~(iv)~~**(v)** Any other school employee if ~~such~~ **the** employee is convicted of or  
22 pleads nolo contendere to a crime listed in R.S. 15:587.1(C), except R.S. 14:74.

23 **(vi) Any other school employee if the employee's name is recorded on the**  
24 **Department of Children and Family Services' state central registry on or after**  
25 **August 1, 2025.**

26 \* \* \*

27 D.(1)**(a)** An administrator, teacher, or other school employee upon his final  
28 conviction of or plea of guilty or nolo contendere to any criminal offense, excluding  
29 traffic offenses, shall report the fact of his conviction or plea to his employer and to  
30 the department within two business days, exclusive of weekends and holidays, of the

1 conviction or plea of guilty or nolo contendere. Upon receiving a report of a final  
 2 conviction of or plea of guilty or nolo contendere to any criminal offense, excluding  
 3 traffic offenses, by an employee holding a teaching certificate or teaching  
 4 authorization issued by the state board, a school or school system shall report the fact  
 5 of the conviction or plea to the Department of Education within two business days,  
 6 exclusive of weekends and holidays, of receiving the report of the conviction or plea  
 7 of guilty or nolo contendere.

8 **(b) An administrator, teacher, or other school employee whose name is**  
 9 **recorded on the Department of Children and Family Services' state central**  
 10 **registry on or after August 1, 2025, shall report the recordation to his employer**  
 11 **and to the department within two business days, exclusive of weekends and**  
 12 **holidays.**

13 (2) An administrator, teacher, or substitute teacher who fails to report a  
 14 conviction or plea of guilty or nolo contendere of any felony offense **or fails to**  
 15 **report recordation on the Department of Children and Family Services' state**  
 16 **central registry** shall be fined not more than one thousand dollars or imprisoned for  
 17 not more than one year, with or without hard labor, or both.

18 (3) A school employee other than an administrator, teacher, or substitute  
 19 teacher who fails to report a conviction or plea of guilty or nolo contendere of any  
 20 criminal offense listed in R.S. 15:587.1(C)(1) **or fails to report recordation on the**  
 21 **Department of Children and Family Services' state central registry** shall be fined  
 22 not more than five hundred dollars or imprisoned for not more than six months, with  
 23 or without hard labor, or both.

24 E.(1) The State Board of Elementary and Secondary Education may assess  
 25 a civil fine against a school governing authority, equal to the average state yearly  
 26 compensation for a public school teacher, inclusive of salary and benefits, who  
 27 knowingly employs a person without requesting the criminal records **or verifying**  
 28 **whether the person's name is recorded on the Department of Children and**  
 29 **Family Services' state central registry as** required by this Section or who  
 30 knowingly hires a person who has been convicted of or pled nolo contendere to any

1 crime listed in R.S. 15:587.1(C) or whose name is recorded on the state central  
 2 registry, and who the State Board of Elementary and Secondary Education has not  
 3 provided a teaching authorization pursuant to the provisions of R.S. 17:7(10) or who  
 4 has not completed the formal appeal process required by the state board and been  
 5 granted a new teaching certificate or other teaching authorization as provided in R.S.  
 6 17:8.7(B).

7 (2) ~~Such~~ **The** fine shall be levied only after a final judgment is rendered  
 8 pursuant to an adjudication process conducted in accordance with the provisions of  
 9 R.S. 49:975 et seq.

10 (3) The state board shall report any ~~such~~ instances of fine assessments to the  
 11 House Committee on Education and the Senate Committee on Education within  
 12 thirty days of such assessment. Civil fines collected pursuant to the provisions of this  
 13 Section shall be deposited immediately into the state treasury. The State Board of  
 14 Elementary and Secondary Education shall promulgate rules in accordance with the  
 15 Administrative Procedure Act for implementation of this Subsection.

16 \* \* \*

17 §16. Reporting of certain arrests; school employees; requirements; failure to report

18 A. Effective January 1, 2012, and thereafter, a school employee shall report  
 19 his arrest for a violation of R.S. 14:42 through 43.5, 80 through 81.5, any other  
 20 sexual offense affecting minors, any of the crimes provided in R.S. 15:587.1, or any  
 21 ~~justified~~ **substantiated** complaint of child abuse or neglect on file in the central  
 22 registry pursuant to Article 615 of the Children's Code.

23 \* \* \*

24 §24.8. Prekindergarten programs

25 A.**(1)** Each city, parish, or other local public school board may develop and  
 26 offer prekindergarten instruction. The youngest age at which a child may enter  
 27 prekindergarten provided for by this Subsection shall be four years old by September  
 28 thirtieth of the year in which the child enrolls in prekindergarten.

29 **(2) All public prekindergarten programs shall comply with the child**  
 30 **safety and welfare minimum standards provided for in R.S. 17:407.41.**

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B.

\* \* \*

~~(2) The State Board of Elementary and Secondary Education, in consultation with the Nonpublic School Commission, shall adopt rules and regulations to protect the health and safety of three-year-old children who attend prekindergarten at an approved nonpublic elementary school.~~ **All nonpublic prekindergarten programs shall be licensed as an early learning center pursuant to Part X-B of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950.**

\* \* \*

§407.33. Definitions

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

\* \* \*

(5) "Early learning center" means any child day care center, Early Head Start Center, Head Start Center, or ~~stand-alone~~ **nonpublic** prekindergarten program ~~not attached to a school.~~

\* \* \*

§407.35. Exemptions from licensure requirements

~~A. Public and nonpublic day schools serving children in grades kindergarten and above, including any prekindergarten programs attached thereto, as well as camps, and care given without charge, shall be exempt from the provisions of this Part~~ **The provisions of this Part shall not apply to grades kindergarten and above, prekindergarten programs attached to a public day school, Louisiana Montessori accredited or provisionally accredited approved schools, camps, registered family child day care homes, and care given without charge. However, all prekindergarten programs shall comply with the child safety and welfare minimum standards provided for in R.S. 17:407.41.**

\* \* \*

**§407.41. Child safety and welfare minimum standards**

**A. In addition to regulations promulgated by the State Board of**



1 Elementary and Secondary Education pursuant to R.S. 17:407.40, all early  
2 learning centers and prekindergarten programs shall meet the following  
3 minimum standards to ensure the safety and welfare of children:

4 (1) There shall be a minimum of two staff members present at any  
5 facility when more than four children are present, except under an extenuating  
6 circumstance that temporarily prevents compliance with this Paragraph.

7 (2) The child-to-staff ratios shall not exceed the following:

8 (a) Infants and under one year - 5 to 1

9 (b) One year - 7 to 1

10 (c) Two years - 10 to 1

11 (d) Three years - 13 to 1

12 (e) Four years - 15 to 1

13 (f) Five years - 19 to 1

14 (3) An average of the child-to-staff ratios may be applied to mixed age  
15 groups of children only for groups that include no children under the age of  
16 two.

17 (4) When a mixed age group includes children younger than age two, the  
18 age of the youngest child determines the child-to-staff ratio for the group.

19 (5) When the nature of a child with special healthcare needs or the  
20 number of children with special healthcare needs warrants added care, the  
21 center shall add sufficient staff as necessary.

22 (6) Only staff members directly providing care, supervision, or guidance  
23 to children shall be counted in the child-to-staff ratio. The same staff members  
24 shall not be used to meet the ratio requirements for two different groups of  
25 children at the same time.

26 (7) Sufficient staffing needed to satisfy child-to-staff ratios shall be  
27 present on the premises during rest time and available to assist as needed.  
28 Children ages one and older may be grouped together at rest time with one staff  
29 member in each room supervising the resting children.

30 (8) Information regarding required child-to-staff ratios and a phone

1 number to file complaints regarding supervision with the Department of  
2 Education shall be posted in each classroom in a location that is visible to  
3 parents.

4 (9) Children shall be supervised at all times including on the playground,  
5 on field trips, and on nonvehicular excursions.

6 (10)(a) Children shall not be left alone in any room, outdoors, or in  
7 vehicles, even momentarily, without staff present.

8 (b) The provisions of this Paragraph shall not apply to restroom use as  
9 provided in this Section, if a child is being provided services by therapeutic  
10 professionals, or if a child is in the custody of a parent or legal guardian.

11 (11) A staff person shall be assigned to supervise specific children whose  
12 names and whereabouts that the staff person shall know and with whom the  
13 staff person shall be physically present. Staff shall be able to state how many  
14 children are in their care at all times.

15 (12)(a) A child who is developmentally able may be permitted to use the  
16 restroom independently if a staff member is in proximity to and can see the  
17 child to ensure immediate intervention to safeguard a child from harm or to  
18 assist with an accident while in the restroom.

19 (b) An individual who is not a staff member may not enter the restroom  
20 area while in use by any child other than his own child.

21 (13) A child age five and older may be permitted to go to and return  
22 from the restroom without staff.

23 (14) If a prekindergarten program or early learning center is part of a  
24 school with children in kindergarten or older, staff shall ensure that the  
25 children enrolled in the prekindergarten program or early learning center are  
26 not unsupervised in the restroom at the same time as any older children who are  
27 using the restroom. For any facility constructed after January 1, 2026, there  
28 shall be designated separate restrooms for the children enrolled in the  
29 prekindergarten program or early learning center.

30 (15) Children shall be changed and cleaned immediately following a

1 toileting accident.

2 B.(1) The state Department of Education shall develop an informational  
3 document that contains all of the following:

4 (a) The child safety and welfare minimum standards provided for in this  
5 Section.

6 (b) A phone number to file complaints with the state Department of  
7 Education regarding violations of the standards.

8 (c) A statement notifying parents and legal guardians that the document  
9 is being distributed pursuant to "Charlie's Law".

10 (2) The state Department of Education shall provide the document to  
11 each early learning center and prekindergarten program no later than August  
12 first of each year.

13 (3) Each early learning center and public school with a prekindergarten  
14 program shall distribute the document to the parents and legal guardians of all  
15 children enrolled in an early learning center or prekindergarten program.

16 (4) The document shall be distributed at the beginning of each school  
17 year and may be distributed electronically.

18 C. The state Department of Education shall provide written notification  
19 to the superintendent of a school district for any complaint received by the  
20 department regarding a prekindergarten program in the district pursuant to  
21 this Section.

22 §407.42. Review of criminal history information and state central registry of child  
23 abuse and neglect

24 A.

25 \* \* \*

26 (2) No individual whose name is recorded on the state central registry within  
27 the Department of Children and Family Services as a perpetrator for a ~~justified~~  
28 **substantiated** finding of abuse or neglect of a child or in any other state's child  
29 abuse and neglect registry or repository shall own or operate a licensed early learning  
30 center or shall be hired by a licensed early learning center as an employee or

1 volunteer of any kind, including any therapeutic professionals, extracurricular  
2 personnel, and other independent contractors, or shall be hired by the department in  
3 a position whose duties include the performance of licensing inspections.

4 B.(1) The State Board of Elementary and Secondary Education shall establish  
5 by regulation, requirements and procedures under which the department shall, for  
6 any owner, volunteer, applicant, or employee of any kind, including contractors, of  
7 an early learning center or an applicant or employee of the department in a position  
8 whose duties include the performance of licensing inspections:

9 \* \* \*

10 (b) Request information from the Department of Children and Family  
11 Services as to whether the person is listed on the state central registry as a perpetrator  
12 for a ~~justified~~ **substantiated** finding of abuse or neglect of a child.

13 \* \* \*

14 §407.46. Operating in violation of regulations; penalties and fines

15 A.(1) For violations related to supervision, criminal history record checks,  
16 the state central registry disclosure form, ~~staff-to-child~~ **child-to-staff** ratios, motor  
17 vehicle checks, or failure to report critical incidents, the department may issue a  
18 written warning that includes a corrective action plan, in lieu of revocation, upon any  
19 person or entity violating these requirements if such condition or occurrence does not  
20 pose an imminent threat to the health, safety, rights, or welfare of a child. Failure to  
21 implement a corrective action plan issued pursuant to this Section may result in  
22 either the assessment of a civil fine or license revocation or may result in both  
23 actions being taken by the department. Such civil fine shall not exceed two hundred  
24 fifty dollars per day for each assessment; however, the aggregate fines assessed for  
25 violations determined in any consecutive twelve-month period shall not exceed two  
26 thousand dollars. **The department shall publish all violations of this Paragraph**  
27 **on its website.**

28 \* \* \*

29 §407.71. Grounds for revocation or refusal to renew registration; criminal activities;  
30 lack of CPR or first aid training

1           A.(1) No person who has been convicted of or pled nolo contendere to a  
2 crime listed in R.S. 15:587.1(C), whose name is recorded on the state registry within  
3 the Department of Children and Family Services as a perpetrator for a ~~justified~~  
4 **substantiated** finding of abuse or neglect of a child, whose name is on any other  
5 state's child abuse and neglect registry or repository, whose name is on the Louisiana  
6 Sex Offender and Child Predator Registry, whose name is on any other state's sex  
7 offender registry, or whose name is on the National Crime Information Center's  
8 National Sex Offender Registry may be a registered family child care provider, be  
9 employed in the residence or on the property of the residence where the care is  
10 provided by the registered family child care provider, or live in the residence where  
11 care is provided by the registered family child care provider. The cost of any  
12 criminal background check which may be required by the department as proof of  
13 compliance with this Subsection shall be the responsibility of the family child care  
14 provider.

15           (2) No person who has been convicted of or pled nolo contendere to a crime  
16 listed in R.S. 15:587.1(C), whose name is recorded on the state registry within the  
17 Department of Children and Family Services as a perpetrator for a ~~justified~~  
18 **substantiated** finding of abuse or neglect of a child, whose name is on any other  
19 state's child abuse and neglect registry or repository, whose name is on the Louisiana  
20 Sex Offender and Child Predator Registry, whose name is on any other state's sex  
21 offender registry, or whose name is on the National Crime Information Center's  
22 National Sex Offender Registry may be a registered in-home child care provider, be  
23 an adult employed in the home or on the property of the home where care is provided  
24 by the registered in-home child care provider, or be any adult living in the home  
25 where care is provided by the registered in-home child care provider who is not a  
26 caregiver. For the purposes of this Paragraph, the term "caregiver" shall mean any  
27 person legally obligated to provide or secure care for a child, including a parent,  
28 legal custodian, foster home parent, or other person providing a residence for the  
29 child. The cost of any criminal background check which may be required by the  
30 department as proof of compliance with this Subsection shall be the responsibility

1 of the in-home provider.

2 \* \* \*

3 §443. Discipline of teachers; procedure; right of review

4 \* \* \*

5 B.(1) A teacher with tenure shall not be disciplined except upon written and  
6 signed charges by the superintendent or his designee of poor performance, willful  
7 neglect of duty, incompetency, dishonesty, immorality, or of being a member of or  
8 contributing to any group, organization, movement, or corporation that is by law or  
9 injunction prohibited from operating in the state of Louisiana, and then only if  
10 furnished with a copy of such written charges and given the opportunity to respond.  
11 The teacher shall have ten calendar days from written notice of the charges to  
12 respond, in person or in writing. Following review of the teacher's response, the  
13 superintendent may take interim disciplinary action, which may include placing the  
14 teacher on administrative leave. The teacher shall not be placed on administrative  
15 leave without pay unless the teacher has been arrested for a violation of any of the  
16 following: R.S. 14:42 through 43.5, 80 through 81.5, any other sexual offense  
17 affecting minors, any of the crimes provided in R.S. 15:587.1, or any ~~justified~~  
18 **substantiated** complaint of child abuse or neglect on file in the central registry  
19 pursuant to Children's Code Article 615. Within ten calendar days after written  
20 notice of the interim disciplinary action or within ten calendar days after receipt of  
21 the teacher's response if no interim disciplinary action is taken, a teacher may request  
22 a hearing before a disciplinary hearing officer. If the teacher fails to timely request  
23 a hearing, the disciplinary action becomes final.

24 \* \* \*

25 §493. Removal of bus operators; procedures; right to appeal

26 \* \* \*

27 C.(1) The superintendent shall have ten calendar days to review the school  
28 bus operator's response and to provide written notice to the bus operator of the  
29 interim disciplinary action, if any. A superintendent may take interim disciplinary  
30 action, which may include placing the bus operator on administrative leave. A

1 permanent bus operator shall not be placed on administrative leave without pay  
2 unless the bus operator has been arrested for a violation of the following: R.S. 14:42  
3 through 43.5, 80 through 81.5, any other sexual offense affecting minors, any of the  
4 crimes provided in R.S. 15:587.1, or any ~~justified~~ **substantiated** complaint of child  
5 abuse or neglect on file in the central registry pursuant to Children's Code Article  
6 615.

7 \* \* \*

8 §3996. Charter schools; exemptions; requirements

9 \* \* \*

10 B. Notwithstanding any state law, rule, or regulation to the contrary and  
11 except as may be otherwise specifically provided for in an approved charter, a  
12 charter school established and operated in accordance with the provisions of this  
13 Chapter and its approved charter and the school's officers and employees shall be  
14 exempt from all statutory mandates or other statutory requirements that are  
15 applicable to public schools and to public school officers and employees except for  
16 the following laws otherwise applicable to public schools with the same grades:

17 \* \* \*

18 (28) Reporting by a school employee employed by the governing authority  
19 of a public elementary or secondary school of his arrest for one or more of the  
20 specified offenses relative to sexual morality affecting minors, R.S. 17:16, any of the  
21 crimes provided in R.S. 15:587.1, or any ~~justified~~ ~~complaint~~ **substantiated**  
22 **allegation** of child abuse or neglect on file in the central registry pursuant to Article  
23 615 of the Children's Code.

24 \* \* \*

25 **(82) Child health and safety minimum standards, R.S. 17:407.41.**

26 \* \* \*

27 Section 4. R.S. 24:525(D) is hereby amended and reenacted to read as follows:

28 §525. State child ombudsman; duties

29 \* \* \*

30 D.**(1)** Any state agency having responsibility for the custody or care of

1 children shall provide monthly notice to the state child ombudsman of the death of  
2 a child in its custody or care.

3 (2) The Department of Children and Family Services shall notify the  
4 state child ombudsman within three business days of receiving information on  
5 the death of any child that had been reported to the department for alleged  
6 child abuse or neglect.

7 \* \* \*

8 Section 5. R.S. 40:2008.10(A)(3) and 2019(F)(3)(b) are hereby amended and  
9 reenacted to read as follows:

10 §2008.10. Therapeutic group homes licensed by the Louisiana Department of  
11 Health; state central registry of child abuse and neglect; criminal  
12 background checks

13 A.

14 \* \* \*

15 (3) The therapeutic group home shall request information from the  
16 Department of Children and Family Services as to whether the individual's name is  
17 recorded on the state central registry as a perpetrator for a ~~justified~~ substantiated  
18 finding of abuse or neglect of a child.

19 \* \* \*

20 §2019. Child death investigation

21 \* \* \*

22 F. Records; confidentiality; prohibited disclosure and discovery.

23 \* \* \*

24 (3)

25 \* \* \*

26 (b) No information, document, or record obtained by the state panel or any  
27 local or regional panel or its agent from the Department of Children and Family  
28 Services involving a report which results in an inconclusive, ~~not justified, or invalid~~  
29 or unsubstantiated finding pursuant to Children's Code Article 615 shall be  
30 included or referenced in any manner in any report or other document issued or



1 published by or on behalf of the panel.

2 \* \* \*

3 Section 6. R.S. 46:51.2(A)(1)(b), 56(F)(1), (4)(c), (10)(b)(i), and (11), and 1414.1(A)  
4 are hereby amended and reenacted to read as follows:

5 §51.2. Criminal history and central registry information

6 A.(1) No person shall be hired by the department whose duties include the  
7 investigation of child abuse or neglect, supervisory or disciplinary authority over  
8 children, direct care of a child, or performance of licensing surveys, until both the  
9 following conditions are met:

10 \* \* \*

11 (b) The department has conducted a search of the state central registry of  
12 ~~justified~~ **substantiated** abuse or neglect, hereafter referred to as "central registry",  
13 reports and has determined that the individual's name is not recorded therein. The  
14 search shall be limited to those names recorded on the state central registry  
15 subsequent to January 1, 2010. If the individual's name is or was entered on the state  
16 central registry that individual may make a formal written request to the division of  
17 administrative law for an administrative appeal of the ~~justified~~ **substantiated**  
18 determination, in accordance with Children's Code Article 616.1.1 and the  
19 procedures promulgated by the department.

20 \* \* \*

21 §56. Applications and client case records; definitions; confidentiality; waiver;  
22 penalty

23 \* \* \*

24 F. The following information shall not be subject to waiver and shall not be  
25 released to applicants, recipients, or outside sources, except those outside sources  
26 engaged in the administration of the programs of the department or when specifically  
27 authorized by law:

28 (1) Records pertaining to foster care of children, investigations of abuse and  
29 neglect of children, and other child welfare services. For the purposes of this  
30 Paragraph, case records of children in abuse and neglect and foster care cases may

1 be reviewed by attorneys who are appointed by a court of juvenile jurisdiction to  
2 represent the sole interest of the children, and pursuant to court order, such case  
3 records may be reviewed by court-appointed special advocates appointed pursuant  
4 to Children's Code Article ~~424(D)~~ 424.1. Prior to a court hearing, the department  
5 may provide to such attorneys and court-appointed special advocates copies of the  
6 most recent case plan for the child and his family, the most recent court order and  
7 court report, and the child's most recent medical report. Additionally, pursuant to  
8 Children's Code Article 616, a judge of a court exercising juvenile jurisdiction may  
9 request, in writing to the department, central registry record checks. However, in no  
10 instance shall the name or identifying information regarding a complainant in neglect  
11 and abuse cases or the case records of the foster parents be subject to such review.  
12 The department may, however, provide foster parents all information from the  
13 department's records and from other records to which the department has access  
14 concerning a child in the foster home, and concerning the child's family, where such  
15 information is necessary for the foster parents to properly care for the child. The  
16 department may also provide surrogate parents representing the special education  
17 interests of children in the department's custody with all information from the  
18 department's records and from other records to which the department has access  
19 where such information is necessary for the surrogate parents to properly advocate  
20 for the children. In any child custody proceeding, after the issue has been raised of  
21 the potential existence of a relevant departmental record concerning the abuse or  
22 neglect of a child who is the subject of that proceeding, the judge may contact the  
23 local child protection unit to determine if such a record exists. If ~~a determination has~~  
24 ~~been made that such report appears justified~~ **the department has a substantiated**  
25 **report** pursuant to Children's Code Article 615(B)(1) through (3), the local child  
26 protection unit shall verbally advise the judge that such report is in the possession  
27 of the unit. If the court finds that information which may be contained in the report  
28 is necessary for an issue before the court, the court may order the release of such  
29 information. If ~~a determination was made that such~~ **the** report was **unsubstantiated**  
30 ~~unjustified or inherently improbable~~, such records shall be sealed and accessible only

1 pursuant to Children's Code Article ~~616(A)(2)~~ **615**.

2 \* \* \*

3 (4)

4 \* \* \*

5 (c) Following any investigation by the department of a public or private day  
6 care center, registered family child day care home, or residential provider, the  
7 department may inform the parent or guardian of any child being cared for at the  
8 center, home, or residence or the parent or guardian of any child who has applied for  
9 placement in the center, home, or residence of a ~~valid~~ **substantiated** finding of child  
10 abuse, neglect, or exploitation occurring at the center, home, or residence upon the  
11 request of the parent or legal guardian. The department may also advise such parent  
12 or legal guardian of a ~~valid~~ **substantiated** finding when it becomes necessary for the  
13 department to take adverse action against a center, home, or facility in the interest  
14 of the safety and welfare of the children. The department may release to the  
15 Department of Education limited information concerning a ~~valid~~ **substantiated**  
16 finding of child abuse, neglect, or exploitation occurring at a family child day care  
17 home that is registered by that department. These circumstances shall constitute  
18 authorized disclosures under the provisions of R.S. 14:403(A)(2).

19 \* \* \*

20 (10)

21 \* \* \*

22 (b) The information disclosed pursuant to this Paragraph shall be limited to  
23 the following:

24 (i) Whether or not the department has a **substantiated** report, ~~which has been~~  
25 ~~determined to be justified~~ pursuant to Children's Code Article 615, in its possession  
26 concerning the child or person who is the subject of the information request.

27 \* \* \*

28 (11) Upon written request of a caregiver, the department shall disclose  
29 limited information contained in child abuse or neglect records or reports to an  
30 employer or prospective employer of a person who will be exercising supervisory

1 authority over that employer's minor children or other dependent person as part of  
 2 that person's employment as a caregiver. The information disclosed pursuant to this  
 3 Paragraph shall be limited to cases in which the department has determined that the  
 4 allegations from which such information has been developed are ~~justified~~  
 5 **substantiated** pursuant to Children's Code Article 615. The provisions of this  
 6 Paragraph shall not be interpreted to authorize the release of or access to any  
 7 information protected under federal law.

8 \* \* \*

9 §1414.1. State central registry

10 A. Any owner, operator, current or prospective employee, or volunteer of a  
 11 specialized provider requesting licensure or licensed by the Department of Children  
 12 and Family Services is prohibited from being employed by the specialized provider  
 13 if that individual's name is recorded on the state central registry as a perpetrator for  
 14 a ~~justified~~ **substantiated** finding of abuse or neglect of a child.

15 \* \* \*

16 Section 7. Children's Code Art. 116(2.1) and (2.2), 603(4)(a) and (17)(d), 603.1(B),  
 17 610(A), (E)(1) and (2), and (H), 612(A)(3), 615(B)(2), (3), and (5), the introductory  
 18 paragraph of 615(E) and 615(E)(1) and (4)(a) and (F), 616(B), the introductory paragraph  
 19 of 616(D), 616(E) and (H), and 616.1.1(A) are hereby amended and reenacted and Children's  
 20 Code Art. 603(17)(l) through (o) and 610(I) are hereby enacted to read as follows:

21 Art. 116. Definitions

22 Except where the context clearly indicates otherwise, these definitions apply  
 23 for the following terms used throughout this Code.

24 \* \* \*

25 (2.1) "CASA program" means a court-appointed special advocate program  
 26 established in compliance with ~~National~~ **Louisiana** CASA Association standards.

27 (2.2) "CASA volunteer" means a court-appointed special advocate who has  
 28 been trained in accordance with ~~National~~ **Louisiana** CASA Association standards  
 29 and is under the supervision of a CASA program.

30 \* \* \*

1 Art. 603. Definitions

2 As used in this Title:

3 \* \* \*

4 (4)(a) "Caretaker" means any person legally obligated to provide or secure  
5 adequate care for a child, including a parent, tutor, guardian, legal custodian, foster  
6 home parent, ~~an employee or an operator of an early learning center as defined in~~  
7 ~~R.S. 17:407.33, an operator or employee of a registered family child day care home,~~  
8 an operator or employee of a **residential or treatment facility licensed by the**  
9 **Department of Children and Family Services or the Louisiana Department of**  
10 **Health** restrictive care facility, or other person providing a residence for the child.  
11 ~~"Caretaker" also means an adult who occupies a residence of a child and has a~~  
12 ~~consistent and continuing responsibility for the care of a child.~~ "Caretaker" shall not  
13 include an operator or employee of a correctional facility, detention facility, ~~or~~  
14 nonresidential school, **or unlicensed residential or child care provider.**

15 \* \* \*

16 (17) "Mandatory reporter" is any of the following individuals:

17 \* \* \*

18 (d) "Teaching or child care provider" is any person who provides or assists  
19 in the teaching, training, and supervision of a child, including any public or private  
20 teacher, teacher's aide, instructional aide, school principal, school staff member,  
21 ~~school resource officer,~~ bus driver, coach, professor, technical or vocational  
22 instructor, technical or vocational school staff member, college or university  
23 administrator, college or university staff member, social worker, ~~probation officer,~~  
24 ~~foster home parent, group home or other child care institutional staff member,~~  
25 ~~personnel of residential home facilities,~~ **an employee or an operator of an early**  
26 **learning center as defined in R.S. 17:407.33, an operator or employee of a**  
27 **registered family child day care home,** a licensed or unlicensed day care provider,  
28 or any individual who provides these services to a child in a voluntary or  
29 professional capacity.

30 \* \* \*

1                    (l) A foster parent.

2                    (m) A group home or other institutional child care staff member or  
3                    personnel of residential home facilities.

4                    (n) A probation officer.

5                    (o) Any employee of the office of juvenile justice or the Department of  
6                    Children and Family Services, whose duties include supervisory or disciplinary  
7                    authority over children.

8    \*            \*            \*

9                    Art. 603.1. Required education; reporting child abuse

10     \*            \*            \*

11                    B. Teaching or child care providers as defined by Article 603 shall complete  
12                    an online training course provided by the Department of Children and Family  
13                    Services between June first and August thirty-first annually. A record of completion  
14                    of the course by the teaching or child care provider shall be provided to ~~and retained~~  
15                    ~~by~~ each entity at which the teaching or child care provider is employed. ~~The entity~~  
16                    ~~at which the teaching or child care provider is employed shall retain a list of all~~  
17                    ~~teaching or child care providers who have not complied with the training~~  
18                    ~~requirements provided in this Article.~~ **No later than September thirtieth of each**  
19                    **year and in a manner prescribed by the state Department of Education each**  
20                    **entity at which a teaching or child care provider is employed shall submit a list**  
21                    **to the state Department of Education of all teaching and child care providers**  
22                    **employed by the entity and identify the employees that have complied with the**  
23                    **training requirements and those employees that have not complied. The state**  
24                    **Department of Education shall publish the completion rates for each entity on**  
25                    **its website.**

26     \*            \*            \*

27                    Art. 610. Reporting procedure; reports to the legislature and the United States  
28    Department of Defense Family Advocacy Program

29                    A.(+) A reporter shall immediately report suspected child abuse or neglect or  
30                    that child abuse or neglect was a contributing factor in a child's death in the

1 following ways:

2 ~~(a)(1)~~ To the Department of Children and Family Services if the reporter has  
3 reason to believe that the perpetrator is a **any of the following:**

4 **(a) A parent or caretaker as defined in Article 603,**~~a~~

5 **(b) A person who maintains an interpersonal dating or engagement**  
6 **relationship with the parent or caretaker,**~~or a~~

7 **(c) A person living in the same residence with as the parent or caretaker,** as  
8 **a spouse whether married or not.**

9 **(d) A person living in the same residence as the child, or any residence**  
10 **of the child, if the child has more than one residence.**

11 **(e) An employee or an operator of an early learning center as defined in**  
12 **R.S. 17:407.33.**

13 **(f) An operator or employee of a registered family child day care home.**

14 **(g) Another child residing in the same residence for cases of suspected**  
15 **sexual abuse.**

16 **(h) Indeterminable by the mandatory reporter, but the reporter suspects**  
17 **that the abuse occurred at the child's residence.**

18 ~~(b)(2)~~ To a local or state law enforcement agency if the reporter has reason  
19 to believe that the **perpetrator is any of the following:** ~~abuse or neglect is being~~  
20 ~~perpetrated by someone other than the individuals provided for in Subsubparagraph~~  
21 ~~(a) of this Subparagraph. Abuse or neglect perpetrated on a student by a teaching or~~  
22 ~~child care provider, as defined by Article 603, shall be immediately reported to local~~  
23 ~~or state law enforcement,~~

24 **(a) A person other than a person provided for in Subparagraph (1) of**  
25 **this Paragraph.**

26 **(b) A teacher, instructor, administrator, staff person, school bus driver,**  
27 **teacher aide, paraprofessional, food service worker, or employee of any public**  
28 **or private elementary, secondary, vocational-technical training, special, or**  
29 **postsecondary school, city, parish, or other local public school board, if the**  
30 **abuse or neglect is perpetrated on a student.**

1                    (c) Another child who does not reside in the same residence for cases of  
 2                    suspected sexual abuse.

3                    ~~(e)~~**(3)** Dual reporting to both the department and the local or state law  
 4                    enforcement agency is permitted. However, the agency who receives a report  
 5                    pursuant to Subparagraph (1) or (2) of this Paragraph shall be the agency  
 6                    responsible for accepting and acting on the report and shall ensure referral to  
 7                    other agencies as necessary.

8                    ~~(2)~~**(4)** Reports to the department shall be made as follows:

9                    (a) A mandatory reporter shall make a report of suspected abuse or neglect  
 10                    requiring immediate assistance via the designated state child protection reporting  
 11                    hotline telephone number. A report of suspected abuse or neglect which is of a  
 12                    nonemergency nature may be reported via the Louisiana Department of Children and  
 13                    Family Services Mandated Reporter Portal online. Reports may also be made in  
 14                    person at any child welfare office.

15                    (b) If a report involves alleged sex trafficking, all mandatory reporters shall  
 16                    report via the hotline telephone number to the department regardless of whether there  
 17                    is alleged parental or caretaker culpability.

18                    (c) A permitted reporter shall make a report through the designated state child  
 19                    protection reporting hotline telephone number or in person at any child welfare  
 20                    office.

21                    ~~(3)~~**(5)** If a mandatory reporter is prohibited from immediately making the  
 22                    report required by this Chapter to the department or local or state law enforcement  
 23                    because of an employer's policies or employee manual, the mandatory reporter shall  
 24                    file a complaint with local or state law enforcement. Local or state law enforcement  
 25                    shall investigate the complaint, and an employer violating this Chapter shall be  
 26                    subject to the penalties provided for in R.S. 14:131.1 and 403. An employer shall not  
 27                    discriminate or retaliate against an employee who is a mandatory reporter for  
 28                    complying with this Article. If an employer is found discriminating or retaliating  
 29                    against an employee for complying with this Article, the employer shall be subject  
 30                    to double the fines provided for in R.S. 14:131.1 and 403.



1           ~~(4)(6)~~ In an investigation of a report of abuse or neglect allegedly committed  
 2           by a parent or caretaker, the department shall determine whether the person is an  
 3           active duty member of the United States Armed Forces or the spouse of a member  
 4           on active duty. If the department determines that the person is an active duty member  
 5           of the United States Armed Forces or the spouse of a member on active duty, the  
 6           department shall notify the United States Department of Defense Family Advocacy  
 7           Program at the closest active duty military installation of the investigation.

8                                   \*       \*       \*

9           E.(1) All reports made to any local or state law enforcement agency involving  
 10          abuse or neglect in which ~~the child's parent or caretaker, a person who maintains an~~  
 11          ~~interpersonal dating or engagement relationship with the parent or caretaker, or a~~  
 12          ~~person living in the same residence with the parent or caretaker as a spouse whether~~  
 13          ~~married or not, **an individual provided for in Subparagraph (A)(1) of this Article**~~  
 14          is believed responsible shall be ~~promptly communicated~~ **reported** to the department  
 15          **within twenty-four hours in accordance with Paragraph A of this Article.**  
 16          ~~through the designated state child protection reporting hotline telephone number in~~  
 17          ~~accordance with a written working agreement developed between the local law~~  
 18          ~~enforcement agency and the department.~~

19          (2) ~~The department shall promptly communicate~~ **All reports made to the**  
 20          **department involving** abuse or neglect cases ~~not involving a parent, caretaker, or~~  
 21          ~~occupant of the household~~ **in which someone other than an individual provided**  
 22          **for in Subparagraph (A)(1) of this Article is believed to be responsible shall be**  
 23          **reported** to the appropriate law enforcement agency **within twenty-four hours by**  
 24          **telephone** ~~in accordance with a written working agreement developed between the~~  
 25          ~~department and law enforcement agency.~~ The department also shall report all cases  
 26          of child death which involve a suspicion of abuse or neglect as a contributing factor  
 27          in the child's death to the local and state law enforcement agencies, the office of the  
 28          district attorney, and the coroner.

29                                   \*       \*       \*

30                                   **H.(1) All instances of alleged child abuse that occur in a school setting**

1 shall be immediately reported to the child's parent or legal guardian and to  
 2 local or state law enforcement, regardless of the alleged perpetrator.

3 (2) If more than one child is involved in the allegations, the school shall  
 4 immediately report to the parent or legal guardian of all involved children.

5 (3) Law enforcement shall begin an investigation of the allegations within  
 6 forty-eight hours of receiving the report.

7 (4) If more than one child is involved in the allegations, law enforcement  
 8 shall interview the parent or legal guardian of all children involved.

9 (5) Any sexual abuse cases in which the alleged perpetrator is a child  
 10 shall be referred to the Department of Children and Family Services. The  
 11 department shall assess the family of the child victim and the alleged child  
 12 perpetrator to ensure child safety and well-being in accordance with Children's  
 13 Code Article 612(A)(3).

14 (6) For purposes of this Article, the following definitions shall apply:

15 (a) "School setting" means in a school building, on school grounds, in  
 16 school vehicles, or at any activities sponsored by a school.

17 (b) "Sexual abuse" means the perpetration or attempted perpetration of  
 18 R.S. 14:41, 42, 42.1, 43, 43.1, 43.2, 43.3, 43.4, 80, 81, 81.1, 81.2, 86, 89, or 89.1.

19 ~~H.L.~~(1) The provisions of this Paragraph shall be known and may be cited as  
 20 The Alfred C. Williams Child Protection Act.

21 (2) Beginning May 1, 2017, and annually thereafter, the department shall  
 22 provide to the legislature the following child-specific information regarding reports  
 23 of child abuse or neglect reported to the department pursuant to the provisions of this  
 24 Article:

25 (a) The actual or estimated age, the sex, and the race of each child at the time  
 26 the latest report was received.

27 (b) The parish location of primary case name of the latest report accepted for  
 28 investigation received.

29 (c) The categories, levels, and final findings assigned to each allegation  
 30 contained in reports received for each child.

1 (d) The number of cases accepted for investigation in which the child was an  
2 alleged ~~or valid~~ victim during the report year.

3 (e) The number of cases accepted for investigation in which the child was a  
4 ~~valid~~ **substantiated** victim during the report year.

5 (f) The number of reports accepted for investigation prior to report year in  
6 which the child was an alleged or ~~valid~~ **substantiated** victim.

7 (g) The number of other alleged victims in reports accepted for investigation  
8 in each child's cases prior to report year.

9 (h) The number of reports accepted for investigation prior to the report year  
10 in which the child was a ~~valid~~ **substantiated** victim.

11 (i) The number of other ~~validated~~ **substantiated** victims in reports accepted  
12 for investigation in each child's cases prior to report year.

13 (j) The number of distinct reporter names for all investigations in which the  
14 child is an alleged or ~~valid~~ **substantiated** victim.

15 (3) For purposes of this Paragraph, the following words shall have the  
16 following meanings:

17 (a) "Alleged victim" includes a child who is the subject of an investigation  
18 and for whom there is an allegation of abuse or neglect.

19 (b) "~~Valid~~ **Substantiated** victim" ~~or "validated victim"~~ includes an alleged  
20 victim for whom one or more allegations of abuse or neglect have been ~~determined~~  
21 ~~to be justified~~ **substantiated** pursuant to Article 615.

22 \* \* \*

23 Art. 612. Assignment of reports for investigation and assessment

24 A.

25 \* \* \*

26 (3) In lieu of an investigation, reports of low levels of risk **and reports from**  
27 **law enforcement of child sexual abuse as provided for in Children's Code**  
28 **Article 610**, may be assessed promptly through interviews with the family to identify  
29 needs and available match to community resources. If during this assessment, it is  
30 determined that a child is at immediate substantial risk of harm, the local child

1 protection unit shall promptly conduct or participate in an intensive investigation.

2 \* \* \*

3 Art. 615. Disposition of reports

4 \* \* \*

5 B. After investigation, the local child protection unit shall make one of the  
6 following determinations:

7 \* \* \*

8 (2) The report ~~appears to be justified~~ **is substantiated**, in that there is  
9 evidence of child abuse, or neglect, and a protective order or instanter safety plan  
10 order would eliminate the need for removal of the child in order to protect him from  
11 further abuse, in which case it may apply for a temporary restraining order or  
12 protective order authorized by Article 617 and Article 618, or an instanter safety plan  
13 order authorized by Article 619 or Article 620.

14 (3) The report ~~appears to be justified~~ **is substantiated**, in that there is  
15 evidence of child abuse or neglect, in which case it shall report all pertinent  
16 information to the district attorney, as soon as possible but in no case more than  
17 thirty days after such determination, for evaluation of whether a child in need of care  
18 petition should be filed in the court with juvenile jurisdiction.

19 \* \* \*

20 (5) The report ~~does not appear justified~~ **is unsubstantiated** as the evidence  
21 does not support a finding of child abuse or neglect.

22 \* \* \*

23 E. When after the investigation of a report, the determination is made that the  
24 report is inconclusive or ~~not justified~~ **unsubstantiated**, as provided in Subparagraphs  
25 (B)(4) and (5) of this Article, the files, records, and pertinent information regarding  
26 the report and investigation shall be strictly confidential, shall not become part of the  
27 central registry except as otherwise provided in Subparagraph (1) of this Paragraph  
28 or in Article 616(F), shall not be disclosed or ordered to be produced in conjunction  
29 with any legal proceeding or other matter except as provided in Subparagraph (4) of  
30 this Paragraph, and shall be maintained only for the following purposes:

1 (1) The files, records, and information shall remain unsealed and shall be  
 2 maintained for the exclusive use of child protective services, to assist in future risk  
 3 and safety assessments. The Department of Children and Family Services shall  
 4 maintain all files and records for seven years from the date of the determination,  
 5 unless a subsequent inconclusive or ~~not justified~~ **unsubstantiated** report is received  
 6 during that period. In that case, information from all such reports will be maintained  
 7 until the youngest child in the alleged victim's family attains the age of eighteen  
 8 years or seven years from the date of the latest determination, whichever is longer.  
 9 If information from an inconclusive or ~~not justified~~ **unsubstantiated** report is used  
 10 as a part of the basis for a later, related, and ~~justified~~ **substantiated** report, the earlier  
 11 report shall become part of the file of the ~~justified~~ **substantiated** report and shall  
 12 cease to be a separate report.

13 \* \* \*

14 (4)(a) All files, records, and information regarding a report that has been  
 15 determined to be inconclusive or ~~not justified~~ **unsubstantiated** shall be released to  
 16 local, state, and federal law enforcement agencies, military authorities, prosecuting  
 17 authorities, and coroners upon request when such entity is in the course of  
 18 investigations or legal proceedings and the requesting entity has good cause to  
 19 believe that the files, records, or information contain information which may be  
 20 constitutionally required to be disclosed pursuant to Brady v. Maryland, 373 U.S. 83  
 21 (1963) and its progeny. The requesting agency shall request the information in  
 22 writing and state the purpose for which the information is being requested.

23 \* \* \*

24 F. The department shall promulgate rules to provide for the disposition,  
 25 handling, maintenance, and storage of inconclusive and ~~not justified~~  
 26 **unsubstantiated** reports in keeping with this Article. **Nothing in this Section shall**  
 27 **be construed to modify or abrogate the provisions of R.S. 44:411.**

28 \* \* \*

29 Art. 616. Registry; screening of CASA volunteers, staff, and board members;  
 30 confidentiality

\* \* \*

B. Within the state repository, the department shall maintain a state central registry of certain ~~justified~~ **substantiated** reports of abuse and neglect as set forth in rules promulgated by the department. The name of an individual who was placed on the state central registry as a perpetrator of abuse or neglect prior to the effective date of Children's Code Article 616.1.1 shall not be released outside of the department until that individual's administrative appeals are exhausted. After the effective date of Children's Code Article 616.1.1, the name of an individual who is determined to be a perpetrator of abuse or neglect shall not be placed on the state central registry until that individual's administrative appeals are exhausted. All decisions rendered by an administrative law judge are final, and the decisions shall exhaust the individual's administrative remedy. However, notwithstanding any other provision of law, the department shall provide information involving an investigation from either the repository or the state central registry immediately to the local district attorney's office, or its designee, or to the court, when taking court action is necessary to protect the child from abuse or neglect. The department shall provide information involving an open investigation or a completed investigation determined to be ~~justified~~ **substantiated** from either the repository or the state central registry to another state's child welfare agency upon written request when the request is made pursuant to an ongoing child protective services investigation in the other state.

\* \* \*

D. Upon the written request of the court during its evaluation of any of the following individuals who will have contact with children served by the court-appointed special advocate program, and with the consent of the individual, the department shall search the central registry and report to the court any ~~justified~~ **substantiated** report of abuse or neglect alleging that the individual is a perpetrator:

\* \* \*

E. When, after an investigation, the determination is made by the department that the report does appear to be ~~justified~~ **substantiated**, any subsequent adjudication by a court exercising juvenile jurisdiction which dismisses the child in need of care

1 petition involving this report shall be added to the central registry.

2 \* \* \*

3 H. The department may charge a fee, that shall not exceed twenty-five  
4 dollars, to conduct a search of the state central registry of ~~justified~~ **substantiated**  
5 abuse or neglect reports to determine whether an individual's name is recorded  
6 therein. A search shall be allowed only when specifically authorized. **The fee shall**  
7 **not apply to searches for school employees conducted pursuant to R.S. 17:15.**

8 \* \* \*

9 Art. 616.1.1. Appeal and review; correction of central registry entries; procedure

10 A. When a report alleging abuse or neglect is ~~determined to be justified~~  
11 **substantiated** by the department, the individual who is or was the subject of the  
12 determination may make a formal written request to the division of administrative  
13 law for an administrative appeal of the ~~justified~~ **substantiated** determination, in  
14 accordance with the procedures set forth in Title 67 of the Louisiana Administrative  
15 Code.

16 \* \* \*

17 Section 8. Civil Code Art. 2315.12 is hereby enacted to read as follows:

18 **Art. 2315.12. Liability for damages caused by child sexual abuse in a school**  
19 **setting**

20 **Any parent or guardian of a child who is the victim of sexual abuse in a**  
21 **school setting as defined in Children's Code Article 610 may be awarded**  
22 **damages including but not limited to medical expenses incurred as a result of**  
23 **the sexual abuse, behavioral health expenses incurred as a result of the sexual**  
24 **abuse, reimbursement of any tuition paid for attendance at the school if the**  
25 **child is removed from the school, and any other damages allowed by law.**

26 Section 9.(A) The state central registry checks for all school employee applicants  
27 required by this Act shall apply to any person hired on or after August 1, 2025.

28 (B) All early learning centers and prekindergarten programs shall be in compliance  
29 with the child safety and welfare minimum standards provided for in R.S. 17:407.41 no later  
30 than October 1, 2025.

1 (C) All prekindergarten programs requiring licensure as an early learning center  
2 pursuant to this Act shall apply for licensure no later than January 1, 2026.

3 (D) The mandatory reporter training report provided for in Children's Code Article  
4 603.1 shall be submitted to the Department of Education beginning with the 2026-2027  
5 school year.

6 Section 10. This Act shall be known and may be cited as "Charlie's Law".

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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



SENATE BILL NO. 95

BY SENATOR CLOUD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact the introductory paragraph of R.S. 15:571.36(C)(1), the introductory paragraph of (C)(2), and the introductory paragraph of (C)(4), and 571.36(D) and to enact R.S. 15:571.36(A)(12), 571.37, and 571.38, relative to electronic monitoring of certain criminal defendants; to provide relative to notifications of noncompliance; to provide relative to penalties; to provide for program costs and maintenance; to provide for termination of electronic monitoring; to provide for certification and registration of electronic monitoring service providers and manufacturers; to create the crime of violation of electronic monitoring conditions; to provide for the elements of the offense; to provide definitions and penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 15:571.36(C)(1), the introductory paragraph of (C)(2), and the introductory paragraph of (C)(4), and 571.36(D) are hereby amended and reenacted and R.S. 15:571.36(A)(12), 571.37, and 571.38 are hereby enacted to read as follows:

§571.36. Electronic monitoring equipment

A. The Department of Public Safety and Corrections, corrections services, the office of state police, and the Louisiana Commission on Law Enforcement and Administration of Criminal Justice shall develop written policies and procedures in the manner provided in the Administrative Procedure Act for the promulgation of

1 rules governing mandatory requirements for electronic monitoring service providers  
 2 and manufacturers, including the availability, storage, use of, and operational  
 3 capacity for electronic monitoring equipment utilized for pretrial, post-conviction,  
 4 or monitoring, which shall include all of the following requirements:

5 \* \* \*

6 **(12) The certification standards and registration requirements for**  
 7 **electronic monitoring providers and manufacturers who render electronic**  
 8 **monitoring services in this state.**

9 \* \* \*

10 C.(1) When an individual has been placed under electronic monitoring, the  
 11 provider of the electronic monitoring services shall, by noon of the following day,  
 12 provide law enforcement agencies within the appropriate jurisdiction **and the**  
 13 **prosecuting authority** all of the following information:

14 \* \* \*

15 (2) Electronic monitoring service providers shall submit an accurate report  
 16 to each court exercising jurisdiction over the persons being monitored **and the**  
 17 **prosecuting authority**, by the tenth day of each month for the previous month's  
 18 monitoring activity to include all of the following information:

19 \* \* \*

20 (4) When a violation of the defendant's monitoring conditions has occurred,  
 21 the provider of electronic monitoring services shall report the violation to the bail  
 22 agent on record, **the law enforcement agencies within the appropriate**  
 23 **jurisdiction, the prosecuting authority**, and the court exercising jurisdiction over  
 24 the defendant ~~within one day of~~ **immediately but in no event not longer than**  
 25 **thirty minutes from** the provider's receipt **verification** of a notice **of violation** that  
 26 any of the following involving the electronic monitoring equipment has occurred:

27 \* \* \*

28 D. Any provider of an electronic monitoring service who intentionally  
 29 withholds or intentionally fails to timely report information as required by this  
 30 Section shall be ~~subject to a fine of~~ **fined** not more than one thousand dollars **per**

1 each day of a violation, not to exceed ten thousand dollars per instance or  
 2 individual monitored, or imprisoned for not more than six months, and shall be  
 3 prohibited from registering to provide electronic monitoring services in this state for  
 4 a period of five years.

5 \* \* \*

6 **§571.37. Electronic monitoring programs**

7 **A. The court shall impose any condition necessary to further the**  
 8 **rehabilitation of a person released subject to electronic monitoring, including**  
 9 **maintaining employment and compliance with inclusion and exclusion zones as**  
 10 **defined in R.S. 15:571.38. In the case of a juvenile, the conditions may include**  
 11 **staying in school, participating in after-school activities, or being subject to a**  
 12 **curfew.**

13 **B. The cost for an adult participating in an electronic monitoring**  
 14 **program shall be borne by the person being monitored. The court may waive**  
 15 **the cost of electronic monitoring in a juvenile matter or in any other matter at**  
 16 **the request of the entity that is otherwise responsible for the cost of monitoring.**

17 **C. As a condition of electronic monitoring, and notwithstanding any**  
 18 **other provision of law, a person subject to electronic monitoring, including a**  
 19 **juvenile, shall:**

20 **(1) Maintain the monitoring equipment in normal working order**  
 21 **including but not limited to keeping the monitoring equipment charged.**

22 **(2) Consent to immediate cooperation with and acquiesce to any efforts**  
 23 **to evaluate, diagnose, and repair any technical issues associated with the device**  
 24 **and monitoring by the electronic monitoring company, which may include but**  
 25 **not be limited to reasonable detention by law enforcement.**

26 **D. Electronic monitoring providers operating in this state shall actively**  
 27 **monitor any person subject to electronic monitoring for compliance and report**  
 28 **any violation in accordance with R.S. 15:571.36. Daily noncompliance reports**  
 29 **shall be provided to the district attorney regarding the person being monitored.**

30 **E.(1) Upon a finding of noncompliance, the court may, either on its own**

1 motion or that of the district attorney, issue a warrant for the arrest of a person  
2 subject to electronic monitoring.

3 (2) A person arrested pursuant to a warrant issued pursuant to  
4 Paragraph (1) of this Subsection shall be held in custody until a hearing is  
5 conducted to determine if the person can and will comply with all electronic  
6 monitoring restrictions.

7 (3) The court shall terminate a person's participation in an electronic  
8 monitoring program, and remand him to state custody for an adult or to the  
9 appropriate pretrial facility for a juvenile, after his third finding of  
10 noncompliance by the court.

11 §571.38. Violation of electronic monitoring conditions

12 A. It shall be unlawful for any person who is placed on electronic  
13 monitoring supervision pursuant to this Part, or any other provision of law, to  
14 intentionally do any of the following:

15 (1) Enter an exclusion zone.

16 (2) Fail to immediately exit an exclusion zone.

17 (3) Violate a curfew order.

18 B.(1) Whoever violates Subsection A of this Section shall be fined not  
19 more than five hundred dollars, imprisoned for not more than six months, or  
20 both.

21 (2) Whoever commits a felony while violating Subsection A of this  
22 Section shall be fined not more than one thousand dollars and shall be  
23 imprisoned, at hard labor, for one year.

24 (3) Whoever violates Subsection A of this Section, after being released  
25 on bail for a felony crime of violence as defined by R.S. 14:2(B), shall be fined  
26 not more than one thousand dollars and shall be imprisoned, at hard labor, for  
27 one year.

28 C. As used in this Section:

29 (1) "Curfew" means a specified time period defined by court order  
30 during which a person is required to either be, or not be, in a specific location.

- 1                    (2) "Exclusion zone" means a specified geographic area defined by court
- 2                    order that a person is prohibited from entering or remaining.
- 3                    (3) "Inclusion zone" means a specified geographic area defined by court
- 4                    order in which a person is either allowed or required to be.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 101

BY SENATOR MIGUEZ AND REPRESENTATIVES AMEDEE, BACALA, BAMBURG, BAYHAM, BOYER, BUTLER, CARRIER, CREWS, DICKERSON, ECHOLS, EDMONSTON, EGAN, EMERSON, FIRMENT, JACOB LANDRY, MCCORMICK, OWEN, SCHAMERHORN AND WYBLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 14:95(A)(4)(a) and (M), 95.2(B)(3) and (C)(9), and 95.6(C)(1),  
3 relative to the illegal carrying of weapons; to provide relative to definitions; to  
4 provide relative to exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95(A)(4)(a) and (M), 95.2(B)(3) and (C)(9), and 95.6(C)(1) are  
7 hereby amended and reenacted to read as follows:

8 §95. Illegal carrying of weapons

9 A. Illegal carrying of weapons is any of the following:

10 \* \* \*

11 (4)(a) The intentional possession or use by any person of a dangerous weapon  
12 on a school campus during regular school hours or on a school bus. "School" means  
13 any elementary, secondary, or high school, or ~~vo-tech~~ **vocational-technical** school  
14 in this state and "campus" means all facilities and property within the boundary of  
15 the school property. **"School" shall not mean a vocational-technical school that**  
16 **is privately owned.** "School bus" means any motor bus being used to transport  
17 children to and from school or in connection with school activities.

18 \* \* \*

19 *[Effective Date: Text of Subsection M per Acts 2024, No. 6.]*

20 M. The provisions of Subparagraph (A)(1)(a) of this Section shall not apply  
21 to a resident of Louisiana if all of the following conditions are met:

22 (1) The person is twenty-one years of age or older.

23 (2) The person is not prohibited from possessing a firearm under R.S.  
24 14:95.1, R.S. 40:1379.3(C)(5) through (17), 18 U.S.C. 922(g), or any other state or  
25 federal law.

1                   ~~(3)(a) The person is a reserve or active-duty member of any branch of the~~  
2                   ~~United States Armed Forces; a member of the Louisiana National Guard or the~~  
3                   ~~Louisiana Air National Guard; or a former member of any branch of the United~~  
4                   ~~States Armed Forces, the Louisiana National Guard, or the Louisiana Air National~~  
5                   ~~Guard who has been honorably discharged from service.~~

6                   ~~(b) At all times that a person is in possession of a concealed handgun~~  
7                   ~~pursuant to R.S. 40:1379.3(B)(2), that person shall have on his person proof that he~~  
8                   ~~meets the qualifications of Subparagraph (a) of this Paragraph demonstrated by one~~  
9                   ~~of the following:~~

10                   ~~(i) A valid military identification card.~~

11                   ~~(ii) A valid driver's license issued by the state of Louisiana displaying the~~  
12                   ~~word "Veteran" pursuant to R.S. 32:412(K).~~

13                   ~~(iii) A valid special identification card issued by the state of Louisiana~~  
14                   ~~displaying the word "Veteran" pursuant to R.S. 40:1321(K).~~

15                   ~~(iv) For a member released from service who does not qualify to have the~~  
16                   ~~word "Veteran" displayed on a state issued driver's license or special identification~~  
17                   ~~card, a Department of Defense Form 214 (DD-214) indicating the character of~~  
18                   ~~service as "Honorable" or "Under Honorable Conditions (General)" and a valid~~  
19                   ~~driver's license or special identification card issued by the state of Louisiana.~~

20                   ~~*[Effective Date: Text of Subsection M per Acts 2024, 2ES, No. 51.]*~~

21                   M. The provisions of Paragraph **Subparagraph** (A)(1)(a) of this Section  
22                   shall not apply to any person who is eighteen years of age or older and is not  
23                   prohibited from possessing a firearm under R.S. 14:95.1, 18 U.S.C. 922(g), or any  
24                   other state or federal law.

25   \*       \*       \*

26                   §95.2. Carrying a firearm, or dangerous weapon, by a student or nonstudent on  
27                   school property, at school-sponsored functions or firearm-free zone

28   \*       \*       \*

29                   B. For purposes of this Section, the following words have the following  
30                   meanings:

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\* \* \*

(3) "School" means any elementary, secondary, high school, vocational-technical school, college, or university in this state. **"School" shall not mean a vocational-technical school that is privately owned.**

\* \* \*

C. The provisions of this Section shall not apply to:

\* \* \*

(9) Any person who has a valid concealed handgun permit issued pursuant to R.S. 40:1379.1 ~~or~~, 1379.3, **or by a state that has reciprocity with Louisiana, or a person carrying a handgun pursuant to 14:95(M)**, and who carries a concealed handgun within one thousand feet of any school campus.

\* \* \*

§95.6. Firearm-free zone; notice; signs; crime; penalties

\* \* \*

C. For purposes of this Section:

(1) "School" means any public or private elementary, secondary, high school, or vocational-technical school, college, or university in this state. **"School" shall not mean a vocational-technical school that is privately owned.**

\* \* \*

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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



SENATE BILL NO. 125

BY SENATOR OWEN AND REPRESENTATIVE KNOX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 14:54.3 and R.S. 40:1472.3(E)(3)(c), relative to explosives; to  
 3 provide relative to the crime of manufacture and possession of a bomb; to provide  
 4 for penalties; to provide for licensure of dealer-distributors, users, blasters, or  
 5 handlers of explosives; to provide for background investigations and criminal history  
 6 record checks; to provide for costs; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:54.3 is hereby amended and reenacted to read as follows:

9 §54.3. Manufacture and possession of a bomb

10 A. It shall be unlawful for any person without a proper license as required  
 11 by R.S. 40:1472.1 et seq., to knowingly and intentionally to manufacture, possess,  
 12 or have under his control any bomb.

13 B. **For purposes of this Section, the following terms shall have the**  
 14 **following meanings:**

15 **(1) A "bomb", for the purposes of this Section, is defined as "Bomb" means**  
 16 **an explosive compound or mixture with a detonator or initiator, or both, but does not**  
 17 **include small arms ammunition. The term "bomb", as used herein, shall also include**  
 18 **any of the materials listed in Subsection C Paragraph (3) of this Subsection that**  
 19 **are present in an unassembled state but which could, when assembled, be ignited in**  
 20 **the same manner as described in Subsection C Paragraph (3) of this Subsection,**  
 21 **when possessed with intent to manufacture or assemble a bomb.**

22 **(2) "Enhanced security zone" means the public spaces within an area**  
 23 **that traditionally hosts more than fifteen million people annually, contains a**  
 24 **venue for sports and entertainment with a capacity for more than seventy-five**  
 25 **thousand people, a convention center with more than one million square feet of**

1 exhibition space, and has one land-based casino. This shall include the area of  
 2 the city of New Orleans containing the boundaries of the French Quarter  
 3 Management District as provided in R.S. 25:799(B), the Downtown  
 4 Development District as provided in R.S. 33:2740.3(A), and the New Orleans  
 5 Exhibition Hall Authority Economic Growth and Development District as  
 6 provided in R.S. 33:130.862(A).

7 ~~C. As used herein the term "explosive"~~ **(3) "Explosive"** means gunpowders,  
 8 powders used for blasting, all forms of high explosives, blasting materials, fuses  
 9 (other than electric circuit breakers), detonators, and other detonating agents,  
 10 smokeless powders, and any chemical compounds, mechanical mixture, or device  
 11 that contains any oxidizing and combustible units, or other ingredients, in such  
 12 proportions, quantities, or packing that ignition by fire, by friction, by concussion,  
 13 by percussion, or by detonation of the compound, mixture, or device or any part  
 14 thereof may cause an explosion.

15 ~~D. C.~~ This Section shall not apply to fireworks possessed within the meaning  
 16 and contemplation of R.S. 51:650 et seq.

17 ~~E. D.(1) Whoever~~ **Except as provided in Paragraph (2) of this Subsection,**  
 18 **whoever** violates **the provisions of** this Section shall be fined not more than ten  
 19 thousand dollars, ~~or be~~ imprisoned at hard labor for not more than twenty years, or  
 20 both.

21 **(2) Any person who violates the provisions of this Section within an**  
 22 **enhanced security zone within one hundred feet of any parade, demonstration,**  
 23 **or gathering for which a permit is issued by a governmental entity shall be fined**  
 24 **not more than twenty thousand dollars, imprisoned at hard labor for not more**  
 25 **than twenty years, or both.**

26 Section 2. R.S. 40:1472.3(E)(3)(c) is hereby amended and reenacted to read as  
 27 follows:

28 §1472.3. License; manufacturer, dealer-distributor, user, blaster, or handler of  
 29 explosives

30 \* \* \*

1 E. \* \* \*

2 (3) \* \* \*

3 (c) Cost incurred by the department for ~~processing Louisiana State Police and~~  
4 ~~Federal Bureau of Investigation fingerprint cards~~ **conducting a background**  
5 **investigation and criminal history records check** shall be borne by the applicant.

6 \* \* \*

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

SENATE BILL NO. 165

BY SENATOR MILLER

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AN ACT

To amend and reenact R.S. 15:1109.11, 1109.12(A), 1109.13, 1109.15, 1109.16(A), and 1109.17 and to enact R.S. 15:1109.16(C), relative to the River Parishes Juvenile Justice District; to provide relative to the jurisdiction of the River Parishes Juvenile Justice District; to provide relative to the addition of Lafourche Parish to the district; to provide relative to the board of commissioners of the district; to provide relative to the composition, administration and domicile of the board; to provide for certain requirements and limitations; to provide for effectiveness; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1109.11, 1109.12(A), 1109.13, 1109.15, 1109.16(A), and 1109.17 are hereby amended and reenacted and R.S. 15:1109.16(C) is hereby enacted to read as follows:

§1109.11. River Parishes Juvenile Justice District; creation; jurisdiction

The River Parishes Juvenile Justice District is hereby established as a political subdivision of the state, with a territorial jurisdiction throughout the **Seventeenth**, Twenty-Third, Twenty-Ninth, and Fortieth Judicial Districts, including the parishes of Ascension, Assumption, **Lafourche**, St. Charles, St. James, and St. John the Baptist.

§1109.12. Board of commissioners; appointment; terms

A. The River Parishes Juvenile Justice Commission is hereby created to control, administer, and manage the affairs of the district. The commission shall be composed of a board of fourteen commissioners, who shall be qualified electors domiciled and residing in the district. ~~Five~~ **Three** commissioners shall be jointly appointed, for terms of four years, by the sheriffs of the Twenty-Third Judicial District; **one commissioner shall be appointed, for a term of four years, by the**

1 sheriff of Lafourche Parish, two commissioners **one commissioner** shall be  
 2 appointed, for ~~terms~~ **a term** of four years, by the sheriff of St. Charles Parish; one  
 3 commissioner shall be appointed, for a term of four years, by the sheriff of St. John  
 4 the Baptist Parish; **one commissioner shall be appointed, for a term of four years,**  
 5 **by the district attorney of the Seventeenth Judicial District;** one commissioner  
 6 shall be appointed, for a term of four years, by the district attorney of the Twenty-  
 7 Third Judicial District; one commissioner shall be appointed, for a term of four  
 8 years, by the district attorney of the Twenty-Ninth Judicial District; one  
 9 commissioner shall be appointed, for a term of four years, by the district attorney of  
 10 the Fortieth Judicial District; **one commissioner shall be appointed, for a term of**  
 11 **four years, by the chief judge of the Seventeenth Judicial District;** one  
 12 commissioner shall be appointed, for a term of four years, by the chief judge of the  
 13 Twenty-Third Judicial District; one commissioner shall be appointed, for a term of  
 14 four years, by the chief judge of the Twenty-Ninth Judicial District; and one  
 15 commissioner shall be appointed, for a term of four years, by the chief judge of the  
 16 Fortieth Judicial District. All appointments shall be confirmed by the Senate.

17 \* \* \*

18 §1109.13. Purpose

19 The purpose of the commission shall be to assist and afford opportunities to  
 20 children who enter the juvenile justice system, or who are children in need of care  
 21 or supervision, to become productive, law-abiding citizens of the community, parish,  
 22 and state by the establishment of rehabilitative programs within a structured  
 23 environment and to provide physical facilities and related services for children  
 24 throughout the parishes of Ascension, Assumption, **Lafourche**, St. Charles, St.  
 25 James, and St. John the Baptist.

26 \* \* \*

27 §1109.15. Board; general authority

28 A.(1) The board may purchase or otherwise acquire, construct, reconstruct,  
 29 rehabilitate, improve, repair, operate, lease as lessor or lessee, manage, and  
 30 administer ~~or enter into contracts~~ for the management, administration, and operation

1 of a juvenile detention facility or facilities, shelter care facility or facilities, or such  
 2 other juvenile justice facilities as are useful, necessary, expedient, or convenient to  
 3 carry out the plans and purposes of the commission and **provide** for the orderly  
 4 conduct of its business. **All employees shall be employed directly by the**  
 5 **commission.**

6 (2) Such facilities may include but are not limited to office facilities, parking  
 7 facilities, diagnostic facilities, dormitories, and other residential facilities for  
 8 delinquent, neglected, or abused children or children in need of care or supervision,  
 9 as well as for employees, patrons, visitors, and relatives of children who may enter  
 10 the juvenile justice system or who are in need of care or supervision. In addition, the  
 11 commission may lease, purchase, or acquire by donation or otherwise any property,  
 12 immovable or movable, ~~tangible or intangible~~ **corporeal or incorporeal**, from any  
 13 person, firm, or corporation, including the state and its agencies and political  
 14 subdivisions.

15 (2)(3) The diagnostic facilities, dormitories, and other residential facilities  
 16 may also be used to operate post-adjudication programming, including treatment and  
 17 rehabilitation.

18 B. The board may also authorize and approve, upon such terms as it may  
 19 deem advisable, contracts of employment for a superintendent or administrator and  
 20 other necessary personnel and contracts for legal, financial, engineering, and other  
 21 professional services necessary or expedient for the conduct of its affairs. **The**  
 22 **superintendent or administrator shall be employed directly by the commission.**

23 §1109.16. Board; domicile; power to levy taxes, incur debt, and issue bonds

24 A. The board of commissioners shall be domiciled in the parish of ~~St. James~~  
 25 **Lafourche** and shall have the power to sue and be sued. In the exercise of its powers  
 26 to control, administer, and manage the affairs of the district, the board may incur  
 27 debt and issue bonds and may levy taxes in the manner provided in this Subpart and  
 28 pursuant to Article VI, Sections 30 and 32 of the Constitution of Louisiana or any  
 29 other constitutional or statutory authority. The board generally may perform any  
 30 function and exercise any power necessary, requisite, or proper for the administration

1 and management of the affairs of the commission and, specifically, may cooperate  
2 with juvenile courts and other courts and public agencies within the Seventeenth,  
3 Twenty-Third, Twenty-Ninth, and Fortieth Judicial Districts to aid and assist in all  
4 ways authorized by law for the purposes and responsibilities for which the  
5 commission is established.

6 \* \* \*

7 **C. When the River Parishes Juvenile Justice District presents any tax**  
8 **proposal to the electors of the district, the Lafourche Parish Council shall**  
9 **submit to the electors of Lafourche Parish a reduction of any current levied**  
10 **millage at or lower than the tax increase proposed by the River Parishes**  
11 **Juvenile Justice District on the same election date.**

12 §1109.17. Funding for the commission; criminal court costs

13 A. In the parishes of Ascension, Assumption, **Lafourche**, St. Charles, St.  
14 James, and St. John the Baptist, in all felony and misdemeanor prosecutions,  
15 including traffic offenses, under state law or parish or municipal ordinance, in any  
16 district, parish, city, or mayor's court, special costs in an amount not to exceed five  
17 dollars shall be levied against every defendant who is convicted after trial, enters a  
18 plea of guilty or nolo contendere, or forfeits bond. However, in lieu of imposing the  
19 special costs, the court may direct that a like amount be deducted from any fine  
20 imposed prior to disposition of the fine in accordance with other laws, but in either  
21 event any amounts so collected shall be remitted, by the tenth of the month following  
22 the month in which collected, by the proper officer of the court to the board of the  
23 River Parishes Juvenile Justice Commission to be used for the expenses of its  
24 operations as provided in this Subpart.

25 B. In the parishes of Ascension, Assumption, **Lafourche**, St. Charles, St.  
26 James, and St. John the Baptist, in all courts exercising juvenile jurisdiction, special  
27 costs in an amount not to exceed five dollars shall be levied against every juvenile  
28 who is found to have committed a traffic violation, under state law or parish or  
29 municipal ordinance, and special costs in an amount not to exceed twenty-five  
30 dollars shall be levied against every juvenile who is adjudicated a delinquent. All or

1 part of the costs may be suspended, but any amounts collected shall be remitted, by  
2 the tenth of the month following the month in which collected, by the proper officer  
3 of the court in which the matter was heard to the board of the River Parishes Juvenile  
4 Justice Commission to be used for the expenses of its operations pursuant to this  
5 Subpart.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

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



SENATE BILL NO. 236

BY SENATOR EDMONDS

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AN ACT

To amend and reenact R.S. 19:136 and 136.1(3) and R.S. 33:4761 and to enact R.S. 13:2575(B)(3)(g) and R.S. 19:136.2(D), relative to removal of dangerous buildings or structures in parishes and municipalities; to provide relative to blighted property in the city of Baton Rouge and in the parish of East Baton Rouge; to provide relative to blighted properties in municipalities within the parish; to provide relative to the authority to condemn, demolish, remove, or expropriate dilapidated and dangerous buildings or structures; to provide relative to administrative adjudication procedures; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2575(B)(3)(g) is hereby enacted to read as follows:

§2575. Blighted or abandoned property; public health, housing, fire code, building code and certain other ordinance violations; administrative adjudication; procedure; appeal; penalties

\* \* \*

B.

\* \* \*

(3) Each municipality or parish shall have the authority to empower the hearing officer with authority to:

\* \* \*

**(g) Condemn property determined to be blighted or abandoned and authorize the parish or municipality to demolish the blighted or abandoned property.**

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Section 2. R.S. 19:136 and 136.1(3) are hereby amended and reenacted and R.S. 19:136.2(D) is hereby enacted to read as follows:

PART III-G. EXPROPRIATION OF ABANDONED OR BLIGHTED PROPERTY  
BY A DECLARATION OF TAKING BY THE CITY OF NEW ORLEANS, ~~AND~~  
THE CITY OF GRAMBLING, **AND THE PARISH OF EAST BATON ROUGE**  
**AND ITS MUNICIPALITIES**

§136. Purpose

In an effort to control the rising number of abandoned or blighted properties throughout the state and to slow urban blight, the legislature finds it necessary to implement a mechanism by which the city of New Orleans, ~~and~~ the city of Grambling, **and the parish of East Baton Rouge and its municipalities** are empowered to more readily obtain abandoned or blighted properties. The provisions of this Part are intended to provide a means by which governing authorities may revitalize economically depressed areas by placing abandoned or blighted properties back into the economic stream of commerce through the rehabilitation of the abandoned or blighted property. The procedure created by this Part shall be in addition to any other procedure authorized by law.

§136.1. Definitions

For the purposes of this Part, unless the context clearly otherwise requires or unless otherwise defined in specific portions of this Part, the following words or phrases shall have the respective meanings:

\* \* \*

(3) "Governing authority" means the city of New Orleans or any assignee thereof which is authorized by the municipality to carry out the purpose of this Part, ~~or~~ the city of Grambling, **or the parish of East Baton Rouge or its municipalities.**

\* \* \*

§136.2. Authority to expropriate; acquisition of abandoned or blighted property prior to judgment

\* \* \*

1                    **D. In the Parish of East Baton Rouge, notwithstanding any provision of**  
 2                    **law to the contrary, expropriation proceedings shall be initiated by the member**  
 3                    **of the governing authority representing the district in which the subject**  
 4                    **property is located.**

5                    Section 3. R.S. 33:4761 is hereby amended and reenacted to read as follows:

6                    §4761. Condemnation of buildings by all parishes and municipalities

7                    **A.** The governing authority of any parish or municipality may condemn and  
 8                    cause to be demolished or removed any building or structure within the parish or  
 9                    municipality when it is in a dilapidated and dangerous condition which endangers the  
 10                   public welfare.

11                   **B. Notwithstanding any other provision of law to the contrary, in the city**  
 12                   **of Baton Rouge and parish of East Baton Rouge, the hearing officer appointed**  
 13                   **pursuant to R.S. 13:2575 and 2576 shall determine condemnations.**

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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

**ACT No. 477**

2025 Regular Session

HOUSE BILL NO. 617

BY REPRESENTATIVES CARVER, AMEDEE, BACALA, BAMBURG, BERAULT, BILLINGS, BOYER, BRAUD, BRYANT, CHENEVERT, COATES, COX, CREWS, DICKERSON, DOMANGUE, EDMONSTON, FIRMENT, FISHER, FREIBERG, GLORIOSO, HEBERT, HENRY, HILFERTY, JACKSON, MIKE JOHNSON, KERNER, LACOMBE, MACK, MCMAKIN, MELERINE, MOORE, NEWELL, OWEN, SCHLEGEL, SPELL, STAGNI, TAYLOR, THOMPSON, WALTERS, WILDER, WRIGHT, AND WYBLE AND SENATORS BASS, BOUDREAUX, CATHEY, CLOUD, CONNICK, HENRY, MCMATH, MILLER, MIZELL, MYERS, REESE, SELDERS, AND WHEAT

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AN ACT

To amend and reenact Children's Code Articles 509(B)(1), 512(B)(1), 522(A)(2), 1269.3(F), 1270(B), (E), and (F), 1271(A), 1273, 1283.2(H), 1285.2(H), and 1519, Code of Evidence Article 902(10), R.S. 6:333(F)(14), R.S. 9:315.16(A), 315.40(1) and (3), 399.1(A) and (F)(3) and (4), and 406(B)(2) and (C)(2), R.S. 11:441.1(F), R.S. 13:998 (B) and (E)(1) and (3), 1141(B) and (E)(1) and (3), 1414(B) and (E)(1) and (3), 4291(B)(1), and 5108.2, R.S. 15:587(A)(2)(a) and (b), 587.1(I), and 587.5(A)(4), R.S. 17:192.1(A)(1)(a) and (3), R.S. 23:1605(A)(4), R.S. 36:3(7), 8(E)(2)(d), 9(C), 471(B) and (C)(1), 472(A), 475.1(B) and (C), 476, and 477, R.S. 40:34.5(E), 46.12(D) and (F), and 1061.14(B)(3)(b)(i), R.S. 43:111(A)(8), R.S. 44:38, R.S. 46:51(introductory paragraph), 51.3, 233.1(C)(introductory paragraph) and (D)(introductory paragraph), 236.1.1(3), 236.1.4(E), 236.1.8(D), 236.3(A)(2), 236.10(A), 236.11(C), 236.12(B)(1), 236.14(D)(1)(introductory paragraph), 236.15(A)(1), 236.16, 238(B), (C), (D), (E)(introductory paragraph) and (7), and (F), 281, 1002(A), (B)(introductory paragraph), and (C), and 2136.2(F), R.S. 47:299.11(1), 299.41(B), 463.112(C), and 9027(C)(10)(introductory paragraph) and (c), and R.S. 51:1442(4) and to repeal R.S. 36:474(A)(11) and (G) and 477(B)(2) and

1 R.S. 46:51(2) and (14) and 233.1(A) and (B), relative to the organization of the  
 2 Department of Children and Family Services; to create the office of child support  
 3 and the office of child welfare; to eliminate the office of children and family  
 4 services; to transfer the duties of certain offices within the Department of Children  
 5 and Family Services; to remove outdated provisions; and to provide for related  
 6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Children's Code Articles 509(B)(1), 512(B)(1), 522(A)(2), 1269.3(F),  
 9 1270(B), (E), and (F), 1271(A), 1273, 1283.2(H), 1285.2(H), and 1519 are hereby amended  
 10 and reenacted to read as follows:

11 Art. 509. Development of interagency protocols; drafting committee membership;  
 12 meetings; compliance deadline

13 \* \* \*

14 B. At a minimum, each committee shall include the following members:

15 (1) A representative of the office of ~~children and family services~~, child  
 16 welfare, Department of Children and Family Services.

17 \* \* \*

18 Art. 512. Composition of the multidisciplinary investigative team

19 \* \* \*

20 B. Governmental entities that have responsibilities imposed by law for the  
 21 investigation of child abuse include:

22 (1) The office of ~~children and family services~~, child welfare, Department of  
 23 Children and Family Services.

24 \* \* \*

25 Art. 522. Applicability

26 A. A child advocacy center is established and becomes subject to the  
 27 provisions of this Chapter when all of the following have been accomplished:

28 \* \* \*

29 (2) An agreement to use the services of a child advocacy center has been  
 30 executed by representatives of the district attorney, the office of ~~children and family~~

1 ~~services; child welfare,~~ Department of Children and Family Services, the coroner,  
2 the sheriff, and any other law enforcement agency having responsibility in the  
3 district for the investigation of child abuse.

4 \* \* \*

5 Art. 1269.3. Continuing contact agreement; parties; required declarations

6 \* \* \*

7 F. The continuing contact agreement shall contain the requirements in  
8 substantially the following form:

9 STATE OF LOUISIANA

10 PARISH OF (NAME OF PARISH)

11 AGREEMENT FOR POST-ADOPTION CONTINUING CONTACT

12 We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT  
13 PERSON PERMITTED CONTACT BY ARTICLE 1269.2) agree to post-adoption  
14 continuing contact between (NAME OF ADOPTED CHILD) and (NAME OF  
15 PERSON PERMITTED CONTACT) in accordance with the provisions of this  
16 Agreement. This Agreement reflects our commitment to an on-going, cooperative  
17 relationship focused upon meeting (NAME OF CHILD)'s needs now and in the  
18 future, fully recognizing that those needs may change as (HE/SHE) matures.

19 OR

20 We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT  
21 PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING) agree  
22 to post-adoption continuing contact between (NAME OF ADOPTED CHILD) and  
23 (NAME OF MINOR SIBLING) in accordance with the provisions of this  
24 Agreement. This Agreement reflects our recognition of the significance and  
25 enduring nature of sibling relationships and our commitment to supporting and  
26 preserving the on-going relationship between (NAME OF CHILD) and (MINOR  
27 SIBLING).

28 We have each freely and voluntarily entered into this Agreement and intend  
29 to be bound by its terms. We have been counseled and advised by the Department,  
30 our attorney, or other appropriate professional of the meaning of these declarations,

1 the effects of a continuing contact agreement, and the opportunity to have our own  
2 respective counsel review this Agreement.

3 We recognize that any dispute or litigation regarding the terms of this  
4 Agreement shall not affect the validity of any surrender or termination of parental  
5 rights, adoption, or custody of (NAME OF CHILD).

6 We also recognize that upon approval of the court, this Agreement becomes  
7 legally binding and any party to it may seek enforcement of its terms.

8 We also agree that (NAME OF DEPARTMENT REPRESENTATIVE or  
9 NAME OF COUNSEL FOR ADOPTIVE PARENT) shall file this Agreement with  
10 the proper court of jurisdiction by (DATE NO LATER THAN 10 DAYS FROM  
11 EXECUTION OF THE AGREEMENT) requesting the court's approval of this  
12 Agreement in accordance with Louisiana Children's Code Article 1269.5.

13 We agree to the following enforceable post-adoption continuing contact:  
14 (INSERT PROVISIONS NEGOTIATED BY PARTIES.)

15 This Agreement reflects our minimum expectations regarding continuing  
16 contact for the duration of the minority of (NAME OF CHILD). We understand that  
17 we can agree upon other continuing contact arrangements in the future through  
18 informal or formal means. However, we recognize that these minimum expectations  
19 must be preserved until such time as we modify them by mutual written agreement  
20 or the court modifies or terminates this Agreement in accordance with Louisiana  
21 Children's Code Article 1269.8.

22 We certify that we enter this Agreement in good faith and intend that it  
23 always be interpreted to serve (NAME OF CHILD)'s best interest. We agree that we  
24 will always attempt to resolve any disagreement that may arise in (HIS/HER) best  
25 interest and acknowledge that court modification or enforcement is to be used only  
26 as a last resort when all informal means of resolution have been exhausted. We  
27 acknowledge that Louisiana Children's Code Article 1269.8 authorizes the court to  
28 hear a motion to enforce, modify, or terminate this Agreement only after we have  
29 attempted in good faith to mediate the issues underlying our disagreement. Should  
30 mediation fail to resolve our differences, the court may modify or terminate this

1 Agreement upon finding a change of circumstances and the Agreement no longer  
2 serves the best interest of (NAME OF CHILD).

3 This instrument reflects the entire agreement between us regarding post-  
4 adoption continuing contact. There are no promises, terms, conditions, or  
5 obligations other than those stated in this written Agreement.

6 We acknowledge that unless it is the legal custodian of a minor sibling named  
7 in this Agreement, the Department of Children and Family Services, office of  
8 ~~children and family services~~, child welfare is not a party to this Agreement and has  
9 no responsibility for enforcement of it.

10 This Agreement becomes effective upon approval of the court in accordance  
11 with Louisiana Children's Code Article 1269.5.

12 THIS DONE, READ, AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_,  
13 \_\_\_\_\_, Parish of (NAME OF PARISH), State of Louisiana.

14 \_\_\_\_\_

15 ADOPTING PARENT

16 \_\_\_\_\_

17 OTHER ADOPTING PARENT, IF ANY

18 \_\_\_\_\_

19 ADULT PERSON PERMITTED CONTACT

20 \_\_\_\_\_

21 ADULT PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING

22 \_\_\_\_\_

23 WITNESS

24 \_\_\_\_\_

25 WITNESS

26 \_\_\_\_\_

27 NOTARY

28 \* \* \*

29 Art. 1270. Legislative findings; purpose; release of information

30 \* \* \*



1           B. There is hereby created within the office of ~~children and family services~~  
 2           child welfare, of the Department of Children and Family Services a voluntary  
 3           registry for the matching of adopted persons, or an adoptive parent of a minor or  
 4           deceased adopted person, or a descendant of a deceased adopted person, or his parent  
 5           if a minor, and biological parents or siblings, or both, or a parent, sibling, or  
 6           descendant, or his parent if a minor, of a deceased biological parent. The purpose  
 7           of this registry shall be to facilitate voluntary contact between the adopted person,  
 8           or an adoptive parent of a minor or deceased adopted person, or the descendant of  
 9           a deceased adopted person, or his parent if a minor, and a biological parent or  
 10          biological sibling, or both, or a parent, sibling, or descendant, or his parent if a  
 11          minor, of a deceased biological parent.

\* \* \*

13          E. The office of ~~children and family services~~ child welfare shall not release  
 14          any registry information in violation of this Chapter.

15          F. The office of ~~children and family services~~ child welfare shall confirm for  
 16          an adopted person the fact of his adoption and identify the court in which the  
 17          adoption was finalized and the agency, firm, or lawyer facilitating the adoption when  
 18          that information is known. To receive this information, the adopted person shall be  
 19          eighteen years of age or older, provide proof of identity, and submit a written  
 20          request.

21          Art. 1271. Registration

22          A. Registration shall be by affidavit filed with the office of ~~children and~~  
 23          ~~family services.~~ child welfare. That office shall develop and furnish standardized  
 24          affidavit forms appropriate for effecting the purpose of this Chapter.

\* \* \*

26          Art. 1273. Confidentiality

27          Documents filed with the office of ~~children and family services,~~ child  
 28          welfare, pursuant to this Chapter, shall be confidential and shall not be available for  
 29          inspection, except under the procedures set forth in this Chapter.

\* \* \*

1 Art. 1283.2. Permissible reimbursement of expenses

2 \* \* \*

3 H. A copy of the Adoption Disclosure Affidavit and all orders of the court  
4 pursuant to this Article shall be mailed to the office of ~~children and family services,~~  
5 child welfare, Department of Children and Family Services.

6 \* \* \*

7 Art. 1285.2. Permissible reimbursement of expenses

8 \* \* \*

9 H. A copy of the Adoption Disclosure Affidavit and all orders of the court  
10 pursuant to this Article shall be mailed to the office of ~~children and family services,~~  
11 child welfare, Department of Children and Family Services.

12 \* \* \*

13 Art. 1519. Hearing

14 The petition shall be set for hearing on the record unless specifically waived  
15 by the court. If the Department of Children and Family Services, office of ~~children  
16 and family services,~~ child welfare, has recommended that the petition for voluntary  
17 transfer of custody be filed, a representative for the department shall testify at the  
18 hearing with particularity the reasons for the recommendation. Further, the  
19 department representative shall specify why a child in need of care petition should  
20 not be filed and shall testify regarding the preventative services offered by the  
21 department to the petitioner to prevent the transfer of custody.

22 Section 2. Code of Evidence Article 902(10) is hereby amended and reenacted to  
23 read as follows:

24 Art. 902. Self-authentication

25 Extrinsic evidence of authenticity as a condition precedent to admissibility  
26 is not required with respect to the following:

27 \* \* \*

28 (10) Labor reports. A copy of a report from the Louisiana Workforce  
29 Commission, or from any state or federal reporting agency, which is in the  
30 possession of a field officer of the ~~support enforcement services program,~~ office of

1 ~~children and family~~, office of child support, Department of Children and Family  
 2 Services, introduced as evidence in any child or spousal support proceeding. "Field  
 3 officer" means any person designated or authorized as a field officer pursuant to the  
 4 provisions of R.S. 46:236.1.8.

5 Section 3. R.S. 6:333(F)(14) is hereby amended and reenacted to read as follows:

6 §333. Disclosure of financial records; reimbursement of costs

7 \* \* \*

8 F. The following disclosures by a bank or any affiliate are hereby  
 9 specifically authorized and, except as otherwise provided in this Subsection, nothing  
 10 in this Section shall prohibit, restrict, or otherwise apply to:

11 \* \* \*

12 (14) The disclosure by a bank or any affiliate of data match information on  
 13 an individual to the secretary of the Department of Children and Family Services; or  
 14 his designee in the office of ~~children and family services~~, child support ~~enforcement~~  
 15 ~~section~~, for use in attempting to establish, modify, or enforce a child support  
 16 obligation of such individual. Such disclosure to the department shall be limited to  
 17 the name, record address, social security or taxpayer identification number, and an  
 18 average daily account balance for the most recent thirty-day period, of a noncustodial  
 19 parent who maintains an account at such institution and who owes past-due support  
 20 as identified by the state by name and social security or taxpayer identification  
 21 number. The disclosure authorization provided for in this Paragraph shall apply to  
 22 all co-owners listed on the applicable account.

23 \* \* \*

24 Section 4. R.S. 9:315.16(A), 315.40(1) and (3), 399.1(A) and (F)(3) and (4), and  
 25 406(B)(2) and (C)(2) are hereby amended and reenacted to read as follows:

26 §315.16. Review of guidelines

27 A. The guidelines set forth in this Part shall be reviewed by the legislature  
 28 not less than once every four years. A review of the guidelines shall take place in  
 29 2012 and every four years thereafter, and it shall be the responsibility of the office  
 30 of ~~children and family services~~, child support, ~~enforcement section of the~~

1 Department of Children and Family Services, and the Louisiana District Attorneys  
 2 Association, in consultation with the child support review committee provided in  
 3 Subsection B of this Section, to obtain all information required to comply with the  
 4 provisions of 42 U.S.C. 667(a) and present the same to the legislature sixty days  
 5 prior to the beginning of the 2008 Regular Session of the Legislature and every four  
 6 years thereafter.

7 \* \* \*

8 §315.40. Definitions

9 As used in this Subpart:

10 (1) "Administrator" means the ~~administrator~~ assistant secretary of the ~~child~~  
 11 ~~support enforcement section, office of children and family services, office of child~~  
 12 support, Department of Children and Family Services.

13 \* \* \*

14 (3) "Department" means the Department of Children and Family Services,  
 15 office of ~~children and family services~~ child support.

16 \* \* \*

17 §399.1. Dismissal of final order following judgment of paternity; time periods;  
 18 procedure; effects

19 A. Notwithstanding any other provision of law, a judgment establishing  
 20 paternity may be set aside or vacated by the adjudicated father of a child, the child,  
 21 the mother of the child, or the legal representative of any of these persons. The  
 22 proceeding shall be instituted by ordinary process in a court of competent  
 23 jurisdiction and service shall be made upon the office of ~~children and family~~  
 24 ~~services, child support, enforcement section of the~~ Department of Children and  
 25 Family Services, if services are being provided by the department. The burden of  
 26 proof shall be upon the party seeking to set aside or vacate the judgment of paternity.  
 27 The proceeding shall be brought within a two-year period commencing with the date  
 28 on which the adjudicated father knew or should have known of a judgment that  
 29 established him as the father of the child or commencing with the date the

1 adjudicated father knew or should have known of the existence of an action to  
2 adjudicate the issue of paternity, whichever is first.

3 \* \* \*

4 F.

5 \* \* \*

6 (3) The judgment dismissing an established order of support shall be served  
7 upon the office of ~~children and family services~~, child support, ~~enforcement section~~  
8 ~~of the~~ Department of Children and Family Services, if services are being provided  
9 by the department.

10 (4) Neither the state of Louisiana, its officers, employees, agents,  
11 contractors, nor the office of ~~children and family services~~, child support,  
12 ~~enforcement section of the~~ Department of Children and Family Services shall be  
13 liable in any case to compensate any person for child support paid or for any other  
14 costs as a result of the judgment setting aside or vacating the judgment of paternity  
15 or support entered in accordance with this Section.

16 \* \* \*

17 §406. Revocation of authentic act; with and without cause; procedure

18 \* \* \*

19 B.

20 \* \* \*

21 (2) The petitioner shall institute the annulment proceeding by ordinary  
22 process in a court of competent jurisdiction upon notice to the other party who  
23 executed the notarial act of acknowledgment and other necessary parties including  
24 the office of ~~children and family services~~, child support, ~~enforcement section of the~~  
25 Department of Children and Family Services.

26 \* \* \*

27 C.

28 \* \* \*

29 (2) Neither the state of Louisiana, its officers, employees, agents,  
30 contractors, nor the office of ~~children and family services~~, child support,

1 ~~enforcement section of the~~ Department of Children and Family Services shall be  
2 liable to compensate any person for child support paid or any other costs as a result  
3 of the revocation of any authentic act of acknowledgment or the annulment of any  
4 judgment of paternity or support in accordance with this Section.

5 \* \* \*

6 Section 5. R.S. 11:441.1(F) is hereby amended and reenacted to read as follows:

7 §441.1. Early Retirement and Payroll Reduction Act of 2006

8 \* \* \*

9 F. Notwithstanding any other provision of law or of this Section to the  
10 contrary, the provisions of this Section which eliminate vacated positions shall not  
11 be applicable to any positions of the Department of Children and Family Services,  
12 office of ~~children and family services~~, child support ~~enforcement section~~; or to  
13 Department of Public Safety and Corrections security officers or probation and  
14 parole officers; or to any positions of the LSU health care services division.

15 \* \* \*

16 Section 6. R.S. 13:998(B) and(E)(1) and (3), 1141(B) and (E)(1) and (3), 1414(B)  
17 and (E)(1) and (3), 4291(B)(1), and 5108.2 are hereby amended and reenacted to read as  
18 follows:

19 §998. Nonrefundable fee; assessment and disposition

20 \* \* \*

21 B. The clerks of the respective district courts, within thirty days of the close  
22 of each fiscal year, shall remit all funds collected pursuant to this Section to be  
23 deposited in the state treasurer's account for credit to a special statutorily dedicated  
24 fund account after meeting the requirements of Article VII, Section 9 of the  
25 Constitution of Louisiana. The monies in this account shall be invested by the state  
26 treasurer in the same manner as monies in the state general fund, and interest earned  
27 on the investment of these monies shall be credited to the account following  
28 compliance with the requirement of Article VII, Section 9(B) of the Constitution of  
29 Louisiana, relative to the Bond Security and Redemption Fund. Disbursement of  
30 funds shall be made by the ~~office of children and family services in the Department~~

1 of Children and Family Services, or its successor, in accordance with Paragraph  
 2 (E)(2) of this Section and only in amounts appropriated by the legislature. Monies  
 3 deposited into this account shall be categorized as fees and self-generated revenue  
 4 for the sole purpose of reporting related to the executive budget, supporting  
 5 documents, and general appropriations bills and shall be available for annual  
 6 appropriations by the legislature.

7 \* \* \*

8 E.(1) Within thirty days of receipt of such funds, ~~the office of children and~~  
 9 ~~family services~~ the Department of Children and Family Services shall distribute the  
 10 funds among those qualifying organizations. A qualifying organization ~~must~~ shall  
 11 be recognized as a nonprofit organization under Section 501(c)(3) of the Internal  
 12 Revenue Code and be located and operated within Caddo, Calcasieu, Caldwell, East  
 13 Carroll, West Carroll, Franklin, Jackson, St. Landry, Lincoln, Madison, Morehouse,  
 14 St. Bernard, Ouachita, Union, Richland, Tensas, Sabine, DeSoto, Vermilion, or  
 15 Lafayette Parish and shall provide:

16 \* \* \*

17 (3) Organizations seeking to be qualified shall apply on an annual basis to  
 18 ~~the office of children and family services~~ Department of Children and Family  
 19 Services within the time and in the manner designated by the ~~office of children and~~  
 20 ~~family services~~ department and afford such reasonable proof as is required to  
 21 establish its entitlement to funds.

22 \* \* \*

23 §1141. Domestic Relations Section; nonrefundable fee; assessment and disposition

24 \* \* \*

25 B. The clerk of the civil district court, within thirty days of the close of each  
 26 fiscal year, shall remit all costs collected pursuant to this Section to be deposited in  
 27 the state treasurer's account for credit to a special statutorily dedicated fund account  
 28 after meeting the requirements of Article VII, Section 9 of the Constitution of  
 29 Louisiana. The monies in this account shall be invested by the state treasurer in the  
 30 same manner as monies in the state general fund, and interest earned on the

1 investment of these monies shall be credited to the account following compliance  
 2 with the requirement of Article VII, Section 9(B) of the Constitution of Louisiana  
 3 relative to the Bond Security and Redemption Fund. Disbursement of funds shall be  
 4 made by ~~the office of children and family services~~ in the Department of Children and  
 5 Family Services, or its successor, in accordance with Paragraph (E)(2) of this Section  
 6 and only in amounts appropriated by the legislature. Monies deposited into this  
 7 account shall be categorized as fees and self-generated revenue for the sole purpose  
 8 of reporting related to the executive budget, supporting documents, and general  
 9 appropriations bills and shall be available for annual appropriation by the legislature.

\* \* \*

11 E.(1) Within thirty days of the receipt of such funds, the ~~office of children~~  
 12 ~~and family services~~ department shall distribute the funds among those qualifying  
 13 organizations. A qualifying organization ~~must~~ shall be recognized as a non-profit  
 14 organization under Section 501(c)(3) of the Internal Revenue Code and be located  
 15 within the parish of Orleans, and shall provide:

\* \* \*

17 (3) Organizations seeking to be qualified shall apply on an annual basis to  
 18 the ~~office of community services~~ department within the time and in the manner  
 19 designated by the ~~office of community services~~ department and afford such  
 20 reasonable proof as is required to establish its entitlement to funds.

\* \* \*

22 §1414. Nonrefundable fee; assessment and disposition

\* \* \*

24 B. The clerk of the 19th Judicial District Court, within thirty days of the  
 25 close of each fiscal year, shall remit all costs collected pursuant to this Section to be  
 26 deposited in the state treasurer's account for credit to a special statutorily dedicated  
 27 fund account after meeting the requirements of Article VII, Section 9 of the  
 28 Constitution of Louisiana. The monies in this account shall be invested by the state  
 29 treasurer in the same manner as monies in the state general fund, and interest earned  
 30 on the investment of these monies shall be credited to the account following



1 compliance with the requirement of Article VII, Section 9(B) of the Constitution of  
 2 Louisiana relative to the Bond Security and Redemption Fund. Disbursement of  
 3 funds shall be made by ~~the office of children and family services~~ in the Department  
 4 of Children and Family Services, or its successor, in accordance with Paragraph  
 5 (E)(2) of this Section and only in amounts appropriated by the legislature. Monies  
 6 deposited into this account shall be categorized as fees and self-generated revenue  
 7 for the sole purpose of reporting related to the executive budget, supporting  
 8 documents, and general appropriations bills and shall be available for annual  
 9 appropriations by the legislature.

10 \* \* \*

11 E.(1) Within thirty days of the receipt of such funds, the ~~office of children~~  
 12 ~~and family services~~ Department of Children and Family Services shall distribute the  
 13 funds among those qualifying organizations. A qualifying organization ~~must~~ shall  
 14 be recognized as a nonprofit organization under Section 501(c)(3) of the Internal  
 15 Revenue Code and be located within the parish of East Baton Rouge, and shall  
 16 provide:

17 \* \* \*

18 (3) Organizations seeking to be qualified shall apply on an annual basis to  
 19 the ~~office of children and family services~~ Department of Children and Family  
 20 Services within the time and in the manner designated by the ~~office of children and~~  
 21 ~~family services~~ Department of Children and Family Services and afford such  
 22 reasonable proof as is required to establish its entitlement to funds.

23 \* \* \*

24 §4291. Effect of child support payments; judicial mortgage and privilege; affidavit  
 25 of support owed; prescription

26 \* \* \*

27 B.(1) In all cases where the Department of Children and Family Services is  
 28 enforcing child support services, a judgment created by operation of law pursuant to  
 29 Subsection A of this Section shall be executory in all respects, without the necessity  
 30 of a judicial proceeding to determine the amount actually owed. The director of the

1           office of child support, ~~child support enforcement section, office of children and~~  
 2           ~~family services~~, Department of Children and Family Services, or his designee shall  
 3           certify the actual amount in an affidavit entitled "Child Support Mortgage and  
 4           Privilege by Affidavit of DCFS". Such affidavit shall have the effect of a judgment.  
 5           Notwithstanding any other law to the contrary, prescription shall not begin to run  
 6           against any such judgment until the child reaches the age of majority or the  
 7           obligation to provide child support ceases.

8   \*           \*           \*

9           §5108.2. Child protective services workers; legal defense

10                   The Department of Justice shall provide any worker of the ~~child protection~~  
 11           ~~services division of the office of children and family services~~ office of child welfare,  
 12           of the Department of Children and Family Services with a legal defense in any civil  
 13           action arising from any activity within the course and scope of the worker's  
 14           employment.

15   \*           \*           \*

16           Section 7. R.S. 15:587(A)(2)(a) and (b), 587.1(I), and 587.5(A)(4) are hereby  
 17           amended and reenacted to read as follows:

18           §587. Duty to provide information; processing fees; Louisiana Bureau of Criminal  
 19                   Identification and Information

20                   A.

21   \*           \*           \*

22                   (2)(a) The bureau, in accordance with its powers to regulate and to enforce  
 23           provisions herein, may further restrict those agencies eligible to receive information.  
 24           However, the bureau shall make available to the Department of Children and Family  
 25           Services all criminal history record information as defined in R.S. 15:576 related to  
 26           foster and adoptive parent applicants and adult members of foster and adoptive  
 27           parent households; parents whose children have been removed from their custody;  
 28           parents or caretakers involved in investigations of abuse or neglect; potential  
 29           caretakers of a child who is either in the custody of the department, is the subject of  
 30           an investigation of abuse or neglect, or is or has been receiving services through the

1 office of ~~children and family services~~ child welfare; potential employees of the  
2 department whose duties include the investigation of child abuse or neglect, the  
3 supervisory or disciplinary authority over children, direct care of a child, or  
4 performance of licensing surveys; and individuals employed directly or indirectly by  
5 institutions or facilities providing, or with the potential of providing, daily care or  
6 supervision to any child or youth in the custody of or under the supervision of any  
7 Louisiana state government agency. For the purposes of this Section, the bureau  
8 shall employ such methods and procedures and shall observe such duty hours as to  
9 provide information upon request within forty-eight hours from its receipt.

10 (b) The bureau shall facilitate national criminal history record checks of  
11 prospective foster and adoptive parent applicants and adult members of foster and  
12 adoptive parent households; parents whose children have been removed from their  
13 custody; parents or caretakers involved in investigations of abuse or neglect;  
14 potential caretakers of a child who is either in the custody of the department, is the  
15 subject of an investigation of abuse or neglect, or is or has been receiving services  
16 through the office of ~~children and family services~~ child welfare; potential employees  
17 of the department whose duties include the investigation of child abuse or neglect,  
18 the supervisory or disciplinary authority over children, direct care of a child, or  
19 performance of licensing surveys; and individuals employed directly or indirectly by  
20 institutions or facilities providing, or with the potential of providing, daily care or  
21 supervision to any child or youth in the custody of or under the supervision of any  
22 Louisiana state government agency by receiving and forwarding fingerprint cards to  
23 the Federal Bureau of Investigation. The Department of Children and Family  
24 Services is authorized to receive and screen the results of the state and national  
25 criminal history record checks in order to determine foster or adoptive parent  
26 applicants' eligibility for certification or recertification as a placement resource for  
27 children; to assist in the determination of the appropriateness of a parent or potential  
28 caregiver as a placement resource for a child; to assess the situation for safety issues  
29 and risks to the child and worker; to assess the qualifications of a potential  
30 department employee; and to assess the qualifications of individuals employed,

1 directly or indirectly, by institutions or facilities providing, or with the potential of  
2 providing, daily care or supervision to any child or youth in the custody of or under  
3 the supervision of any Louisiana state government agency. The department shall  
4 maintain the confidentiality of criminal history information received in accordance  
5 with applicable federal or state law.

6 \* \* \*

7 §587.1. Provision of information to protect children

8 \* \* \*

9 I. Notwithstanding any other provision of law to the contrary, the  
10 Department of Children and Family Services ~~Services, office of children and family~~  
11 ~~services~~, may utilize the National Crime Information Center to conduct background  
12 checks authorized in R.S. 15:587 when investigating or responding to reports of  
13 abuse or neglect as provided for in Section 151 of Public Law 109-248.

14 \* \* \*

15 §587.5. Agencies with access to federal tax information; criminal history  
16 information

17 A. For purposes of this Section, "agency" means any agency that has an  
18 agreement with the Internal Revenue Service to access federal tax information or is  
19 authorized by law to audit the records of an agency that has access to federal tax  
20 information. "Agency" shall include all of the following:

21 \* \* \*

22 (4) Department of Children and Family Services, ~~child support enforcement~~  
23 ~~and family support~~ Services, office of child support.

24 \* \* \*

25 Section 8. R.S. 17:192.1(A)(1)(a) and (3) are hereby amended and reenacted to read  
26 as follows:

27 §192.1. Meals; denial to students; procedures

28 A. If the governing authority of a public elementary school, for any reason,  
29 adopts a policy of denying a scheduled meal to a child who is an elementary school

1 student, it shall implement the following procedures to provide for safeguards to the  
2 child's health and the child's ability to learn:

3 (1) Prior to withholding a meal from the child, the school shall do each of  
4 the following:

5 (a) Provide actual notification to the child's parent or legal guardian as to the  
6 date and time after which meals may be denied, the reason for such denial, any  
7 action that may be taken by the parent or legal guardian to prevent further denial of  
8 meals, and the consequences of the failure to take appropriate actions to prevent such  
9 denial, including that the school governing authority shall contact the office of  
10 ~~children and family services~~ child welfare, ~~within the~~ Department of Children and  
11 Family Services upon the third instance of such denial during a single school year  
12 as provided in Paragraph (3) of this Subsection.

13 \* \* \*

14 (3) Upon the third instance during a single school year of the same  
15 elementary school child being denied a meal during school hours, the school  
16 governing authority shall contact the office of ~~children and family services~~ child  
17 welfare, ~~within the~~ Department of Children and Family Services to report the failure  
18 of the parent or guardian to pay for meals which has resulted in repeated denials of  
19 meals during school hours.

20 Section 9. R.S. 23:1605(A)(4) is hereby amended and reenacted to read as follows:

21 §1605. Unemployment insurance integrity program

22 A. For the purposes of this Section, the following terms have the meanings  
23 ascribed to them:

24 \* \* \*

25 (4) "New hire records" means the directory of newly hired and re-hired  
26 employees reported under state and federal law and managed by the ~~child support~~  
27 ~~enforcement section, division of family support, office of children and family~~  
28 ~~services;~~ office of child support, Department of Children and Family Services.

29 \* \* \*

1 Section 10. R.S. 36:477(B)(1) is hereby amended and reenacted to read as follows:

2 §477. Office; purposes and functions

3 \* \* \*

4 B.(1) The office of children and family services shall perform the services of the state  
5 relating to public assistance programs to provide aid to dependent children and to adults,  
6 who due to age, disability, or infirmity, are unable to adequately meet their basic needs. It  
7 shall also administer ~~the food stamp program or its successor~~, child support programs,  
8 establishment of paternity programs, disaster relief grant programs for individuals and  
9 families, and such other programs as assigned by the secretary. ~~It shall also conduct~~  
10 ~~disability and other client eligibility determinations, and may conduct medical assistance~~  
11 ~~client eligibility determinations~~. The office is authorized to enter into interagency  
12 agreements with other state agencies to conduct eligibility determinations. The office shall  
13 provide for the public child welfare functions of the state including but not limited to  
14 prevention services that promote, facilitate, and support activities to prevent child abuse and  
15 neglect; child protective services; voluntary family strengthening and support services;  
16 making permanent plans for foster children and meeting their daily maintenance needs of  
17 food, shelter, clothing, necessary physical medical services, school supplies, and incidental  
18 personal needs; and adoption placement services for foster children freed for adoption. It  
19 shall also perform the functions of the state relating to the licensing of facilities regulated  
20 under Chapter 14 of Title 46 of the Louisiana Revised Statutes of 1950. The office shall  
21 issue and monitor domestic violence services contracts.

22 \* \* \*

23 Section 11. R.S. 36:3(7), 8(E)(2)(d), 9(C), 471(B) and (C)(1), 472(A), 475.1(B) and  
24 (C), 476, and 477 are hereby amended and reenacted to read as follows:

25 §3. Definitions

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

28 \* \* \*

1           (7) "Undersecretary" means the officer designated to direct and be  
 2 responsible for the functions of the office of management and finance of certain  
 3 departments. ~~For the Department of Children and Family Services, "undersecretary"~~  
 4 ~~means the officer designated to direct and be responsible for the functions of the~~  
 5 ~~division of management and finance within the office of children and family~~  
 6 ~~services.~~

7                                   \*       \*       \*

8           §8. Fiscal oversight and program evaluation

9                                   \*       \*       \*

10           E. As used in this Section, the following words shall have the following  
 11 meanings unless the context clearly indicates otherwise:

12                                   \*       \*       \*

13           (2) "Undersecretary" means the undersecretary of each department in the  
 14 executive branch of state government, except "undersecretary" means the following  
 15 in the case of the listed departments:

16                                   \*       \*       \*

17           (d) For the Department of Children and Family Services, the secretary;  
 18 however, for the purposes of Paragraph (A)(2) and Subsection D of this Section,  
 19 "undersecretary" shall mean the undersecretary for the ~~division~~ office of  
 20 management and finance for the department. In addition, for purposes of Paragraph  
 21 (A)(5) of this Section, reports of problems related to budget, finances, or  
 22 administration shall be the responsibility of the undersecretary as provided in  
 23 Paragraph (A)(5) of this Section, and reports of problems related to programs and  
 24 policy shall be the direct responsibility of the secretary. Any provision of this  
 25 Section that requires the undersecretary to report to or inform the secretary shall not  
 26 be applicable to the Department of Children and Family Services for any function  
 27 or responsibility exercised by the secretary pursuant to this Subparagraph.

28                                   \*       \*       \*

29           §9. Designation of certain organizational units; uniform terminology

30                                   \*       \*       \*

1 C.(1) Each organizational unit which reports to the secretary, which is not  
2 an agency and is not within an office, shall be in the executive office of the secretary  
3 and shall be designated as follows:

4 (a) (1) A unit which reports directly to the secretary shall be designated as  
5 a bureau.

6 (b) (2) A subunit of a bureau shall be designated as a section.

7 (c) (3) A subunit of a section shall be designated as a unit.

8 (2) ~~For the Department of Children and Family Services, each organizational~~  
9 ~~unit which reports to the secretary, which is not an agency and is not within the~~  
10 ~~division of management and finance, the division of child welfare, or the division of~~  
11 ~~family support, shall be in the executive division, and shall be designated as follows:~~

12 (a) ~~A unit which reports directly to the secretary shall be designated as a~~  
13 ~~bureau.~~

14 (b) ~~A subunit of a bureau shall be designated as a section.~~

15 (c) ~~A subunit of a section shall be designated as a unit.~~

16 \* \* \*

17 §471. Department of Children and Family Services; creation; domicile;  
18 composition; purpose and functions

19 B.(1) ~~The Department of Children and Family Services, through its office~~  
20 ~~and officers, shall be responsible for the development and providing of social~~  
21 ~~services and the improvement of social conditions for the citizens of Louisiana. The~~  
22 ~~department declares that every child deserves to be safe, stability is the foundation~~  
23 ~~for success, and strong families create strong communities.~~

24 (2) It is the mission of the department to protect children, empower families,  
25 and strengthen communities so every child grows up safe, stable, and strong. The  
26 department envisions a future where every child thrives in a safe, stable, and loving  
27 environment, supported by empowered families and resilient communities.

28 (3) To accomplish the mission and vision set forth, the department declares  
29 the following:







appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of his office and its programs and the performance of its powers, duties, functions, and responsibilities in accordance with applicable civil service laws, rules, and regulations and with regard to policies and rules of the department, all subject to budgetary control and applicable laws.

§477. ~~Office~~ Offices; purposes and functions

A. The purposes for which the ~~office of children and family services~~ offices of the Department of Children and Family Services is created shall be set forth in this Section.

~~B.(1) The office of children and family services shall perform the services of the state relating to public assistance programs to provide aid to dependent children and to adults, who due to age, disability, or infirmity, are unable to adequately meet their basic needs. It shall also administer the food stamp program or its successor, child support programs, establishment of paternity programs, disaster relief grant programs for individuals and families, and such other programs as assigned by the secretary. It shall also conduct disability and other client eligibility determinations, and may conduct medical assistance client eligibility determinations. The office is authorized to enter into interagency agreements with other state agencies to conduct eligibility determinations. The office shall provide for the public child welfare functions of the state including but not limited to prevention services that promote, facilitate, and support activities to prevent child abuse and neglect; child protective services; voluntary family strengthening and support services; making permanent plans for foster children and meeting their daily maintenance needs of food, shelter, clothing, necessary physical medical services, school supplies, and incidental personal needs; and adoption placement services for foster children freed for adoption. It shall also perform the functions of the state relating to the licensing of facilities regulated under Chapter 14 of Title 46 of the Louisiana Revised Statutes of 1950. The office shall issue and monitor domestic violence services contracts. The executive office of the secretary shall provide for the general oversight and supervision of the department. The executive office of the~~

1 secretary includes a bureau of audit, bureau of general counsel, and a bureau of  
2 communications and governmental affairs.

3 C. The office of child welfare shall provide for the public child welfare  
4 functions of the state including but not limited to centralized intake; child protective  
5 services; human trafficking programs; making permanent plans for foster children  
6 and meeting their daily maintenance needs for food, shelter, clothing, necessary  
7 physical medical services, school supplies, and incidental personal needs; adoption  
8 placement services for foster children freed for adoption; prevention services that  
9 promote, facilitate, and support activities to prevent child abuse and neglect,  
10 including but not limited to voluntary family strengthening and support services; and  
11 such other programs as assigned by the secretary. The office shall also issue and  
12 monitor domestic violence services contracts.

13 D. The office of child support shall provide for the administration of child  
14 support programs pursuant to Title IV-D of the Social Security Act, including but not  
15 limited to enforcing, collecting, and distributing support obligations; establishing  
16 paternity; obtaining and modifying child and medical support orders; and such other  
17 programs as assigned by the secretary.

18 Section 12. R.S. 40:34.5(E), 46.12(D) and (F), and 1061.14(B)(3)(b)(i) are hereby  
19 amended and reenacted to read as follows:

20 §34.5. Original birth certificate; required contents; name of father

21 \* \* \*

22 E. Nothing in this Section shall preclude the Department of Children and  
23 Family Services, office of ~~children and family services~~, child support ~~enforcement~~  
24 ~~section~~ from obtaining an admission of paternity from the biological father for  
25 submission in a judicial proceeding, or prohibit the issuance of an order in a judicial  
26 proceeding which bases a legal finding of paternity on an admission of paternity by  
27 the biological father and on any other additional showing required by state law.

28 \* \* \*

1 §46.12. Hospital-based paternity program

2 \* \* \*

3 D. Hospital personnel shall forward an acknowledgment of paternity to the  
4 state registrar who shall forward copies of same to the Department of Children and  
5 Family Services, office of ~~children and family services~~, child support ~~enforcement~~  
6 ~~section~~. A statewide database shall be maintained by the Department of Children  
7 and Family Services in accordance with federal regulations.

8 \* \* \*

9 F. The Department of Children and Family Services, office of ~~children and~~  
10 ~~family services~~, child support ~~enforcement section~~ shall provide to all birthing  
11 hospitals in the state:

12 \* \* \*

13 §1061.14. Minors

14 \* \* \*

15 B. The following provisions shall apply to all applications for court orders  
16 by minors seeking abortions and appeals from denials of applications:

17 \* \* \*

18 (3)

19 \* \* \*

20 (b)(i) Prior to such ex parte hearing, the court may require the minor to  
21 participate in an evaluation and counseling session with a mental health professional  
22 from the Louisiana Department of Health, office of behavioral health, or a staff  
23 member from the Department of Children and Family Services, office of ~~children~~  
24 ~~and family services~~, child welfare, or both. The court may refer the petitioner, if  
25 necessary, to the appropriate Louisiana Department of Health, office of behavioral  
26 health regional office to arrange the evaluation and counseling session within the  
27 four-day period prior to the ex parte hearing, as provided in this Paragraph. This  
28 referral may be made by the clerk upon the minor's filing the application when the

1 court has issued a standing order authorizing same and the circumstances fit the  
2 criteria of the standing order therefor.

3 \* \* \*

4 Section 13. R.S. 43:111(A)(8) is hereby amended and reenacted to read as follows:

5 §111. Advertising; when prohibited and when authorized

6 A. The state, or any department, officer, board, or commission shall not  
7 expend any public funds for advertising in any newspaper, book, pamphlet,  
8 periodical, or radio and television stations except as follows:

9 \* \* \*

10 (8) Advertising by the ~~office of children and family services in the~~  
11 Department of Children and Family Services for the recruitment of foster or adoptive  
12 parents.

13 \* \* \*

14 Section 14. R.S. 44:38 is hereby amended and reenacted to read as follows:

15 §38. Access to records involved in legislative studies

16 Notwithstanding any other law to the contrary, the custodian of records of the  
17 Department of Children and Family Services ~~Services, office of children and family~~  
18 ~~services~~, and the custodian of records of each juvenile court or any court which hears  
19 and decides juvenile matters shall grant access to a percentage, as specified by the  
20 legislative committee, of the total records of defined classes of children in state  
21 custody or in foster care to any committee of the legislature acting pursuant to an  
22 appropriate legislative instrument directing the committee to study procedures or  
23 outcomes of cases involving children in state custody or in foster care. The size of  
24 the specific group to be studied shall be large enough to preserve the anonymity of  
25 individual children. Such access shall be limited to that purpose, and all information  
26 regarding names or other identifiers shall be removed. Information pertaining to  
27 children who have been adopted shall be strictly confidential and shall be released  
28 only in accordance with existing laws.

29 Section 15. R.S. 46:51(introductory paragraph), 51.3, 236.1.1(3),  
30 233.1(C)(introductory paragraph) and (D)(introductory paragraph), 236.1.4(E), 236.1.8(D),

1 236.3(A)(2), 236.10(A), 236.11(C), 236.12(B)(1), 236.14(D)(1)(introductory paragraph),  
2 236.15(A)(1), 236.16, 238(B), (C), (D), (E)(introductory paragraph) and (7), and (F), 281,  
3 1002(A), (B)(introductory paragraph), and (C), and 2136.2(F) are hereby amended and  
4 reenacted to read as follows:

5 §51. Duties of the department

6 The Department of Children and Family Services, through its secretary, shall  
7 administer ~~the public assistance and~~ welfare laws of the state as follows:

8 \* \* \*

9 §51.3. Criminal history information; access to federal tax information

10 The Department of Children and Family Services ~~Services, office of child~~  
11 ~~support enforcement and family support~~, is authorized to perform criminal history  
12 records checks of current and prospective employees, contractors, and subcontractors  
13 in accordance with the procedures provided in R.S. 15:587.5. Pursuant to this  
14 authorization and to implement the requirements of R.S. 15:587.5, the secretary shall  
15 promulgate rules and regulations with regard to this matter.

16 \* \* \*

17 §233.1. Recovery of overpayments

18 \* \* \*

19 C. The ~~department~~ Department of Children and Family Services shall  
20 promptly take all necessary steps to correct any overpayment, including collection,  
21 or underpayment of child support to individuals to whom the department is providing  
22 services pursuant to R.S. 46:236.1.1 et seq., and, in the case of:

23 \* \* \*

24 D. The ~~department~~ Department of Education will promptly take all necessary  
25 steps to correct any overpayment, including collection, or underpayment of child  
26 care assistance provided under the Child Care and Development Block Grant and in  
27 the case of:

28 \* \* \*

1           §236.1.1. Family and child support programs; definitions

2                           For the purposes of this Subpart, the following items shall mean:

3   \*       \*       \*

4                           (3) "CSE administrator" means the ~~program executive director~~ assistant  
5                           secretary of the office of child support, ~~support enforcement section, division of~~  
6                           ~~family support, office of children and family services~~, Department of Children and  
7                           Family Services.

8   \*       \*       \*

9           §236.1.4. Family and child support programs; financial institution duties;  
10                           responsibilities

11   \*       \*       \*

12                           E. The office of ~~children and family services~~, child support ~~enforcement~~  
13                           ~~section~~, which obtains data match information on an individual from a financial  
14                           institution pursuant to this Subpart may disclose such data match information only  
15                           for the purpose of, and to the extent necessary in, establishing, modifying, or  
16                           enforcing a child support obligation of such individual.

17   \*       \*       \*

18           §236.1.8. Family and child support programs; additional authorized employee  
19                           actions

20   \*       \*       \*

21                           D. The support services authorized by this Subpart shall be provided by the  
22                           office of ~~children and family services, child support enforcement section~~. child  
23                           support. Field officers responsible for supplying these services shall be designated  
24                           by the secretary. Such officers shall have the power and authority to make arrests,  
25                           supervise the probation of offenders, serve notices, orders, subpoenas, summonses,  
26                           citations, motions, and writs, and to execute all warrants and orders and to perform  
27                           any other duties incident to their office. All such officers are hereby authorized to  
28                           carry weapons and arms, concealed or openly, while in the actual performance of any  
29                           duty or while under assignment to any duty, but under no circumstances shall



1 officers be authorized to carry weapons unless they have been trained in the proper  
2 carrying and use of firearms by a recognized firearm training program.

3 \* \* \*

4 §236.3. Enforcement of support by income assignment

5 A. For purposes of this Section, the following words have the meaning  
6 ascribed to them by this Section unless the context clearly indicates a different  
7 meaning:

8 \* \* \*

9 (2) "Department" means the Department of Children and Family Services,  
10 office of ~~children and family services, child support enforcement section.~~ child  
11 support.

12 \* \* \*

13 §236.10. State case registry of child support orders

14 A. The secretary of the Department of Children and Family Services shall  
15 create an automated state case registry of child support orders within the office of  
16 ~~children and family services, child support enforcement section.~~ child support.

17 \* \* \*

18 §236.11. Louisiana disbursement unit for child support payments

19 \* \* \*

20 C. The Department of Children and Family ~~Services support enforcement~~  
21 ~~program, Services,~~ office of ~~children and family services,~~ child support shall  
22 administer the state disbursement unit. The support enforcement program may  
23 contract for the provision of these services in accordance with the applicable  
24 provisions of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes  
25 of 1950 and the Louisiana Procurement Code.

26 \* \* \*

27 §236.12. Plan for parental participation of support; required work activities

28 \* \* \*

1 B. For purposes of this Section:

2 (1) "Department" means the office of child support, ~~child support~~  
3 ~~enforcement section, office of children and family services~~, Department of Children  
4 and Family Services.

5 \* \* \*

6 §236.14. Employer reporting program

7 \* \* \*

8 D.(1) An employer shall report to the Department of Children and Family  
9 Services, ~~office of children and family services~~, ~~child support enforcement section~~  
10 any of the following:

11 \* \* \*

12 §236.15. Limited administrative authority for certain paternity and child support  
13 actions

14 A.

15 \* \* \*

16 (1) In cases in which the Department of Children and Family Services, office  
17 of ~~children and family services~~, ~~child support enforcement section~~, child support,  
18 referred to in this Section as "agency", is providing services, the agency may, in  
19 cases in which paternity is at issue, order all parties to submit to genetic testing.

20 \* \* \*

21 §236.16. Child support mortgage and privilege by affidavit; effect of filing

22 A. The program executive director of the office of child support, ~~child~~  
23 ~~support enforcement section, office of children and family services~~, Department of  
24 Children and Family Services may cause a "Child Support Mortgage and Privilege  
25 by Affidavit of DCFS", as provided in R.S. 13:4291(B), to be recorded in the  
26 mortgage records of any parish in which the support obligor owns movable or  
27 immovable property, and with the office of the secretary of state for inclusion in the  
28 master index authorized under R.S. 10:9-519. Such affidavit when filed shall operate  
29 as a first lien, privilege, and legal mortgage on all of the movable and immovable  
30 property of the support obligor only from the date of such filing, and shall not affect

1           liens, privileges, chattel mortgages, or security interests as provided in R.S. 10:9-101  
 2           et seq. or mortgages already affecting or burdening such property at the date of such  
 3           filing. Such filing shall apply to all unpaid support obligations that may accrue after  
 4           such filing, and the property of the support obligor shall be subject to seizure and  
 5           sale for the payment of such support obligation and arrearages according to the  
 6           preference and rank of the lien, privilege, security interest, and mortgage securing  
 7           their payment. Notwithstanding any provision of this Subsection, such affidavit shall  
 8           not operate as a lien, privilege, or legal mortgage on any licensed or titled motor  
 9           vehicle.

10                   B. The ~~director~~ assistant secretary of the office of child support ~~child support~~  
 11           ~~enforcement section, office of children and family services,~~ Department of Children  
 12           and Family Services, or his designee, may release all or any portion of the property  
 13           subject to any lien or judgment obtained pursuant to this Section from such lien or  
 14           judgment, or may subordinate such lien or judgment to other liens and encumbrances  
 15           if he determines that the support obligation and arrearages are sufficiently secured  
 16           by a lien or judgment on other property or through other security, or that the release,  
 17           partial release, or subordination of such lien or judgment will not endanger or  
 18           jeopardize the collection of support obligations or arrearages.

19   \*       \*       \*

20           §238. Unpaid child support, release of information

21   \*       \*       \*

22                   B. The Department of Children and Family Services, office of ~~children and~~  
 23           ~~family services,~~ child support, may participate in cooperative endeavors with private  
 24           attorneys to release information authorized by this Section for the purpose of  
 25           collecting unpaid child support in accordance with the provisions of this Section.

26                   C. When a private attorney retained by the obligee receives a certification  
 27           from the office of ~~children and family services~~ child support that an obligor is in  
 28           arrears in the payment of child support for more than six months or whose  
 29           whereabouts have been unknown for more than six months, the private attorney  
 30           retained by the obligee may apply to the district court for the parish where the order

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

1 is being enforced for an ex parte order on a motion to determine that the obligor is  
2 in arrears or is an absentee.

3 D. If the court finds that the obligor is in arrears for more than six months  
4 or whose whereabouts have been unknown for more than six months, the court may  
5 authorize the office of ~~children and family services~~ child support to enter into  
6 cooperative endeavors with a private attorney who has been retained by the obligee  
7 for the purpose of collecting the unpaid child support in the obligee's case.

8 E. Pursuant to a cooperative endeavor authorized by the provisions of this  
9 Section and to the extent allowed by state and federal laws and regulations, the office  
10 of ~~children and family services~~ child support shall provide to a private attorney who  
11 has been retained by the obligee for the purpose of collecting unpaid child support  
12 all of the following information that it may have regarding the obligor:

13 \* \* \*

14 (7) Any other information which the office of ~~children and family services~~  
15 child support reasonably believes will assist in the collection of child support.

16 \* \* \*

17 F. Nothing in this Section shall authorize the Department of Children and  
18 Family Services or the office of child support ~~enforcement section~~ to contract for  
19 hire with any private attorney or entity for the collection of child support or the  
20 provision of IV-D services.

21 \* \* \*

22 §281. Applicability

23 The provisions of this Subpart shall apply to persons who contract with ~~the~~  
24 ~~office of children and family services~~ of the Department of Children and Family  
25 Services to provide temporary or long-term foster care for not more than six  
26 children.

27 \* \* \*

1           §1002. Vocational testing and counseling; purpose; duties of ~~the office of children~~  
2                           Louisiana Works ~~and family services~~

3           A. ~~The Department of Children and Family Services, office of children and~~  
4           ~~family services;~~ Louisiana Works, shall provide, in each of its regional offices,  
5           vocational testing and counseling on the subjects of higher education and  
6           employment for those individuals in long-term foster care at the youngest age  
7           deemed appropriate to process the information.

8           B. Through vocational testing, ~~the office of children and family services~~  
9           Louisiana Works shall seek to identify areas of potential interest and potential  
10          employment that are specific to an individual in foster care and, to this end, the  
11          office shall:

12   \*       \*       \*

13          C. ~~The office of children and family services~~ Louisiana Works shall adopt  
14          all necessary rules and regulations to carry out the provisions of this Chapter.

15   \*       \*       \*

16          §2136.2. Louisiana Protective Order Registry

17   \*       \*       \*

18          F. The judicial administrator's office shall make the Louisiana Protective  
19          Order Registry available to state and local law enforcement agencies; ~~;~~ district  
20          attorney offices; ~~;~~ the Department of Children and Family Services, office of ~~children~~  
21          ~~and family services, child support enforcement section;~~ child support; the Louisiana  
22          Department of Health; ~~;~~ bureau of protective services; ~~;~~ the office of elderly affairs; ~~;~~  
23          elderly protective services; ~~;~~ the office of the attorney general; ~~;~~ and the courts.

24   \*       \*       \*

25          Section 16. R.S. 47:299.11(1), 299.41(B), 463.112(C), and 9027(C)(10)(introductory  
26          paragraph) and (c) are hereby amended and reenacted to read as follows:

27          §299.11. Ranking and priority of claims

28                           If two or more agencies file offset claims with the secretary against an  
29          individual's refund, the secretary shall remit the refund to the claimants if sufficient

1 funds exist in the following order with the first offset claim to be paid being  
2 completely satisfied before a second or subsequent offset claim is paid:

3 (1) Claims of ~~the division of support enforcement of the office of children~~  
4 ~~and family services~~ child support, ~~of the~~ Department of Children and Family  
5 Services.

6 \* \* \*

7 §299.41. Ranking and priority of claims

8 \* \* \*

9 B. If additional offset claims are filed with the secretary against an  
10 individual's refund, the secretary shall rank the claims for child support in the same  
11 priority as claims filed by the ~~division of support enforcement of the office of~~  
12 ~~children and family services~~ office of child support, ~~of the~~ Department of Children  
13 and Family Services pursuant to R.S. 47:299.11(1).

14 \* \* \*

15 §463.112. Special prestige license plates; foster and adoptive parenting

16 \* \* \*

17 C. The department shall collect an annual fee of twenty-five dollars for this  
18 special prestige license plate, which shall be dedicated to the Department of Children  
19 and Family Services ~~Services, office of children and family services~~, to be used  
20 solely for foster and adoptive parent recruitment activities. This fee shall be in  
21 addition to the regular motor vehicle license fee provided in R.S. 47:463, and a  
22 handling fee of three dollars and fifty cents to be retained by the department to offset  
23 a portion of administrative costs.

24 \* \* \*

25 §9027. Assignment of deferred lottery annuity prizes

26 \* \* \*

27 C. On the filing by the assignor or the assignee in the Nineteenth Judicial  
28 District Court of East Baton Rouge Parish of a petition seeking approval of a  
29 voluntary assignment, the court shall issue an order approving a voluntary

1 assignment and directing the corporation to make prize payments as a whole or in  
2 part to the assignee if the court finds all of the following:

3 \* \* \*

4 (10) The petition required by this Subsection, shall be accompanied by a  
5 certification from a representative of the Department of Children and Family  
6 Services, office of ~~children and family services~~, child support, stating any of the  
7 following:

8 \* \* \*

9 (c) That the assignor or assignee does currently have a child support  
10 arrearage, or the assignor or assignee does owe an obligation to repay any public  
11 assistance benefits or an overpayment of child support benefits to the Department of  
12 Children and Family Services. The certification from the Department of Children  
13 and Family Services, office of ~~children and family services~~, shall be provided to the  
14 assignor and the assignee promptly upon the request of the assignor or the assignee,  
15 and in no event more than ten business days after said request is received by the  
16 Department of Children and Family Services, office of ~~children and family services~~.  
17 child support.

18 \* \* \*

19 Section 17. R.S. 51:1442(4) is hereby amended and reenacted to read as follows:

20 §1442. Definitions

21 As used in this Chapter, the following words and phrases shall have the  
22 following meanings:

23 \* \* \*

24 (4) "Department" means the Department of Children and Family Services,  
25 office of ~~children and family services~~, ~~child support enforcement section~~. child  
26 support.

27 \* \* \*

28 Section 18. R.S. 36:474(A)(11) and (G) and 477(B)(2) and R.S. 46:51(2) and (14)  
29 and 233.1(A) and (B) are hereby repealed in their entirety.

1           Section 19. This Act shall become effective only if the Act which originated as  
 2           House Bill No. 624 of this 2025 Regular Session of the Legislature is enacted. If House Bill  
 3           No. 624 is enacted then:

4           (A) Sections 1 through 9 and 11 through 18 of this Act shall become effective on  
 5           October 1, 2027.

6           (B) Section 10 of this Act shall become effective on October 1, 2025.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

PRESIDENT OF THE SENATE

---

GOVERNOR OF THE STATE OF LOUISIANA

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



**ACT No. 478**

2025 Regular Session

HOUSE BILL NO. 624

BY REPRESENTATIVES BERAULT, AMEDEE, BACALA, BAMBURG, BILLINGS, BOYER, BRYANT, BUTLER, CARLSON, CARRIER, CARVER, CHENEVERT, COATES, COX, DEWITT, DICKERSON, DOMANGUE, ECHOLS, EDMONSTON, EGAN, FIRMENT, FISHER, FREIBERG, GLORIOSO, HEBERT, HENRY, HORTON, ILLG, JACKSON, MIKE JOHNSON, KERNER, MANDIE LANDRY, TERRY LANDRY, LARVADAIN, MACK, MCMAKIN, MELERINE, OWEN, ROMERO, SCHAMERHORN, SCHLEGEL, SPELL, ST. BLANC, STAGNI, TAYLOR, THOMPSON, VENTRELLA, VILLIO, WALTERS, WILDER, WRIGHT, AND WYBLE AND SENATORS BASS, CARTER, CATHEY, EDMONDS, JENKINS, MCMATH, MIZELL, MYERS, OWEN, PRESSLY, WHEAT, AND WOMACK

1 AN ACT

2 To amend and reenact R.S. 11:780(C)(3)(a)(i), R.S. 14:68.2.1(A) and 74(D)(2), R.S.  
3 15:933.1, R.S. 17:14.1(B)(1) and (C)(5), 3047.6(A), and 3914(M)(1), the heading of  
4 Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950, R.S. 23:1, 2, 3,  
5 6(introductory paragraph), (1), (2), (3), (7), and (15), 7, 12, 14, 17,  
6 73(A)(1)(introductory paragraph), (a) through (c), and (d)(introductory paragraph)  
7 and (ii), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3)(a) and (b), and (E), 76(A),  
8 (B), and (C)(1), (2), and (8)(a), 78(introductory paragraph), (1), and (5), 1600(2) and  
9 (3)(a), 1693(I)(1)(introductory paragraph), (a), and (b)(introductory paragraph), (i),  
10 and (ii), (2), and (3) and (J), R.S. 36:3(3), 4(A)(introductory paragraph) and (6), the  
11 heading of Chapter 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301,  
12 308(A) and (B), and 309 (A)(introductory paragraph), (B)(introductory paragraph),  
13 (C)(introductory paragraph), (D), and (E)(introductory paragraph), R.S. 46:1(2), (4),  
14 and (6), 18(A), 52.1(A) and (B)(1)(introductory paragraph), (2), and (3), 54, 56(A)  
15 and (B)(1), 59, 60, 107(A)(1), 114(A), (B), (C)(1)(introductory paragraph) and (2),  
16 (D), and (E)(1)(introductory paragraph) and (3), 114.1, 114.2, 114.3(A) and (B),  
17 114.4(D) and (E), 116, 230.1(A) and (B), 231(11) and (24), 231.4(A) and (D), 234,  
18 236, 237(A),(E),(F), and (G), 301(A)(1) and (2), 321(2) through (5), 322(2) through

1 (6), 323(introductory paragraph), (3), and (4), 324(A), (B), (C), (D), and  
2 (E)(introductory paragraph), (1), and (2)(introductory paragraph), 325(introductory  
3 paragraph), 326 through 328, 331(A)(1) through (3), 332, 352(1)(a) and (b) and  
4 (2)(a), 431, 433(A), 434, 441, 443, 444, 447, 450.1(A), (B)(4) and (5), and (C)(1)  
5 and (2), 460.1, 460.4(A), 460.5(A), 460.7(A) and (C), 460.8(A)(1) and (B), 460.10,  
6 932(12), and 936, and R.S. 49:191(1)(f) and 1402(1)(d), to enact R.S. 36:309(F) and  
7 R.S. 46:107(E), and to repeal R.S. 23:18 and 34, R.S. 36:308(E), R.S. 46:52.1(C)  
8 through (F), 55, 102, 103, 112, 230.1(C), and 231.14(G)(3), and R.S. 49:1402(1)(a),  
9 relative to the reorganization and restructure of the Louisiana Workforce  
10 Commission and the Department of Children and Family Services; to provide for  
11 certain family and support programs in the Department of Children and Family  
12 Services (DCFS) being transferred to the Louisiana Workforce Commission (LWC)  
13 and the Louisiana Department of Health (LDH); to replace the Department of  
14 Children and Family Services with Louisiana Works or LDH in certain provisions  
15 in Titles 11, 14, 15, 23, and 46 of the Louisiana Revised Statutes of 1950 that  
16 reference DCFS programs that will be transferred to Louisiana Works or LDH; to  
17 change the name of the Louisiana Workforce Commission to Louisiana Works; to  
18 establish the purpose of Louisiana Works; to establish additional duties and powers  
19 of Louisiana Works; to provide for the powers and duties of the secretary of  
20 Louisiana Works; to provide definitions; to provide for integrated case management  
21 and service integration of social service and workforce programs; development  
22 programs; to provide for grants to local workforce development areas; to provide for  
23 SNAP Nutrition Education; to provide for the SNAP Workforce Training and  
24 Education Program; to provide for duties of LDH in regards to administering SNAP;  
25 to provide for SNAP work requirements; to provide for aid to needy families, such  
26 as the Temporary Assistance for Needy Families (TANF) and subsidiary programs  
27 within TANF, such as the Family Independence Temporary Assistance Program  
28 (FITAP), the Kinship Care Subsidy Program, and other educational, employment,  
29 training, and related services programs; to provide for the submission of certain  
30 federal quarterly reports to the legislature; to provide for the Incentive Award

1 Program; to provide for the administration of public assistance benefits payable to  
 2 mentally incapable individuals; to add certain functions to the office of workforce  
 3 development; to transfer certain powers, duties, functions, and responsibilities  
 4 relating to certain programs within the office of family support of DCFS into  
 5 Louisiana Works and LDH; to make technical corrections; to authorize the Louisiana  
 6 State Law Institute to make certain requested changes to references concerning  
 7 LWC; to authorize the office of state register to make all necessary changes for  
 8 applicable references to DCFS and Louisiana Works or LDH; to provide for the  
 9 transfer of monies related to the transferred programs from DCFS to Louisiana  
 10 Works and LDH; to provide for the monies held in the state treasury for the Fraud  
 11 Detection Fund to be transferred to LDH; to provide for the continuity of programs  
 12 and contracts transferred from DCFS to Louisiana Works and LDH; to provide for  
 13 effective dates; and to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 11:780(C)(3)(a)(i) is hereby amended and reenacted to read as  
 16 follows:

17 §780. Reexamination of disability retirees; modification of benefits; restoration to  
 18 active service

19 \* \* \*

20 C.

21 \* \* \*

22 (3)(a) If, pursuant to the provisions of this Subsection, the board of trustees  
 23 reduces the pension of any disability retiree of this system who retired pursuant to  
 24 a reciprocal agreement between this system and any other state or statewide public  
 25 retirement system, the reduction shall be subject to Subparagraph (b) of this  
 26 Paragraph, provided the retiree satisfies all of the following provisions of this  
 27 Subparagraph:

28 (i) The vocational rehabilitation program within ~~the Department of Children~~  
 29 ~~and Family Services~~ Louisiana Works furnishes the retiree with durable medical

1 equipment for use, subject to a requirement that the retiree be engaged in a gainful  
2 occupation for at least twenty hours per week.

3 \* \* \*

4 Section 2. R.S. 14:68.2.1(A) is hereby amended and reenacted to read as follows:

5 §68.2.1. Failure to report unauthorized use of supplemental nutrition assistance  
6 program benefits; penalties

7 A. Employees of ~~the Department of Children and Family Services~~ the  
8 Louisiana Department of Health, owners, employees and operators of retailers that  
9 accept SNAP benefit access device transactions, and adult household members of  
10 SNAP recipients shall report each instance of known fraud or abuse of SNAP  
11 benefits, or any known unauthorized use of SNAP benefits or a SNAP benefit access  
12 device as defined in R.S. 14:68.2, to the ~~fraud detection section, office of children~~  
13 ~~and family services of the Department of Children and Family Services~~ Louisiana  
14 Department of Health via the Public Assistance Fraud Hot-Line as provided for by  
15 R.S. 46:114.1.

16 \* \* \*

17 Section 3. R.S. 14:74(D)(2) is hereby amended and reenacted to read as follows:

18 §74. Criminal neglect of family

19 \* \* \*

20 D.

21 \* \* \*

22 (2) If a fine is imposed, the court shall direct it to be paid in whole or in part  
23 to the spouse or to the tutor or custodian of the child, to the court approved fiduciary  
24 of the spouse or child, or to ~~the Louisiana Department of Children and Family~~  
25 ~~Services~~ Louisiana Works in a FITAP or Family Independence Temporary  
26 Assistance Program case or in a non-FITAP or Family Independence Temporary  
27 Assistance Program case in which the ~~said~~ department is rendering services,  
28 whichever is applicable; hereinafter, ~~said~~ the payee shall be referred to as the  
29 "applicable payee." In addition, the court may issue a support order, after  
30 considering the circumstances and financial ability of the defendant, directing the

1 defendant to pay a certain sum at such periods as the court may direct. This support  
2 shall be ordered payable to the applicable payee. The amount of support as set by  
3 the court may be increased or decreased by the court as the circumstances may  
4 require.

5 \* \* \*

6 Section 4. R.S. 15:933.1 is hereby amended and reenacted to read as follows:

7 §933.1. Office of juvenile justice; statistical data collection; ~~Department of~~  
8 ~~Children and Family Services~~ Louisiana Department of Health

9 A. For the purpose of assisting ~~the Department of Children and Family~~  
10 ~~Services~~ the Louisiana Department of Health in identifying changes in household  
11 circumstances for Supplemental Nutrition Assistance Program benefit allotments, the  
12 office of juvenile justice shall report identifying information to the department of  
13 each juvenile placed under the custody of the office of juvenile justice for a sentence  
14 of nine months or longer. ~~The Department of Children and Family Services~~ The  
15 Louisiana Department of Health shall determine the required information necessary  
16 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~~ the Louisiana Department of Health when the juvenile is released from  
20 custody. For purposes of this Section, the age of majority means a child under the  
21 age of twenty-two.

22 C. The office of juvenile justice shall inform ~~the Department of Children~~  
23 ~~and Family Services~~ the Louisiana Department of Health no later than forty-five days  
24 prior to release of the juvenile from custody. If the office of juvenile justice is unable  
25 to provide notice forty-five days prior to release due to a modification of a  
26 disposition by a court, the office shall notify the department within twenty-four hours  
27 of receipt of the modified disposition.

28 D. Upon receipt of a report from the office of juvenile justice pursuant to this  
29 Section, ~~the Department of Children and Family Services~~ the Louisiana Department



1 §3047.6. Coordination with other agencies

2 A. Notwithstanding any other law to the contrary, the administering agency  
3 shall enter into a memorandum of understanding with ~~the Department of Children~~  
4 ~~and Family Services~~ Louisiana Works and the Louisiana Department of Health to  
5 share information relative to an individual's qualification for certain aid or  
6 governmental benefits. Any information shared or furnished shall be held  
7 confidential by the administering agency and shall be reported in the aggregate only  
8 and contain no personally identifiable information.

9 \* \* \*

10 Section 6. R.S. 17:3914(M)(1) is hereby amended and reenacted to read as follows:

11 §3914. Student information; privacy; legislative intent; definitions; prohibitions;  
12 parental access; penalties

13 \* \* \*

14 M.(1) Notwithstanding any provision of law to the contrary and except as  
15 provided in Paragraph (2) of this Subsection, the governing authority of each public  
16 or nonpublic school or other entity that participates in a meal program through which  
17 students are eligible for the ~~pandemic electronic benefits transfer program~~ or summer  
18 electronic benefits transfer program shall share student information with ~~the~~  
19 ~~Department of Children and Family Services~~ the Louisiana Department of Health for  
20 the purpose of facilitating program administration, including but not limited to the  
21 automatic issuance of benefits to eligible families. Such information shall be limited  
22 to the first name, middle name, last name, address, school site code, student unique  
23 identifier, and date of birth of each student eligible for free or reduced price meals  
24 at school.

25 \* \* \*

26 Section 7. The heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes of  
27 1950, R.S. 23:1, 2, 3, 6(introductory paragraph), (1), (2), (3), (7), and (15), 7, 12, 14, 17,  
28 73(A)(1)(introductory paragraph), (a) through (c), and (d)(introductory paragraph) and (ii),  
29 (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3)(a) and (b), and (E), 76(A), (B), and (C)(1), (2),

1 and (8)(a), 78(introductory paragraph), (1), and (5), 1600(2) and (3)(a), and 1693(J) are  
 2 hereby amended and reenacted to read as follows:

3 CHAPTER 1. ~~LOUISIANA WORKFORCE COMMISSION~~ LOUISIANA WORKS

4 PART I. ESTABLISHMENT, POWERS, AND DUTIES

5 §1. ~~Louisiana Workforce Commission~~ Louisiana Works established; purpose;  
 6 definitions

7 A. ~~The Louisiana Workforce Commission~~ Louisiana Works is hereby  
 8 created and established to operate an integrated workforce development delivery  
 9 system in this state, in particular through the integration of case management, job  
 10 training, employment and employment-related education and training programs, and  
 11 to administer the state's vocational rehabilitation services, independent living  
 12 services, and blind services programs, and to administer the state's unemployment,  
 13 ~~and~~ workers' compensation, and certain family support programs.

14 B. The duties of this ~~commission~~ department shall be exercised and  
 15 discharged under the supervision and direction of the secretary. He shall have charge  
 16 of the administration and enforcement of all laws, rules, policies, and regulations,  
 17 which it is the duty of the ~~commission~~ department to administer and enforce, and  
 18 shall direct all inspections and investigations, except as otherwise provided by law.

19 B.C. The ~~commission~~ department shall meet the needs of all of the following:

20 (1) The employers of this state for the development of a highly skilled and  
 21 productive workforce.

22 (2) The workers of this state for education, skills training, and labor market  
 23 information to enhance their employability, earnings, and standard of living.

24 (3) The people of this state for a smooth and effective transition into the  
 25 workforce, particularly persons receiving public assistance, displaced homemakers,  
 26 displaced workers, adults with limited literacy skills, individuals with disabilities,  
 27 and students moving from school to work.

28 (4) The communities of this state for programs that create jobs, attract  
 29 employers, and encourage business expansion and retention.

30 (5) The taxpayers of this state for the efficient and effective expenditure of  
 31 tax revenues for workforce development.



1 (6) Individuals of this state with disabilities for vocational rehabilitation,  
2 independent living services, and blind services under the Rehabilitation Act and the  
3 Randolph-Sheppard Act.

4 € D. As used in this Title, unless the context clearly indicates otherwise, the  
5 following terms ~~shall be~~ are defined as follows:

6 (1) ~~"Commission" means the Louisiana Workforce Commission.~~

7 (2) (1) "Council" means the Louisiana Workforce Investment Council.

8 (2) "Customer" means an individual who is eligible to receive assistance  
9 through Louisiana Works workforce or social service programs.

10 (3) "Department" means Louisiana Works.

11 (3) ~~(4)~~ "Secretary" means the secretary of the ~~commission~~ department.

12 §2. Domicile of ~~commission~~ department

13 The domicile of ~~the Louisiana Workforce Commission~~ Louisiana Works shall  
14 be at in Baton Rouge.

15 §3. Employees; performance evaluations; salaries and expenses

16 The secretary shall, with the consent of the governor, appoint such assistants,  
17 such heads of divisions or bureaus, and such inspectors, statisticians, accountants,  
18 attorneys, and other employees as may be deemed necessary for the exercise of the  
19 powers and the performance of the duties of the ~~commission~~ department. The  
20 secretary, ~~or a person designated by him~~ his designee, shall develop a system of  
21 annual performance evaluations for all officers and employees of the ~~commission~~  
22 department based on measurable job tasks. The salaries of ~~such~~ the officers and  
23 employees of the ~~commission~~ department shall be fixed by the secretary, with the  
24 approval of the governor. All officers and employees of the ~~commission~~ department  
25 shall receive from the state their necessary and actual expenses while traveling on  
26 the business of the ~~commission~~ department, either within or without the state.

27 \* \* \*

1 §6. Powers and duties

2 In addition to any other powers and duties which may be conferred upon the  
3 secretary by law, he ~~shall~~ may:

4 (1) ~~To the extent feasible under federal law, integrate~~ Integrate the  
5 administration and functions of the programs under the authority of the ~~commission~~  
6 department to achieve efficient and effective delivery of services.

7 (2) Administer each program and implement corresponding federal and state  
8 legislation consolidated under the authority of the ~~commission~~ department in this  
9 Title and other applicable state law.

10 (3) Determine the organization and procedural methods of the ~~commission~~  
11 department in accordance with applicable state and federal laws.

12 \* \* \*

13 (7) Coordinate with affected state agencies and workforce development  
14 entities the integration of the delivery of all education, training, employment,  
15 apprenticeship, and related programs to ~~assure~~ ensure the efficient and effective  
16 provision of these services.

17 \* \* \*

18 (15) Designate an existing senior-level staff member of ~~the Louisiana~~  
19 ~~Workforce Commission~~ Louisiana Works to serve as liaison to the Board of  
20 Elementary and Secondary Education, the Department of Education, the Board of  
21 Regents, and the postsecondary education management boards to facilitate the  
22 identification of regional and statewide workforce needs and work-based educational  
23 and training opportunities and ensure coordination in the delivery of career and  
24 technical education across all educational agencies and institutions.

25 §7. Access to books, accounts, records, etc.

26 The secretary or any duly authorized representative of the ~~commission~~  
27 department shall, for the purpose of examination, have access to and the right to copy  
28 any book, account, record, payroll, paper, ~~or~~ document, or electronic file relating to  
29 the employment of workers.

30 \* \* \*

1 §12. Electronic digitized records; ~~microfilm or microfiche records~~

2 A. The ~~commission~~ department may utilize an ~~imaging~~ or electronic  
3 digitizing process capable of reproducing an unalterable image of the original source  
4 document, ~~or any appropriate form of the microphotographic process,~~ for  
5 recordation, filing, processing, and preservation of any records, forms, information,  
6 statements, transcriptions of proceedings, transcriptions of records, electronic  
7 recordings, letters, memoranda, and other documents and reports to maintain  
8 efficient management and processing of records and to conserve storage space in  
9 administration of this Title.

10 B. The department shall comply with the conversion standards and disposal  
11 request procedures established by the division of archives, records management, and  
12 history of the Department of State in accordance with R.S. 44:39 and 415.

13 \* \* \*

14 §14. Employers to furnish information; keeping of records

15 A. Every employer shall furnish to the ~~commission~~ department all  
16 information which the secretary or his representative may require. Every employer  
17 shall ~~make~~ provide true and specific answers to all questions submitted by the  
18 ~~commission department, orally verbally~~ or in writing, as required by the ~~commission~~  
19 department.

20 B. Every employer shall keep a true and accurate record ~~of including but not~~  
21 limited to the following: the name, address, and occupation of each ~~person employed~~  
22 ~~by him~~ employee, of the daily and weekly hours worked by each employee, and of  
23 the wages paid each pay period to each employee. These records shall be kept on  
24 file for at least one year after the date of the record.

25 \* \* \*

26 §17. Integration of workforce development programs

27 A. All job-training, employment, vocational rehabilitation services,  
28 independent living and blind services programs, and employment-related educational  
29 programs and functions, along with any federal, state, and local revenues that fund  
30 them, shall be integrated into the workforce development delivery system ~~to the~~

1 ~~extent feasible~~, as determined by the secretary, under the authority of the  
2 ~~commission~~ department through its office of workforce development, and all  
3 departments and agencies in which these programs are funded or operated shall  
4 cooperate with the ~~commission~~ department to promptly effect this integration.

5 B. If monies are appropriated by the legislature to conduct a workforce  
6 ~~facility condition~~ economic assessment, ~~service market data study/location analysis,~~  
7 ~~and master plan~~, the secretary ~~shall transfer such monies to the Louisiana~~  
8 ~~Community and Technical College System~~ may contract with any state agency,  
9 higher education provider, or any private provider, subject to state procurement rules  
10 and regulations, to conduct such workforce ~~facility condition~~ economic assessment;  
11 ~~service market data study/location analysis, and master plan in order~~ to maximize the  
12 delivery of workforce training and services throughout the state.

13 C. The secretary shall, to the maximum extent practicable under law,  
14 develop a uniform, statewide customer application and enrollment process to  
15 determine an applicant's eligibility for workforce training and other services  
16 provided by the department.

17 D. The department, in consultation with the Workforce Investment Council  
18 or local workforce development boards, shall develop a comprehensive statewide  
19 workforce plan that aligns with the requirements of the Workforce Innovation and  
20 Opportunity Act of 2014, 29 U.S.C. 3101 et seq., or any superseding federal  
21 legislation. The plan shall include but is not limited to the following:

22 (1) A projected analysis of the workforce needs of employers and customers.

23 (2) Policy standards in programs and processes to ensure statewide program  
24 consistency among regional service areas.

25 (3) State outcome-based standards for measuring program performance to  
26 evaluate quality standards of performance, program efficacy, program viability, and  
27 prompt service to all customers.

28 (4) State oversight systems to review local workforce development board  
29 compliance with state policies.

1                   (5) Elements of regional workforce services plans that relate to statewide  
2                   initiatives and programs.

3                   (6) Strategies to ensure program responsiveness, universal access, and  
4                   unified case management.

5                   (7) Strategies to provide assistance to employees and employers facing  
6                   employment dislocation.

7   \*       \*       \*

8                   §73. Comprehensive labor market information system

9                                   A.(1) The council shall advise and direct on the development and content of  
10                                   a comprehensive labor market information system. The information provided, to the  
11                                   extent practicable, shall reflect the state's overall training and education effort. The  
12                                   system shall contain the following major components, and be regularly updated and  
13                                   readily available in a user-friendly format:

14                                   (a) A comprehensive system of ~~consumer~~ labor market information on  
15                                   employment and training opportunities, ~~continually updated and readily available in~~  
16                                   ~~a user-friendly format.~~

17                                   (b) ~~A report card or~~ An objective factual performance information about  
18                                   existing workforce development activities, ~~continually updated and readily available~~  
19                                   ~~in a user-friendly format.~~

20                                   (c) An information system on projected workforce growth, ~~and~~ job growth,  
21                                   and demand statewide and by geographic regions, periodically updated and readily  
22                                   available in a user-friendly format.

23                                   (d) An automated job-matching information system that is accessible to  
24                                   employers, job seekers, and other users via the ~~Internet~~ internet, and that includes at  
25                                   a minimum the following:

26   \*       \*       \*

27                                   (ii) Job market information based on surveys, including local, state, regional,  
28                                   and national, ~~and international~~ occupational and job availability information.

29   \*       \*       \*

1 C. The council shall designate the ~~commission~~ department as the agency to  
 2 coordinate the development and implementation of the system and to maintain the  
 3 system. In the development and maintenance of the system, the ~~commission~~  
 4 department may use existing data collection systems operated by it, and to the extent  
 5 appropriate, establish electronic linkages to access data in the management  
 6 information systems operated by other departments or offices of state government.  
 7 It shall be readily available for public access through a variety of media, including  
 8 the ~~Internet~~ internet.

9 \* \* \*

10 E.

11 \* \* \*

12 (2) The public entities whose data and assistance shall be considered  
 13 necessary for the system to fulfill its purpose shall include the ~~commission~~  
 14 department, Louisiana Economic Development, and the Departments of Children and  
 15 Family Services, Education, Health, Public Safety and Corrections, ~~Social Services~~,  
 16 and Veterans Affairs, and in the governor's office, the Offices of Elderly Affairs,  
 17 Lifelong Learning, Women's Services, and ~~Workforce Development~~, and the State  
 18 Board of Elementary and Secondary Education, and the Board of Regents and any  
 19 other public entity that the ~~commission~~ department deems necessary.

20 §74. ~~Consumer~~ Customer information

21 For the ~~consumer~~ customer information component of the system, there shall  
 22 be a user-friendly formatted inventory of available training opportunities and, to the  
 23 extent possible, employment opportunities. This component of the system shall be  
 24 available for access on the ~~Internet~~ internet.

25 §75. ~~Report card~~ Data dashboard; data exchange agreements; data distribution;  
 26 personal identification prohibited

27 A. For the ~~report card~~ data dashboard information component of the system,  
 28 there shall be user-friendly formatted, objective factual performance information on  
 29 training programs, including statistical information on ~~placement rates~~ employment  
 30 outcomes, and other relevant data.



1 any employee of the ~~commission~~ department, council, division of administration, or  
2 any contractor working on behalf of either agency, provided their receipt of such  
3 information was in accordance with the provisions of this Subsection.

4 (b) Any such data, as provided in this Section, that is received by any state  
5 agency or any contractor acting on behalf of a state agency pursuant to this  
6 Subsection, ~~must~~ shall be destroyed within thirty days following the completion of  
7 its intended purpose as described in this Section.

8 \* \* \*

9 E. This component of the system shall be developed so that it may be  
10 available for access on the ~~Internet~~ internet.

11 §76. Forecasting

12 A. For the forecasting information component of the system, there shall be  
13 information on projected workforce growth, ~~and~~ job growth, and demand. The  
14 workforce, ~~and~~ job growth, and demand information shall also reflect occupational  
15 information related to those targeted cluster industries identified by Louisiana  
16 Economic Development.

17 B.(1) The information provided on the projected workforce growth shall  
18 include the number of individuals employed and ~~the number of~~ information on the  
19 individuals able and available for employment at present and projected at a future  
20 date certain, both statewide and by geographic regions.

21 (2) Occupational information ~~on targeted cluster industries~~ shall include  
22 ~~occupational~~ occupations within requirements for those industries, training and  
23 education levels required ~~for those occupations~~, and salary information.

24 C.(1) For the purpose of projecting job growth and demand, the  
25 Occupational Forecasting Conference is hereby established as a committee of the  
26 council. The conference shall develop official information regarding the statewide  
27 and regional workforce development needs of current, new, and emerging industries  
28 as the council determines is necessary for both state and regional workforce  
29 development system planning processes and state planning and budgeting. The  
30 information, using quantitative and qualitative research methods, shall include at



1 least short-term and long-term forecasts of employment demand for jobs by  
 2 occupation and industry; current entry and average wage wages forecasts for those  
 3 occupations; and estimates of the supply of trained and qualified individuals  
 4 available for employment in those occupations, with special focus upon those  
 5 occupations and industries which require high skills and have ~~high entry wages and~~  
 6 ~~previous experience wage levels~~ higher than average entry wages and high median  
 7 and experienced wages. In the development of workforce estimates, the conference  
 8 shall use, to the fullest extent possible, local occupational and workforce forecasts  
 9 and estimates.

10 (2) The conference shall review data concerning the local and regional  
 11 demands for short-term and long-term employment primarily in ~~high-skills/high-~~  
 12 ~~wage~~ high-skills or high-wage jobs, as well as other jobs, ~~which data is generated~~  
 13 ~~through surveys conducted as part of the state's Internet-based job matching and~~  
 14 ~~labor market information system~~. The conference shall consider such data in  
 15 developing its forecasts for statewide employment demand, including reviewing the  
 16 local and regional data for common trends and conditions among localities or regions  
 17 which may warrant inclusion of a particular occupation on the statewide  
 18 occupational forecasting list developed by the conference. Based upon its review of  
 19 such survey data, the conference shall also make recommendations semiannually to  
 20 the ~~commission~~ Workforce Investment Council on additions or deletions of  
 21 locally targeted occupations.

22 \* \* \*

23 (8)(a) A final report of the top future growth and demand jobs, statewide and  
 24 by region, and the skills necessary to fill such jobs shall be made available for access  
 25 on the internet and noted in the Louisiana Register as available on the internet. ~~Such~~  
 26 ~~report shall also be available for purchase by private parties for the costs of~~  
 27 ~~reproduction~~. The conference, in coordination with the council, should determine  
 28 a strategy for promoting and disseminating the final report to the appropriate  
 29 stakeholder groups as determined by the council.

30 \* \* \*

1 §78. Workforce information systems

2 The ~~commission~~ department shall implement, subject to legislative  
3 appropriation, automated information systems that are necessary for the efficient and  
4 effective operation and management of the workforce development system. These  
5 information systems shall include but not be limited to the following:

6 (1) An integrated management system for the one-stop service delivery  
7 system, which includes, at a minimum, common registration and intake, screening  
8 for needs and benefits, case ~~planning~~ management and tracking, training benefits  
9 management, service and training provider management, performance reporting,  
10 executive information and reporting, and customer-satisfaction tracking and  
11 reporting.

12 \* \* \*

13 (5) The ~~commission~~ department may procure independent verification and  
14 validation services associated with developing and implementing any workforce  
15 information system.

16 \* \* \*

17 §1600. Benefit eligibility conditions

18 An unemployed individual shall be eligible to receive benefits only if the  
19 administrator finds that:

20 \* \* \*

21 (2)(a) ~~He~~ The individual has done both of the following:

22 (i) Registered ~~registered~~ for work, ~~at, and~~

23 (ii) ~~thereafter has continued~~ Continued to report in accordance with such  
24 regulations ~~as the administrator may prescribe~~ prescribed by the administrator.

25 (b) The administrator may, by regulation, waive or alter either or both of the  
26 requirements of ~~this Section~~ Subparagraph (a) of this Paragraph as to such types of  
27 cases or situations with respect to which he finds that compliance with such  
28 requirements would be oppressive, or would be inconsistent with the purposes of this  
29 Chapter; but no such regulation shall conflict with R.S. 23:1591.

1 (3)(a) All of the following apply:

2 (i) The individual ~~He~~ is able to work;

3 (ii) The individual is available for work;

4 (iii) The individual is actively searching ~~and is conducting an active search~~  
5 for work.

6 \* \* \*

7 §1693. Assignment of benefits; exemption of benefits from levy or execution;  
8 deduction for support; deduction for overissuance of ~~food stamps~~ SNAP  
9 benefits

10 \* \* \*

11 J.(1) If a claimant is eligible to receive any temporary federal emergency  
12 increase in unemployment compensation benefits in addition to the maximum  
13 weekly benefit amounts established in R.S. 23:1474 or any additional federal base  
14 benefit, the claimant, when filing a claim for state unemployment compensation  
15 benefits, may submit to withholding of state income taxes at a rate of four percent.  
16 ~~The Louisiana Workforce Commission~~ Louisiana Works shall electronically report  
17 and remit to the Department of Revenue in the same manner as an "employer" as that  
18 term is defined in R.S. 47:111 and required by R.S. 47:114.

19 (2) ~~The Louisiana Workforce Commission~~ Louisiana Works in consultation  
20 with the Department of Revenue shall promulgate rules and regulations for the  
21 implementation and administration of this Subsection.

22 \* \* \*

23 Section 8. R.S. 23:73(E)(2) is hereby amended and reenacted to read as follows:

24 §73. Comprehensive labor market information system

25 \* \* \*

26 E.

27 \* \* \*

28 (2) The public entities whose data and assistance shall be considered  
29 necessary for the system to fulfill its purpose shall include the ~~commission~~  
30 department, Louisiana Economic Development, and the Departments of Children and



1 (b) The administrator shall deduct and withhold from any unemployment  
2 compensation payable to an individual who owes an uncollected overissuance of  
3 ~~food stamps~~ SNAP benefits:

4 (i) Any amount specified by the individual to the administrator to be  
5 deducted and withheld under this Subsection if the administrator also receives  
6 confirmation from the Louisiana Department of ~~Children and Family Services~~ Health  
7 that there has been an enforceable determination of overissuance.

8 (ii) Any amount determined pursuant to an agreement, if any, between the  
9 individual and the Louisiana Department of ~~Children and Family Services~~ Health pursuant to Section 13(c)(3)(A) of the Food Stamp Act of 1977, 7 U.S.C.  
10 Health pursuant to Section 13(c)(3)(A) of the Food Stamp Act of 1977, 7 U.S.C.  
11 2022(c)(3)(A).

12 \* \* \*

13 (2) Any amount deducted and withheld ~~under~~ pursuant to this Subsection  
14 shall be paid by the administrator to the Louisiana Department of Health ~~Children~~  
15 ~~and Family Services~~, or its designated office.

16 (3) Any amount deducted and withheld from payable benefits ~~under~~ pursuant  
17 to this Subsection shall for all purposes be treated as if it were paid to the individual  
18 as unemployment compensation and paid by such individual to the Louisiana  
19 Department of Health ~~Children and Family Services~~ as repayment of the uncollected  
20 overissuance of ~~food stamp allotments~~ SNAP benefits.

21 \* \* \*

22 Section 10. R.S. 36:3(3), 4(A)(introductory paragraph) and (6), the heading of  
23 Chapter 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301, 308(A) and (B), and  
24 309(A)(introductory paragraph), (B)(introductory paragraph), (C)(introductory paragraph),  
25 (D), and (E)(introductory paragraph) are hereby amended and reenacted to read as follows:

26 §3. Definitions

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

29 \* \* \*

1 (3) "Department" means a department of the executive branch of state  
2 government created or continued in this Title in accordance with the constitutional  
3 mandate contained in Article IV, Section 1 and in Article XIV, Section 6 of the  
4 Constitution of Louisiana and shall include ~~the Louisiana Workforce Commission~~  
5 Louisiana Works.

6 \* \* \*

7 §4. Structure of executive branch of state government

8 A. In accordance with the provisions of Article IV, Section 1 and Article  
9 XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions,  
10 agencies, and instrumentalities of the executive branch of state government, whether  
11 constitutional or statutory, and/or their functions, powers, duties, and responsibilities  
12 shall be allocated, either in the Act by which this Title was created or by legislation  
13 enacted subsequent thereto, within the departments listed in this Section, except as  
14 provided in Subsections B and C of this Section, and in order to comply with this  
15 constitutional mandate, the agencies of the executive branch of state government  
16 hereinafter enumerated, whether heretofore created by the constitution or by statute,  
17 ~~and/or~~ or their functions, powers, duties, and responsibilities are allocated, in the  
18 manner hereinafter set forth in this Title, within the following designated  
19 departments:

20 \* \* \*

21 (6) ~~Louisiana Workforce Commission~~ Louisiana Works.

22 \* \* \*

23 CHAPTER 7. ~~LOUISIANA WORKFORCE COMMISSION~~ LOUISIANA WORKS

24 §301. ~~Louisiana Workforce Commission~~ Louisiana Works; creation; domicile;  
25 composition; purposes and functions

26 A. ~~The Louisiana Workforce Commission~~ Louisiana Works is created and  
27 shall be a body corporate with the power to sue and be sued. The domicile of the  
28 ~~commission~~ department shall be in Baton Rouge. ~~The Louisiana Workforce~~  
29 ~~Commission~~ Louisiana Works shall be deemed to be one of the twenty departments

1 of the executive branch of state government as provided in Article IV, Section 1 of  
2 the Constitution of 1974 and as provided in this Title.

3 B. ~~The Louisiana Workforce Commission~~ Louisiana Works, through its  
4 offices and officers, shall administer and enforce laws and programs designed to  
5 protect the economic and physical well-being of Louisiana's workforce and pursue  
6 the availability of the workforce to meet the needs of the economy. The ~~commission~~  
7 department shall coordinate and administer programs conducted by the state, or  
8 jointly with federal agencies, in the area of labor-management relations, manpower  
9 evaluation and training, vocational rehabilitation, independent living, blind services,  
10 employment, unemployment and workers' compensation, job safety, and the  
11 licensing and regulation of certain types of work. The ~~commission~~ department shall  
12 be responsible for delivering workforce development solutions for businesses and  
13 economic sectors of the economy and coordinating with other state agencies and  
14 offices for the delivery of workforce development solutions as provided for in R.S.  
15 23:1801. The ~~commission~~ department shall perform functions related to  
16 administration of the community services block grant for which provision is initially  
17 made in the Omnibus Budget Reconciliation Act of 1981.

18 C.(1) ~~The Louisiana Workforce Commission~~ Louisiana Works shall be  
19 composed of the executive office of the secretary, the office of management and  
20 finance, the office of workforce development, the office of unemployment insurance  
21 administration, the office of workers' compensation administration, ~~the office of~~  
22 ~~occupational information services~~, and such other offices as shall be created by law.  
23 The Louisiana Workforce Investment Council, as more specifically provided in R.S.  
24 23:2042 et seq., shall be placed within the executive office of the secretary.

25 (2) Except when changes are necessary for the efficient delivery of  
26 workforce development solutions for businesses and economic sectors of the  
27 economy, whenever the secretary determines that the administration of the functions  
28 of the ~~commission~~ department may be more efficiently performed by eliminating,  
29 merging, or consolidating existing offices or establishing new offices, the secretary  
30 shall present a plan therefor to the legislature for its approval by statute.

31 \* \* \*

1 §308. Offices; purposes and functions

2 A. The purposes for which the offices of ~~the Louisiana Workforce~~  
3 ~~Commission~~ Louisiana Works are created shall be as set forth in this Section.

4 B.(1) The office of workforce development shall perform the functions of  
5 the state relating to the administration, enforcement, supervision, and direction of  
6 programs related to the formulation of standards and policies promoting the welfare  
7 of wage-earning women; the employment of individuals with disabilities; vocational  
8 rehabilitation; occupational information services; independent living; blind services;  
9 customer service delivery; employment; training; minimum wage standards; welfare  
10 of workers and labor disputes, including the promotion of voluntary conciliation of  
11 disputes; regulation and certification of private employment agencies; minor labor  
12 laws; the formulation of policy relative to labor apprenticeship; worker protection  
13 programs, including medical payment; and employment security and employment  
14 service field services, all in accordance with applicable laws.

15 (2) In addition to Paragraph (1) of this Subsection, the office of workforce  
16 development shall also perform the functions of the state relating to data processing  
17 and the development, analysis, and dissemination of labor market and occupational  
18 information, including but not limited to training and forecasting data.

19 \* \* \*

20 §309. Transfer of agencies to ~~Louisiana Workforce Commission~~ Louisiana Works

21 A. The following agencies are transferred to and hereafter shall be within ~~the~~  
22 ~~Louisiana Workforce Commission~~ Louisiana Works, as provided in R.S. 36:802:

23 \* \* \*

24 B. The following agencies are transferred to and hereafter shall be within the  
25 ~~Louisiana Workforce Commission~~ Louisiana Works, as provided in R.S. 36:901 et  
26 seq.:

27 \* \* \*

28 C. The following agencies are transferred to and hereafter shall be within ~~the~~  
29 ~~Louisiana Workforce Commission~~ Louisiana Works as provided in R.S. 36:803:

30 \* \* \*



1 D. The powers, duties, functions, and responsibilities relating to Louisiana  
 2 Rehabilitation Services (R.S. 23:3001 et seq.) are hereby transferred to ~~the Louisiana~~  
 3 ~~Workforce Commission~~ Louisiana Works to be exercised and performed by the  
 4 ~~executive director~~ secretary, in accordance with the provisions of R.S. 36:921 et seq.

5 E. The following agencies are transferred to and hereafter shall be within ~~the~~  
 6 ~~Louisiana Workforce Commission~~ Louisiana Works and shall perform and exercise  
 7 their powers, duties, functions, and responsibilities as provided by law:

8 \* \* \*

9 Section 11. R.S. 36:309(F) is hereby enacted to read as follows:

10 §309. Transfer of agencies to ~~Louisiana Workforce Commission~~ Louisiana Works

11 \* \* \*

12 F. The powers, duties, functions, and responsibilities related to the  
 13 Temporary Assistance for Needy Families (TANF) program, including employment  
 14 and training programs, are hereby transferred to Louisiana Works to be exercised and  
 15 performed by the secretary, in accordance with the provisions of Part II of Chapter  
 16 22 of Title 36, R.S. 36:851 et seq.

17 Section 12. R.S. 46:18(A), 52.1(A) and (B)(1)(introductory paragraph), (2), and (3),  
 18 114(E)(1)(introductory paragraph) and (3), 114.1, 114.4(D) and (E), 116, 234, 301(A)(1) and  
 19 (2), 321(2) through (5), 322(2) through (6), 323(introductory paragraph), (3), and (4),  
 20 324(A), (B), (C), (D), and (E)(introductory paragraph), (1), and (2)(introductory paragraph),  
 21 325(introductory paragraph), 326 through 328, 331(A)(1) through (3), 332, 352(1)(b), 431,  
 22 433(A), 434, 460.1(A), (B)(4) and (5), and (C)(1) and (2), 460.4(A), 932(12), and 936 are  
 23 hereby amended and reenacted to read as follows:

24 §18. Health care records; copies

25 A. The provider of health care shall furnish to the claimant, the person  
 26 appointed to represent the claimant in his dealings with the Social Security  
 27 Administration, or an agent with written authorization made pursuant to 45 CFR  
 28 164.508, upon request, a copy of any records that are necessary to support his filing  
 29 for social security disability benefits or supplemental security income benefits under  
 30 any provision of the Social Security Act. Cost of each photocopy shall not exceed

1 fifty cents per page for the first five pages and twenty-five cents for each additional  
 2 page except that the amount due shall not be less than the amount paid by the  
 3 ~~Department of Children and Family Services~~ Louisiana Department of Health for  
 4 such copies. Payment for any copies made in connection with disability  
 5 determinations shall be made to the health care provider's agent instead of the health  
 6 care provider when the agent makes the copies.

7 \* \* \*

8 §52.1. Integrated case management; ~~"No Wrong Door"~~ service integration of various  
 9 social service programs

10 A. The legislature recognizes that the ~~department provides~~ Louisiana  
 11 Department of Health, Department of Children and Family Services, and Louisiana  
 12 Works provide services to individuals with multiple needs; however, However, the  
 13 conventional service delivery system of requiring individuals to access various  
 14 offices within the ~~department state~~ to address those multiple needs creates a barrier  
 15 barriers to the delivery of those services and entry into the workforce. Additionally,  
 16 ~~these~~ These needs can be better met, more efficiently and less costly, through  
 17 integrated case management at a ~~"no wrong door"~~ single service location with a  
 18 single case worker. It is the intent of the legislature to ~~provide a social services~~  
 19 ~~department that is streamlined in~~ streamline the delivery of services and ~~incorporates~~  
 20 incorporate integrated case management models for clients and families served by  
 21 multiple departments and programs.

22 B. For purposes of this Section:

23 (1) "Integrated case management" means ~~a team approach to accessing the~~  
 24 ~~needs of a client and, if applicable, the family, establishing a comprehensive plan for~~  
 25 ~~addressing all those needs, and utilizing service integration to deliver required~~  
 26 ~~services. An integrated case management model includes: an accessible,~~  
 27 customer-centered approach that coordinates the necessary services that meet the  
 28 needs of each individual or family which, if applicable, establishes a comprehensive,  
 29 integrated service plan that addresses all of those needs and outcomes, which is  
 30 continually monitored and updated as necessary.

31 \* \* \*



1 to have fraudulently obtained such food stamps or Aid to Families with Dependent  
2 Children, or benefits or assistance from a successor of either program, shall be  
3 ineligible for further participation in the program in accordance with the following  
4 schedule:

5 \* \* \*

6 (3) Persons receiving medical assistance under provisions of Title XIX of the  
7 Social Security Act who have been determined by ~~the Department of Children and~~  
8 ~~Family Services~~ or the Louisiana Department of Health to have fraudulently obtained  
9 such medical assistance may be suspended from the medical assistance program for  
10 twelve months.

11 §114.1. Public Assistance Fraud Hot-Line

12 To encourage the reporting of incidents of public assistance fraud, the  
13 ~~Department of Children and Family Services, office of children and family services,~~  
14 ~~through its fraud detection section,~~ Louisiana Department of Health shall provide a  
15 statewide, toll-free telephone service, known as the Public Assistance Fraud Hot-  
16 Line, when sufficient funds are made available by the legislature for such purpose,  
17 or when funds are available from any other source.

18 \* \* \*

19 §114.4. Fraud Detection Fund

20 \* \* \*

21 D. The monies in the fund may be appropriated by the legislature to the ~~office~~  
22 ~~of children and family services of the Department of Children and Family Services~~  
23 Louisiana Department of Health for the enhancement of fraud detection and recovery  
24 activities in an amount not to exceed the balance on hand in the fund at the end of the  
25 previous calendar year. These funds shall not be used to replace, displace, or  
26 supplant state general funds appropriated for daily operation of any regional fraud  
27 detection activities of the ~~office of children and family services~~ Louisiana  
28 Department of Health.

1 E. All unexpended and unencumbered monies in the fund at the end of each  
 2 fiscal year shall remain in the fund to the credit of the ~~office of children and family~~  
 3 ~~services~~ Louisiana Department of Health.

4 \* \* \*

5 §116. Prima facie proof of pleadings

6 Pleadings filed on behalf of the Department of Children and Family Services  
 7 or the Louisiana Department of Health in actions to recover the value of ineligible  
 8 public financial assistance payments or benefits shall be accompanied by an itemized  
 9 statement of the amount of overissuance or overpayment together with the amount  
 10 to which the recipient was entitled, if any. When accompanied by an affidavit of the  
 11 assistant secretary of the office administering such payments or benefits to the  
 12 correctness thereof as to the truth of the facts alleged to the best of the affiant's  
 13 knowledge and belief, such itemized statement shall be accepted as prima facie proof  
 14 of the disbursement and receipt of said payments and the amount thereof.

15 \* \* \*

16 §234. Judicially appointed curator

17 In lieu of selecting a payee to receive assistance, the ~~Department of Children~~  
 18 ~~and Family Services~~ department, pursuant to federal regulations, may require the  
 19 referral of the case to the district court for a judicially appointed curator. The court  
 20 is authorized to appoint a capable, interested, and willing third person, irrespective  
 21 of whether he is related to the child within any of the degrees of relationship set forth  
 22 in Section 406(a) of Title IV of the Social Security Act, to receive the payments and  
 23 use them in the best interest of the child. The curator shall be accountable at  
 24 whatever intervals are specified by the court and the court shall require a bond or  
 25 whatever other security is deemed necessary by the court to ensure the faithful  
 26 performance of the curator's duties. The curator, upon being appointed, shall take the  
 27 oath and letters of authority may be issued to him. In those instances in which the  
 28 department requires the case be referred to the court for the appointment of a curator,  
 29 each local governing authority shall have the option in any case to provide  
 30 compensation to the curator.

31 \* \* \*

1 §301. Legislative findings; Supplemental Nutrition Assistance Program educational  
2 component; reporting requirements

3 A. The legislature finds and declares the following:

4 (1) The program formerly known as "food stamps" was renamed the  
5 Supplemental Nutrition Assistance Program (SNAP) in October 2008. SNAP is  
6 administered at the federal level by the United States Department of Agriculture  
7 Food and Nutrition Service (FNS) and at the state level by the Louisiana Department  
8 of ~~Children and Family Services~~ Health, hereafter referred to as the "department".

9 (2) SNAP is the cornerstone of the federal food assistance programs and  
10 provides crucial support to needy households and to those making the transition from  
11 ~~welfare~~ public assistance to work.

12 \* \* \*

13 SUBPART E-4. SNAP WORKFORCE TRAINING AND EDUCATION

14 ~~PILOT INITIATIVE~~

15 §321. Findings

16 The legislature hereby finds and declares the following:

17 \* \* \*

18 (2) The Supplemental Nutrition Assistance Program, formerly known as  
19 "food stamps" and referred to ~~hereafter~~ in this Subpart as "SNAP", provides crucial  
20 support to needy households and to persons making the transition from ~~welfare~~  
21 public assistance to work.

22 (3) Pursuant to the federal Food Security Act of 1985, states are required to  
23 provide employment and job training services to SNAP ~~recipients~~ customers who are  
24 not exempt from the mandatory work registration requirements of the program.

25 (4) Federal regulations (~~7 CFR 273.24~~), 7 CFR 273.24, limit the duration of  
26 receipt of SNAP benefits by nonworking, able-bodied adults without dependents who  
27 do not qualify for certain exemptions to a total of three months in any three-year  
28 period. However, states may submit to the federal government applications,  
29 commonly known as "waivers", to have this three-month limit waived. If approved,  
30 such waivers allow able-bodied, nonworking, nonexempt adults to receive SNAP

1 benefits for an unlimited duration ~~provided that~~ if those persons meet other eligibility  
 2 standards of the program. Nationally, waivers of this type have become the standard  
 3 in SNAP rather than the exception, as forty states and territories, including  
 4 Louisiana, had a statewide or territory-wide waiver in effect and six other states and  
 5 territories had a partial-state or partial-territory waiver in effect as of January 1,  
 6 2014.

7 (5) When coordinated and delivered in an effective manner, workforce  
 8 training services for public assistance ~~recipients~~ customers can be of great value to  
 9 persons who desire to become self-sufficient and to businesses that strive for greater  
 10 competitiveness through employing an improved workforce.

11 §322. Definitions

12 As used in this Subpart, the following terms have the meaning ascribed to  
 13 them in this Section:

14 \* \* \*

15 (2) "Customer" means a recipient of SNAP benefits who participates in the  
 16 program provided for in this Subpart.

17 ~~(2) (3)~~ (3) "Department" means the Louisiana Department of ~~Children and~~  
 18 ~~Family Services~~ Health.

19 ~~(3) (4)~~ (4) "FNS" means the Food and Nutrition Service of the United States  
 20 Department of Agriculture, the office of the federal government that administers  
 21 SNAP.

22 ~~(4) "Participant" means a recipient of SNAP benefits who participates in the~~  
 23 ~~pilot initiative provided for in this Subpart.~~

24 (5) ~~"Pilot initiative"~~ "Program" means the workforce training and education  
 25 ~~pilot initiative~~ program provided for in this Subpart.

26 (6) "SNAP" means the Supplemental Nutrition Assistance Program  
 27 administered at the federal level by the Food and Nutrition Service of the United  
 28 States Department of Agriculture and at the state level by the Louisiana Department  
 29 of ~~Children and Family Services~~ Health.

1 §323. Goals

2 The goals of the ~~pilot initiative shall~~ program include, without limitation, the  
3 following:

4 \* \* \*

5 (3) To provide support to SNAP ~~recipients~~ customers who choose to further  
6 their education.

7 (4) To yield a model for incentivizing training and education for public  
8 assistance ~~recipients~~ customers that can be replicated throughout the state.

9 §324. Workforce training and education ~~pilot initiative~~ program; creation; functions

10 A. A workforce training and education ~~pilot initiative~~ program is hereby  
11 created within SNAP for the purpose of improving employment opportunities for  
12 nonworking SNAP ~~recipients~~ customers and enhancing workforce readiness. The  
13 department shall administer the ~~pilot initiative~~ program in accordance with the  
14 provisions of this Subpart.

15 B. The department shall establish the ~~pilot initiative~~ program in a parish with  
16 a population of more than one hundred thousand and less than one hundred fifty  
17 thousand according to the latest federal decennial census and in which is located the  
18 main campus of a public four-year college or university.

19 C. ~~Participants~~ Customers to be served by the ~~pilot initiative~~ program shall  
20 include, exclusively, all ABAWDs residing in the parish who are not exempted by  
21 any federal or state policy, other than through a waiver of such a policy, from the  
22 limitation on SNAP benefits established pursuant to 7 CFR 273.24.

23 D.(1) As a necessary precondition for implementing the ~~pilot initiative~~  
24 program, the department shall ensure that the limitation on duration of the receipt of  
25 SNAP ~~benefit receipt~~ benefits by nonexempt ABAWDs provided in 7 CFR  
26 273.24 is effective in the parish in which the ~~pilot initiative~~ program is established.

27 (2) If nonexempt ABAWDs in the parish in which the ~~pilot initiative~~  
28 program is established are not subject to any limitation on duration of eligibility for  
29 receipt of SNAP benefits as a result of a waiver granted to the state by FNS, then the  
30 department shall cause ~~such~~ the waiver to be rescinded, cancelled, or otherwise  
31 rendered null and without effect for that parish.

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1 (3) Nothing in this Subsection shall be construed to require or prohibit the  
2 continuation or cancellation of any waiver granted to the state by FNS in any parish  
3 other than the parish in which the ~~pilot initiative~~ program is established.

4 E. As its essential function, the ~~pilot initiative~~ program shall provide to each  
5 participant customer, at the time of benefits eligibility redetermination, a six-month  
6 extension of SNAP benefits conditioned upon submission of sufficient  
7 documentation, as determined by the department, of ~~one or more~~ any of the  
8 following:

9 (1) The participant customer meets ~~one or more~~ any of the following criteria  
10 relative to educational advancement:

11 (a) In the previous six months, the participant customer satisfied  
12 requirements established by the department in rule relative to enrollment in an  
13 accredited postsecondary ~~educational~~ education institution that grants associate or  
14 baccalaureate degrees.

15 (b) In the previous six months, the participant customer satisfied  
16 requirements established by the department in rule relative to enrollment in a an  
17 educational program designed to lead to a high school diploma.

18 (c) In the previous six months, the participant customer satisfied  
19 requirements established by the department in rules relative to enrollment in a  
20 general education development test preparation course.

21 (d) The participant customer earned a high school diploma or a general  
22 education development certificate.

23 (2) The participant customer meets criteria relative to workforce readiness  
24 as required by the department in rule. Such criteria may include but shall not be  
25 limited to the following:

26 \* \* \*

27 §325. Duties of ~~participants~~ customers

28 Each participant customer in the ~~pilot initiative~~ program shall do all of the  
29 following:

30 \* \* \*

1           §326. Duties of the department

2                   A. The department shall submit to FNS applications for any waiver,  
 3                   exemption, or other formal authorization and any state plan amendment as may be  
 4                   necessary to implement the ~~pilot initiative~~ program provided for in this Subpart.  
 5                   Such submissions by the department to FNS shall provide for all of the following:

6                           (1) Reinstatement in the parish ~~in which the pilot initiative~~ where the  
 7                           program is established of the limit on receipt of SNAP benefits of three months in  
 8                           a three-year period for ABAWDs.

9                           (2) Establishment of benefit extensions in six-month increments for  
 10                          ~~participants~~ customers who meet workforce training or education requirements of the  
 11                          ~~pilot initiative~~ program.

12                          (3) Any other functions as may be necessary for the department to establish  
 13                          and operate the ~~pilot initiative~~ program in a manner ~~which~~ that conforms with  
 14                          applicable federal and state laws and regulations.

15                   B. The department shall enter into any cooperative endeavor agreements,  
 16                   contracts, and other arrangements with ~~the Louisiana Workforce Commission~~, any  
 17                   other government agency, ~~and~~ or any community partner as may be necessary to  
 18                   ensure adequate availability of workforce training to ~~participants~~ customers in the  
 19                   parish in which the ~~pilot initiative~~ program is established.

20                   C. The department shall institute all departmental policies and procedures  
 21                   necessary to ensure that the process for SNAP benefits eligibility redetermination in  
 22                   the parish ~~in which the pilot initiative~~ where the program is established meets all of  
 23                   the following requirements:

24                           (1) Eligibility redetermination for each ~~participant~~ customer occurs no less  
 25                           frequently than once every six months.

26                           (2) Eligibility redetermination for each ~~participant~~ customer shall  
 27                           include a procedure for collecting and verifying documentation from the ~~participant~~  
 28                           customer of his engagement in a workforce training or education activity as provided  
 29                           in R.S. 46:324.

1                   D.(1)(a) ~~Prior to commencement of the pilot initiative, the~~ The department  
 2 shall transmit notice in writing to all ABAWDs in the parish ~~in which the pilot~~  
 3 ~~initiative~~ where the program is established indicating that continuation of benefits  
 4 beyond the three-month limit that is to be reinstated will be conditioned upon  
 5 engagement by ~~participants~~ customers in acceptable workforce training or education  
 6 activities.

7                   (b) ~~On separate days prior to commencement of the pilot initiative, the~~ The  
 8 department may transmit to ABAWDs in the parish ~~in which the pilot initiative~~  
 9 ~~where the program~~ is established duplicates of the notice provided for in  
 10 Subparagraph (a) of this Paragraph, and may take any other actions it deems  
 11 necessary to provide ABAWDs with adequate notification of the changes in SNAP  
 12 benefits eligibility to be instituted through the ~~pilot initiative~~ program.

13                   (2) ~~Within two weeks of commencement of the pilot initiative, the~~ The  
 14 department shall transmit to each ~~participant~~ customer a form that provides a clear  
 15 description of requirements for continuation of benefits eligibility to be instituted  
 16 through the ~~pilot initiative~~ program, and a space in which the ~~participant~~ customer  
 17 may affirmatively acknowledge that he understands these requirements.

18                   (3) During the operation of the ~~pilot initiative~~ program, the department shall  
 19 promptly notify each ~~participant~~ customer of any decision concerning his eligibility  
 20 for SNAP benefits made pursuant to the redetermination process provided for in  
 21 Subsection C of this Section.

22                   E. The secretary of the department shall promulgate all rules and regulations  
 23 in accordance with the Administrative Procedure Act as ~~may be~~ necessary to  
 24 implement the provisions of this Subpart.

25 §327. Notification to legislative committees; reporting

26                   A. After receiving federal approval as provided in R.S. 46:328 and before  
 27 commencement of the pilot initiative, the department shall transmit to the members  
 28 of the House Committee on Health and Welfare and to the members of the Senate  
 29 Committee on Health and Welfare a written notice that addresses the purpose and  
 30 function of the ~~pilot initiative~~ and indicates the commencement date of the initiative

1 program. The department may transmit the notice required by this Subsection via  
 2 electronic mail.

3 B. ~~No later than twelve months after commencement of the pilot initiative,~~  
 4 ~~and at least annually thereafter, the~~ The department shall annually submit a written  
 5 report providing a summary and evaluation of outcomes of the ~~pilot initiative~~  
 6 program to the House Committee on Health and Welfare and the Senate Committee  
 7 on Health and Welfare. The department may include the report with its submission  
 8 of any other report pertaining to SNAP, including without limitation any report  
 9 required by Subpart E-2 of this Part.

10 §328. ~~Effectiveness contingent upon federal approval; termination~~ Termination of  
 11 the program

12 A. ~~Implementation of the pilot initiative shall be contingent upon approval~~  
 13 ~~by FNS.~~

14 B. ~~(1)~~ Subject to legislative oversight as provided in the Administrative  
 15 Procedure Act, R.S. 49:950 et seq., the department may terminate the ~~pilot initiative~~  
 16 program by emergency rule if the secretary of the department determines that  
 17 workforce participation outcomes or educational attainment have not improved to  
 18 a satisfactory degree as a result of the ~~initiative~~ program.

19 ~~(2) The secretary of the department is hereby authorized and directed to~~  
 20 ~~collaborate with the secretary of the Louisiana Workforce Commission in workforce~~  
 21 ~~participation outcomes evaluation prior to issuing any emergency rule to terminate~~  
 22 ~~the pilot initiative.~~

23 SUBPART E-5. SNAP WORK REQUIREMENTS

24 §331. Findings and intent

25 A. The legislature hereby finds and declares the following:

26 (1) It is the policy of this state to encourage self-sufficiency so that  
 27 Louisianians may reduce dependence on public ~~benefits~~ assistance to meet basic  
 28 needs and become economically self-reliant.

29 (2) The Supplemental Nutrition Assistance Program, formerly known as  
 30 "food stamps" and referred to ~~hereafter~~ in this Subpart as "SNAP", provides support

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1 to needy households and to persons making the transition from ~~welfare~~ public  
2 assistance to work.

3 (3) Federal regulations provided for in 7 CFR 273.24 limit the duration of  
4 receipt of SNAP benefits by nonworking, able-bodied adults without dependents  
5 (ABAWD) who do not qualify for certain exemptions to a total of three months in  
6 any three-year period. However, states may submit to the federal government  
7 applications, commonly known as "waivers", to have this three-month limit waived.  
8 If approved, such waivers allow able-bodied, nonworking, nonexempt adults to  
9 receive SNAP benefits for an unlimited duration if those persons meet other  
10 eligibility standards of the program. Louisiana has long used these waivers to exempt  
11 the majority of able-bodied adults without dependents from the federal work  
12 requirement.

13 \* \* \*

14 §332. Supplemental Nutrition Assistance Program work requirements; restriction  
15 on waivers and exemptions

16 A. Unless expressly required by federal law, the Louisiana Department of  
17 ~~Children and Family Services~~ Health shall not seek, apply for, accept, or renew any  
18 waiver of work requirements established by the Supplemental Nutrition Assistance  
19 Program under 7 U.S.C. 2015(o).

20 B. The Louisiana Department of ~~Children and Family Services~~ Health shall  
21 not exercise the state's option to provide any exemptions from the work requirement  
22 under 7 U.S.C. 2015(o)(6)(F).

23 \* \* \*

24 §352. Definitions

25 As used in this Part, the following definitions apply:

26 (1) "Public assistance" means any of the following:

27 \* \* \*

28 (b) Nutrition assistance benefits of the Supplemental Nutrition Assistance  
29 Program administered by the Louisiana Department of ~~Children and Family Services~~  
30 Health.

31 \* \* \*

1 §431. Curator for receipt and administration of welfare benefits

2 Any mentally incompetent person who is entitled to public assistance or who  
3 has the right to apply for public assistance but cannot make application because of  
4 his incompetency and who does not have a duly appointed and qualified legal  
5 representative, may have a curator appointed for him solely for the purpose of  
6 representing his interest in qualifying for, receiving and administering ~~welfare~~ public  
7 assistance benefits. The appointment shall be made by any court of competent  
8 jurisdiction, subject to the proceedings hereinafter outlined.

9 \* \* \*

10 §433. Bond; account; oath and letters

11 A. The curator shall be accountable at whatever intervals are specified by the  
12 court and the court shall have the right to require a bond or whatever other security  
13 is deemed necessary by the court to ensure the faithful performance of the curator's  
14 duties; ~~the~~ The curator, upon being appointed, shall take an oath; and letters of  
15 authority may be issued to him.

16 \* \* \*

17 §434. Final discharge of curator

18 A. The curator shall be discharged from his duties ~~upon~~ for any of the  
19 following reasons:

20 ~~(a)~~ (1) Upon the interdiction of the incompetent person under existing law; ~~;~~

21 ~~(b)~~ (2) Upon proper proof to the court that the incompetent person has  
22 become sufficiently competent to administer his ~~welfare~~ public assistance benefits;  
23 ~~or;~~

24 ~~(c)~~ (3) Upon the signing of an order by the court that made the original  
25 appointment, upon its own motion, or otherwise, terminating the appointment of the  
26 curator for any other reason.

27 B. Upon being discharged, the curator shall render a full and final accounting  
28 to the court of his administration; and upon so doing, the curator shall be relieved  
29 from any further responsibility and his bond shall be cancelled and whatever other  
30 security may have been given shall be released.

31 \* \* \*

1           §450.1. Electronic authorization and distribution of public assistance benefits and  
2 services

3           A. The office of children and family services, Department of Children and  
4 Family Services, and the Louisiana Department of Health shall contract for the  
5 development and implementation of an electronic issuance system for the  
6 authorization and distribution of benefits and services provided by public assistance  
7 programs. Such programs shall include but not be limited to issuance of benefits and  
8 services of the Supplemental Nutrition Assistance Program and the Family  
9 Independence Temporary Assistance Program (FITAP), and shall require that all  
10 recipients who participate in programs for which benefits and services are authorized  
11 and distributed through the system shall obtain benefits through ~~such~~ the electronic  
12 issuance system, subject only to ~~such~~ the exceptions ~~as shall be~~ necessary for the  
13 effective functioning of the program programs.

14           B. The contract program selected to provide the electronic issuance system  
15 shall include but not be limited to:

16                                   \*       \*       \*

17           (4) ~~Instruction of~~ Instructions for recipients ~~in the~~ on how to use of the  
18 system.

19           (5) ~~Instruction of~~ Instructions for retailers and other participants in the  
20 program ~~in the~~ on how to use of the system.

21                                   \*       \*       \*

22           C. The contract program shall also:

23           (1) Provide merchants the option to utilize commercial point of sale terminals  
24 provided by a third-party processor to interface with the electronic benefits transfer  
25 (EBT) provider selected by the department.

26           (2) Provide for reimbursement by the ~~electronic benefits transfer~~ EBT  
27 provider selected by the department of any and all costs incurred by the merchant in  
28 the processing of benefits under the electronic issuance system for public assistance  
29 programs for telephone monthly service charges and supplies for retailers utilizing  
30 the state-provided EBT equipment.

31                                   \*       \*       \*

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1 §460.4. Educational opportunities to promote self-sufficiency

2 A. The legislature hereby finds that an employment-focused program has  
3 succeeded in reducing ~~welfare~~ public assistance rolls by focusing on the importance  
4 of work as a way of escaping poverty; education and employment can give ~~welfare~~  
5 public assistance recipients the literacy, knowledge, and aptitudes to obtain and  
6 retain private career-path employment; that these programs retain their importance  
7 in reducing ~~welfare~~ public assistance dependency; that new federal legislation places  
8 an increased emphasis on employment and allows the combining of  
9 employment-related activities with educational activities and that to the extent that  
10 they can be funded under the new federal welfare reform program without hindering  
11 the other federally recognized goals, they should be funded.

12 \* \* \*

13 §932. Powers and duties

14 The office shall have the following powers and duties:

15 \* \* \*

16 (12) To administer all federal funds appropriated, allocated, or otherwise  
17 made available to the state for services to the elderly, whether by block grant or in  
18 any other form, with the exception of funds for programs administered by the  
19 Department of Children and Family Services or the Louisiana Department of Health,  
20 on August 15, 1995, or the Louisiana Department of Health on October 1, 2025, and  
21 to distribute those funds in accordance with and consistent with R.S. 46:936.

22 \* \* \*

23 §936. Statement of intent

24 A. It is the intention of the legislature that, insofar as is practical and  
25 consistent with the efficient administration of state government, programs and  
26 services for the elderly population of Louisiana, with the exception of any program  
27 administered by the Department of Children and Family Services or the Louisiana  
28 Department of Health on August 15, 1995, or the Louisiana Department of Health  
29 on October 1, 2025, shall eventually be consolidated within the office of elderly  
30 affairs, to be administered at the local level by the sixty-four parish voluntary  
31 councils on aging.



1                   B. It is further the intention of the legislature that the ~~Office of Elderly~~  
2                   ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,  
3                   or otherwise made available to the state for services to the elderly, whether by block  
4                   grant or in any other form, with the exception of funds for programs administered by  
5                   the Department of Children and Family Services or the Louisiana Department of  
6                   Health on August 15, 1995, or the Louisiana Department of Health on October 1,  
7                   2025. The office of elderly affairs shall distribute such funds in accordance with  
8                   appropriate state and federal requirements and consistent with this Section.

9                   Section 13. R.S. 46:1(2), (4), and (6), 54, 56(A) and (B)(1), 59, 60, 107(A)(1),  
10                  114(A), (B), (C)(1)(introductory paragraph) and (2), (D), and (E)(1)(introductory paragraph),  
11                  114.2, 114.3(A) and (B), 116, 230.1(A) and (B), 231(11) and (24), 231.4(A) and (D), 236,  
12                  237(A),(E),(F), and (G), 352(1)(a) and (2)(a), 441, 443, 444, 447, 450.1(A), 460.1, 460.5(A),  
13                  460.7(A) and (C), 460.8(A)(1) and (B), 460.10, 932(12), and 936 are hereby amended and  
14                  reenacted and R.S.46:107(E) is hereby enacted to read as follows:

15                  §1. Definitions

16                               As used in this Title, the following definitions shall apply:

17   \*           \*           \*

18                               (2) "Department" means the Department of Children and Family Services,  
19                               Louisiana Works, or Louisiana Department of Health.

20   \*           \*           \*

21                               (4) "Parish or district office" means parish or district office of the Department  
22                               of Children and Family Services, Louisiana Works, or Louisiana Department of  
23                               Health.

24   \*           \*           \*

25                               (6) "Secretary" means the secretary of the Department of Children and  
26                               Family Services, Louisiana Works, or Louisiana Department of Health.

27   \*           \*           \*

28                  §54. Parish offices

29                               A. There shall be in each parish of the state a parish office of the department;  
30                               provided that the department may unite two or more parishes and form a district  
31                               office. All duties and responsibilities set forth in this Chapter for parish offices shall  
32                               also apply to the district offices.



1 §60. Educational leaves with pay; federal funds

2 The secretary of the Department of Children and Family Services, Louisiana  
3 Works, and Louisiana Department of Health may grant educational leave with pay  
4 to an employee of the department in compliance with federal administrative rules  
5 and federal laws that allow federal matching funds to be used in further educating  
6 employees of the Department of Children and Family Services, Louisiana Works,  
7 and Louisiana Department of Health in the various states.

8 \* \* \*

9 §107. Appeal and review; venue for judicial review

10 A.(1) The Department of Children and Family Services, Louisiana Works,  
11 and the office of the secretary of the Louisiana Department of Health, through their  
12 respective appeal sections, shall provide for a system of hearings and are responsible  
13 for fulfillment of all hearing provisions as prescribed under Title I, IV-A, X, XIV,  
14 XVI, XIX, or XX of the Social Security Act and under the Food Stamp Act, Public  
15 Law 91-671. Under these provisions, an opportunity for a hearing shall be granted  
16 at the state level to any applicant, ~~or recipient,~~ or customer who makes a timely  
17 request for a hearing because his claim for assistance, services, or nutrition  
18 assistance benefits is denied or is not acted upon with reasonable promptness and to  
19 any recipient who is aggrieved by an agency action resulting in suspension,  
20 reduction, discontinuance, or termination of benefits.

21 \* \* \*

22 E. For purposes of this Section, "customer" means an applicant or recipient  
23 of public assistance benefits and services that fall within the purview of Louisiana  
24 Works.

25 \* \* \*

26 §114. Fraud in obtaining assistance; withholding information concerning property,  
27 income or beneficiary, or personal circumstances

28 A. No person shall obtain or attempt to obtain assistance from ~~the~~  
29 ~~Department of Children and Family Services~~ Louisiana Works or the Louisiana

1 Department of Health by means of any false statement, misrepresentation, or other  
 2 fraudulent device. If during the life, or upon the death, of any person who is  
 3 receiving or has received assistance it is found that the recipient is receiving or has  
 4 received assistance through misrepresentation, nondisclosure of material facts, or  
 5 other fraudulent device, the amount of assistance, without interest, shall be  
 6 recoverable from him or his estate as a debt due the state by court action.

7 B. If at any time during the continuance of public assistance to any person,  
 8 the recipient thereof, or the husband or wife of the recipient with whom he or she is  
 9 living, is possessed or becomes possessed of any property or income in excess of the  
 10 amount declared at the time of application or reinvestigation of his case and in such  
 11 amount as would affect his needs or right to receive assistance, it shall be the duty  
 12 of the recipient, or the husband or wife of the recipient, to notify ~~the Department of~~  
 13 ~~Children and Family Services~~ Louisiana Works or the Louisiana Department of  
 14 Health of possession of such property or income, and the department shall, after  
 15 investigation, either cancel the assistance or alter the amount thereof in accordance  
 16 with the circumstances, provided, that such investigation shows that such property  
 17 or income does affect the need of the recipient or his right to receive assistance. If  
 18 during the life, or upon the death, of any person who is receiving or has received  
 19 assistance it is found that the recipient or his spouse was possessed of any property  
 20 or income in excess of the amount reported that would affect his need or right to  
 21 receive assistance, any assistance paid when the recipient or his spouse was in  
 22 possession of such undeclared property or income shall be recoverable, without  
 23 interest, from him or his estate as a debt due the state by court action. The possession  
 24 of undeclared property by a recipient or his spouse with whom he is living shall be  
 25 prima facie evidence of its ownership during the time assistance was granted, and the  
 26 burden to prove otherwise shall be upon the recipient or his legal representative.

27 C.(1) If the personal circumstances of the recipient change at any time during  
 28 the continuance of assistance, he shall immediately notify ~~the Department of~~  
 29 ~~Children and Family Services~~ Louisiana Works or the Louisiana Department of  
 30 Health of the change. Personal circumstances shall include:

31 \* \* \*



1 misrepresentation, or other fraudulent device or violates the provisions of R.S.  
2 46:114 shall be guilty of theft as provided by R.S. 14:67.

3 §114.3. Regional fraud detection units; investigative subpoenas and subpoenas duces  
4 tecum

5 A. ~~The Department of Children and Family Services~~ Louisiana Works shall  
6 establish, maintain, and provide for fraud detection functions in order to detect fraud  
7 in obtaining public assistance through staff in each region of the state. Each fraud  
8 detection unit shall report each incident of public assistance fraud to the fraud  
9 detection section of the office of children and family services on a monthly basis by  
10 the tenth day of each succeeding month. An annual report of the activities of all fraud  
11 detection units within a state fiscal year shall be submitted by the fraud detection  
12 section to the Senate and House committees on health and welfare by September  
13 first.

14 B. When the secretary of ~~the Department of Children and Family Services~~  
15 Louisiana Works or the secretary's designated representative has evidence that any  
16 person, business, or other legal entity attempted to obtain or obtained assistance or  
17 payment for services or goods from the department by means of any false statement,  
18 misrepresentation, or other fraudulent device, the secretary or the designated  
19 representative may issue an administrative investigation subpoena for deposition  
20 testimony or a subpoena duces tecum to be served upon any person, business, or  
21 other legal entity who is believed to have information, material, or physical evidence  
22 relative to the alleged or suspected violation, for the purpose of producing, revealing,  
23 identifying, or explaining documentary material or other physical evidence. Such  
24 deposition or return of subpoena shall take place in the parish in which the person,  
25 business, or other legal entity upon whom the subpoena has been served resides or  
26 conducts business. The subpoena shall be served by certified mail, return receipt  
27 requested, or by any other means authorized by the Code of Civil Procedure or the  
28 Code of Criminal Procedure for the service of process. The subpoena shall specify  
29 a return date indicating the date by which deposition testimony or information,  
30 material, or physical evidence must be received by the department.

31 \* \* \*

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

1           §116. Prima facie proof of pleadings  
 2                     Pleadings filed on behalf of ~~the Department of Children and Family Services~~  
 3           Louisiana Works or the Louisiana Department of Health in actions to recover the  
 4           value of ineligible public financial assistance payments or benefits shall be  
 5           accompanied by an itemized statement of the amount of overissuance or  
 6           overpayment together with the amount to which the recipient was entitled, if any.  
 7           When accompanied by an affidavit of the assistant secretary of the office  
 8           administering such payments or benefits to the correctness thereof as to the truth of  
 9           the facts alleged to the best of the affiant's knowledge and belief, such itemized  
 10          statement shall be accepted as prima facie proof of the disbursement and receipt of  
 11          said payments and the amount thereof.

12                                     \*       \*       \*

13          §230.1. Legislative intent

14                     A. It is the intent of the legislature that families in Louisiana be strong and  
 15                     economically self-reliant so as to minimize their dependence on government benefits  
 16                     for basic needs. To accomplish this goal, it is the intent of this Part that ~~the~~  
 17                     ~~Department of Children and Family Services~~ Louisiana Works ensures that all cash  
 18                     assistance recipients, with the exception of persons with disabilities or who are  
 19                     incapacitated, are actively and universally engaged in meaningful activities designed  
 20                     to enable their transition from cash assistance to self-reliance. It is the further intent  
 21                     that cash assistance participants demonstrate and are expected to exercise active and  
 22                     diligent personal responsibility in achieving self-reliance through employment and  
 23                     increased workplace literacy. All appropriate state agencies responsible for  
 24                     employment, training, and educating Louisiana's citizens are expected to cooperate  
 25                     in the pursuit of this goal.

26                     B. ~~The Department of Children and Family Services~~ Louisiana Works shall  
 27                     submit written reports on the status of implementation of these provisions to the  
 28                     Performance Review Subcommittee of the Joint Legislative Committee on the  
 29                     Budget in March, 2004 and September, 2004, and thereafter, annually at the same

1 time as the mid-year performance progress report is submitted as provided in R.S.  
 2 39:87.3(A)(2). Such written reports shall include but not be limited to data providing  
 3 performance measures assessing the success of performance-based agreements, job  
 4 readiness, workplace literacy, job development services, and such additional data as  
 5 may be determined by the committee.

6 \* \* \*

7 §231. Aid to needy families; definitions

8 As used in this Subpart, unless the context clearly requires otherwise:

9 \* \* \*

10 (11) "Department" means ~~the Department of Children and Family Services~~  
 11 Louisiana Works.

12 \* \* \*

13 (24) "Secretary" means the secretary of ~~the Department of Children and~~  
 14 ~~Family Services~~ Louisiana Works.

15 \* \* \*

16 §231.4. Immunization compliance; exceptions

17 A. The secretary of ~~the Department of Children and Family Services~~  
 18 Louisiana Works and the secretary of the Louisiana Department of Health shall  
 19 require each recipient or customer of public assistance of the programs described  
 20 herein or his parent or guardian to present to the appropriate local agency issuing the  
 21 public assistance sufficient evidence of immunity or immunization against vaccine-  
 22 preventable diseases according to a schedule promulgated by rule by the office of  
 23 public health of the Louisiana Department of Health. Sufficient evidence that such  
 24 an immunization program is in progress may be substituted for proof of immunity  
 25 or immunization.

26 \* \* \*

27 D. ~~The Department of Children and Family Services~~ Louisiana Works and  
 28 the Louisiana Department of Health shall promulgate rules and regulations in  
 29 accordance with the Administrative Procedure Act to implement the provisions of



1 this Section for programs under the particular department's jurisdiction. The office  
2 of public health shall develop and promulgate by rule the immunization schedule  
3 required herein.

4 \* \* \*

5 §236. Administration of emergency assistance to needy families with children

6 In order to extend and improve services, aid, and care to needy children and  
7 needy families with children in this state, and in order to take full advantage of  
8 existing federally funded programs on a matched basis, ~~the Department of Children~~  
9 ~~and Family Services~~ Louisiana Works shall be the agency of the state of Louisiana  
10 to cooperate with the United States and to administer Title IV-A, Sections 403 and  
11 406 of the Social Security Act (42 U.S.C. 603 and 606) or any amendments thereto,  
12 relating to emergency assistance to needy families with children, and to receive and  
13 expend federal moneys for these services.

14 \* \* \*

15 §237. Kinship Care Subsidy Program

16 A. Creation. There is hereby established a Kinship Care Subsidy Program in  
17 ~~the office of children and family services of the Department of Children and Family~~  
18 ~~Services~~ Louisiana Works, for the purpose of assisting eligible kinship caregivers,  
19 including grandparents, step-grandparents, or other adult relatives within the fifth  
20 degree who have legal custody or guardianship of their minor relatives.

21 \* \* \*

22 E. Subsidy amounts. ~~The office of children and family services~~ Louisiana  
23 Works shall promulgate rules and regulations to establish the amount of the subsidy  
24 to be awarded on behalf of each minor relative.

25 F. Rules, regulations, and procedures. ~~The office of children and family~~  
26 ~~services~~ Louisiana Works shall promulgate rules and regulations to provide for any  
27 other eligibility requirements which are reasonably necessary to administer the  
28 Kinship Care Subsidy Program in accordance with this Section and any federal  
29 requirements, to promote the safety and well-being of any minor relative for whom  
30 subsidies are issued, and to establish procedures for reconsideration of eligibility of  
31 applicants no less than annually.

1                   G. Administration and funding. The subsidy provided for in this Section shall  
2                   be administered by ~~the office of children and family services~~ Louisiana Works and  
3                   funded through the TANF block grant.

4   \*           \*           \*

5                   §352. Definitions

6                                   As used in this Part, the following definitions apply:

7                                   (1) "Public assistance" means any of the following:

8                                   (a) Cash benefits of the Family Independence Temporary Assistance  
9                   Program administered by ~~the Department of Children and Family Services~~ Louisiana  
10                   Works.

11   \*           \*           \*

12                   §441. Surviving spouse of public assistance recipients; retention of benefits received  
13                   during month of death

14                                   A surviving spouse of a ~~general~~ public assistance recipient is hereby  
15                   authorized to receive and retain any financial assistance paid by ~~the Department of~~  
16                   ~~Children and Family Services~~ Louisiana Works to or for the benefit of ~~said~~ the  
17                   recipient during the month of the death of said recipient, whether or not the check  
18                   covering ~~such~~ the public assistance was actually received prior to the death of the  
19                   recipient.

20   \*           \*           \*

21                   §443. Exemption of income and resources

22                                   The secretary of ~~the Department of Children and Family Services~~ Louisiana  
23                   Works and the secretary of the Louisiana Department of Health are hereby  
24                   authorized to adopt income and resources exemption policies to the extent necessary  
25                   to conform with the federal Economic Opportunity Act, any social security  
26                   provision, and any other laws of congress to obtain federal block grant or matching  
27                   funds for the state's public assistance program. Such income and resources  
28                   exemption policies shall prevail in the event they conflict with R.S. 46:151, 153, 154,  
29                   and 233.

1 §444. Cooperation with administrative agencies relative to interchange of  
2 information

3 ~~The Department of Children and Family Services~~ Louisiana Works is hereby  
4 authorized to provide for interchange of such information necessary in providing for  
5 work training experiences as required by Public Law 90-248, as the secretary of the  
6 United States Department of Health, Education and Welfare, or its successor  
7 department, may require for federal matching purposes.

8 \* \* \*

9 §447. Revision of standard of need; aid to families with dependent children; general  
10 assistance

11 A. The Louisiana Department of Health and ~~the Department of Children and~~  
12 ~~Family Services~~ Louisiana Works jointly shall revise the standard of need for the  
13 Family Independence Temporary Assistanct Program and the general assistance  
14 program each year, basing such standard on the Annual Update of the Poverty  
15 Income Guidelines published by the United States Department of Health and Human  
16 Services. The standard shall reflect the higher of the southern and national averages.  
17 The departments shall cause such revised standard to become effective on January  
18 first of each year.

19 B. Implementation of this provision shall be contingent on the Louisiana  
20 Department of Health and ~~the Department of Children and Family Services~~  
21 Louisiana Works certifying to the commissioner of the division of administration  
22 that the revision will not increase the total state dollar expenditure for the two  
23 departments.

24 \* \* \*

25 §450.1. Electronic authorization and distribution of public assistance benefits and  
26 services

27 A. ~~The office of children and family services, Department of Children and~~  
28 ~~Family Services;~~ Louisiana Department of Health and Louisiana Works shall  
29 contract for the development and implementation of an electronic issuance system  
30 for the authorization and distribution of benefits and services provided by public  
31 assistance programs. Such programs shall include but not be limited to issuance of

1 benefits and services of the Supplemental Nutrition Assistance Program and the  
 2 Family Independence Temporary Assistance Program (FITAP), and shall require that  
 3 all recipients who participate in programs for which benefits and services are  
 4 authorized and distributed through the system shall obtain benefits through such the  
 5 electronic issuance system, subject only to such the exceptions ~~as shall be~~ necessary  
 6 for the effective functioning of the program programs.

\* \* \*

8 §460.1. Submission of quarterly reports to the legislature

9 ~~The Department of Children and Family Services~~ Louisiana Works shall  
 10 submit copies of the federal quarterly ACF-196 and ACF-696 reports to the House  
 11 and Senate committees on health and welfare, the House Committee on  
 12 Appropriations, and the Senate Committee on Finance at the time these reports are  
 13 submitted to the federal government. Upon request, the department shall submit  
 14 copies of any other report the legislature deems necessary.

\* \* \*

16 §460.5. Earned income disregards for certain TANF recipients

17 A. In order to promote self-sufficiency, ~~the Department of Children and~~  
 18 ~~Family Services~~ Louisiana Works shall disregard a recipient's first six months of  
 19 earnings up to nine hundred dollars of gross earnings per month in determining the  
 20 amount of his household's benefit under Temporary Assistance for Needy Families,  
 21 provided that such the recipient is engaged in a work activity which has been  
 22 approved by the department as part of his work participation requirement under  
 23 TANF.

\* \* \*

25 §460.7. Incentive Award Program; dropout reduction; teen pregnancy reduction

26 A. ~~The Department of Children and Family Services~~ Louisiana Works in  
 27 consultation with the Department of Education shall develop and implement a  
 28 special program, the Incentive Award Program, whereby the governing authority of  
 29 a parish and a parish school system may receive a financial award for reducing the  
 30 teen pregnancy rate and dropout rate for the parish.

\* \* \*

1 C. Through the Incentive Award Program, the department shall provide a  
 2 financial award to each of the ten parishes identified in the annual progress report  
 3 ~~which~~ that have demonstrated the most significant reduction in dropout rates, as  
 4 defined by rule of the Department of Education, and in teen pregnancy rates as  
 5 defined by rule of ~~the Department of Children and Family Services~~ Louisiana Works.  
 6 The financial award shall be distributed to ~~such~~ the ten parish school systems. These  
 7 awards may be expended by the parish school system to implement innovative  
 8 community-based and school-based programs designed to further reduce the dropout  
 9 rate and the teen pregnancy rate for the parish and for instructional enhancement  
 10 programs.

11 \* \* \*

12 §460.8. TANF eligibility; teen parent living arrangements; work participation  
 13 requirements; submission of waiver

14 A.(1)(a) Any recipient of Temporary Assistance for Needy Families Block  
 15 Grant (TANF) benefits who is less than eighteen years of age, is not married, and is  
 16 a custodial parent shall live in an approved adult-supervised living arrangement with  
 17 his ~~or her~~ child, except when evidence is presented to a caseworker of ~~the~~  
 18 ~~Department of Children and Family Services~~ Louisiana Works that the teen parent,  
 19 or his ~~or her~~ child, has been subjected to emotional or physical abuse.

20 (b)(i) If the caseworker determines that the teen parent, or his ~~or her~~ child,  
 21 has been subjected to the abuse of an adult with whom they are living in a primary  
 22 relationship and that under the circumstances the teen, and his ~~or her~~ child, would be  
 23 safer living outside the present adult-supervised living arrangement, then the teen  
 24 parent and child shall be allowed to live outside ~~such~~ the adult-supervised living  
 25 arrangement temporarily.

26 (ii) If the teen parent leaves his ~~or her~~ ~~such~~ the adult-supervised living  
 27 arrangement, the caseworker shall monitor the teen's case no less frequently than  
 28 once a month and shall assist the teen parent in locating another approved adult-  
 29 supervised living arrangement, taking into consideration the needs and concerns of  
 30 the teen parent and child.



1 Program. However, no ~~No~~ participant shall be tested if such testing is prohibited by  
 2 federal law. No sanction shall be imposed on an adult participant if such sanction is  
 3 prohibited by federal law.

4 (2) The ~~Such~~ testing program shall provide procedural safeguards to ensure  
 5 the protection of the constitutional rights of the program participants and provide that  
 6 testing shall be done by state certified laboratories.

7 C.(1) The required drug testing program shall require a participant to  
 8 complete an education and rehabilitation program upon the initial identification of  
 9 ~~such~~ the participant as an illegal drug user verified by a positive test result as a  
 10 prerequisite to continued receipt of benefits. Further, the drug testing program shall  
 11 provide for the suspension of participation in ~~such entitlement~~ the public assistance  
 12 program for a participant subsequently identified by a verified positive test result as  
 13 an illegal drug user; ~~however,~~ However, in no event shall participation in ~~such~~  
 14 ~~entitlement~~ the public assistance program be suspended while the participant is  
 15 taking part in the education and rehabilitation program or until an education and  
 16 rehabilitation program is available to the participant.

17 (2)(a) The secretary of ~~the Department of Children and Family Services~~  
 18 Louisiana Works, in conjunction with the secretary of the Louisiana Department of  
 19 Health and the commissioner of administration, shall provide a program of education  
 20 and rehabilitation for participants so identified as illegal drug users.

21 (b) The ~~Such~~ program shall include regulations governing the reentry of a  
 22 suspended ~~recipient participant~~ participant into the ~~entitlement~~ public assistance program based  
 23 on subsequent testing results and completion of education and rehabilitation  
 24 programs.

25 (c) The ~~Such~~ program shall also include the provision of inpatient services  
 26 for any participant identified as an illegal drug user if it is determined that such  
 27 inpatient services are necessary for successful rehabilitation.

28 D. The secretary of ~~the Department of Children and Family Services~~  
 29 Louisiana Works, in consultation with the secretary of the Louisiana Department of  
 30 Health and the commissioner of administration, shall promulgate rules and

1 regulations to implement the provisions of this Section in accordance with the  
 2 Administrative Procedure Act. Such rules and regulations shall provide that the cost  
 3 of testing participants for the presence of illegal drugs and the treatment of such  
 4 participants pursuant to the provisions of this Section shall be borne by the  
 5 department or departments that grant the applicable public assistance.

6 E. The secretary of Louisiana Works shall prepare a written statistical report  
 7 on the program and submit the report to the legislature on or before January 1, 1999  
 8 and annually thereafter.

9 \* \* \*

10 §932. Powers and duties

11 The office shall have the following powers and duties:

12 \* \* \*

13 (12) To administer all federal funds appropriated, allocated, or otherwise  
 14 made available to the state for services to the elderly, whether by block grant or in  
 15 any other form, with the exception of funds for programs administered by the  
 16 Department of Children and Family Services or the Louisiana Department of Health,  
 17 on August 15, 1995, the Louisiana Department of Health on October 1, 2025, or  
 18 Louisiana Works on October 1, 2027, and to distribute those funds in accordance  
 19 with and consistent with R.S. 46:936.

20 \* \* \*

21 §936. Statement of intent

22 A. It is the intention of the legislature that, insofar as is practical and  
 23 consistent with the efficient administration of state government, programs and  
 24 services for the elderly population of Louisiana, with the exception of any program  
 25 administered by the Department of Children and Family Services or the Louisiana  
 26 Department of Health on August 15, 1995, the Louisiana Department of Health on  
 27 October 1, 2025, or Louisiana Works on October 1, 2027, shall eventually be  
 28 consolidated within the office of elderly affairs, to be administered at the local level  
 29 by the sixty-four parish voluntary councils on aging.



1           B. It is further the intention of the legislature that the ~~Office of Elderly~~  
2           ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,  
3           or otherwise made available to the state for services to the elderly, whether by block  
4           grant or in any other form, with the exception of funds for programs administered by  
5           the Department of Children and Family Services or the Louisiana Department of  
6           Health on August 15, 1995, the Louisiana Department of Health on October 1, 2025,  
7           or Louisiana Works on October 1, 2027. The office of elderly affairs shall distribute  
8           such funds in accordance with appropriate state and federal requirements and  
9           consistent with this Section.

\* \* \*

Section 14. R.S. 46:936 is hereby amended and reenacted to read as follows:

§936. Statement of intent

13           A. It is the intention of the legislature that, insofar as is practical and  
14           consistent with the efficient administration of state government, programs and  
15           services for the elderly population of Louisiana, with the exception of any program  
16           administered by the Department of Children and Family Services or the Louisiana  
17           Department of Health on August 15, 1995, the Louisiana Department of Health on  
18           October 1, 2025, or Louisiana Works on October 1, 2027, shall eventually be  
19           consolidated within the ~~office of elderly affairs~~ Department of Elderly Affairs, to be  
20           administered at the local level by the sixty-four parish voluntary councils on aging.

21           B. It is further the intention of the legislature that the ~~Office~~ Department of  
22           Elderly Affairs administer all federal funds appropriated, allocated, or otherwise  
23           made available to the state for services to the elderly, whether by block grant or in  
24           any other form, with the exception of funds for programs administered by the  
25           Department of Children and Family Services or the Louisiana Department of Health  
26           on August 15, 1995, the Louisiana Department of Health on October 1, 2025, or  
27           Louisiana Works on October 1, 2027. The ~~office of elderly affairs~~ Department of  
28           Elderly Affairs shall distribute such funds in accordance with appropriate state and  
29           federal requirements and consistent with this Section.

1 Section 15. R.S. 49:191(1)(f) and 1402(1)(d) are hereby amended and reenacted to  
2 read as follows:

3 §191. Termination of legislative authority for existence of statutory entities; phase-  
4 out period for statutory entities; table of dates

5 Notwithstanding any termination dates set by any previous Act of the  
6 legislature, the statutory entities set forth in this Section shall begin to terminate their  
7 operations on July first of each of the following years, and all legislative authority  
8 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of  
9 July first of the following year, which shall be the termination date:

10 (1) July 1, 2026:

11 \* \* \*

12 (f) ~~The Louisiana Workforce Commission~~ Louisiana Works and all statutory  
13 entities made a part of the department by law.

14 \* \* \*

15 §1402. Definition of terms

16 As used in this Chapter, the following terms have the meanings ascribed to  
17 them in this Section unless otherwise clearly indicated by context:

18 (1) "Agency" means any of the following state departments:

19 \* \* \*

20 (d) ~~Louisiana Workforce Commission~~ Louisiana Works.

21 \* \* \*

22 Section 16. R.S. 23:18 and 34 and R.S. 36:308(E) are hereby repealed in their  
23 entirety.

24 Section 17. R.S. 46:52.1(C) through (F), 55, 102, 103, 112, 230.1(C), and  
25 231.14(G)(3) and R.S. 49:1402(1)(a) are hereby repealed in their entirety.

26 Section 18. The Louisiana State Law Institute is hereby authorized and requested to  
27 change all references in the Louisiana Revised Statutes of 1950 to the Louisiana Workforce  
28 Commission, whether referred to as the "Louisiana Workforce Commission" or  
29 "commission", to "Louisiana Works" or "department" where appropriate. The Louisiana  
30 State Law Institute is hereby further authorized and requested to change all references to the

1 executive director of the Louisiana Workforce Commission, whether referred to as  
2 "executive director of the Louisiana Workforce Commission", "executive director of the  
3 commission", "executive of the department", or "executive director", to "secretary".

4 Section 19. The administrative rules contained in the Louisiana Administrative Code  
5 promulgated by the Department of Children and Family Services, or a successor department,  
6 which govern or are applicable to the programs and operations transferred from the  
7 Department of Children and Family Services, or a successor department, to Louisiana Works  
8 by this Act shall continue to be effective, and the office of state register shall change all  
9 applicable references to the Department of Children and Family Services, or a successor  
10 department, to Louisiana Works and redesignate and renumber, as needed, all applicable  
11 provisions as are necessary to maintain continuity in the Louisiana Administrative Code.

12 Section 20. All monies held in the state treasury for the Fraud Detection Fund on  
13 the effective date of this Section, shall upon that date, be transferred to the Louisiana  
14 Department of Health.

15 Section 21.(A) All Department of Children and Family Services, or a successor  
16 department, contracts related to the operation and administration of the programs and  
17 activities transferred to Louisiana Works by this Act shall be deemed to have been  
18 transferred and assigned to Louisiana Works upon the effective date of this Section without  
19 the necessity of contractual amendment, and Louisiana Works shall be solely responsible for  
20 all related obligations and liabilities arising on or after that effective date.

21 (B) In order to ensure continuity of services during the transition period, any pending  
22 or unfinished business of the programs being transferred over shall be taken over and  
23 completed by Louisiana Works with the same power and authorization as that of the  
24 Department of Children and Family Services, or a successor department.

25 (C)(1) All employees engaged in the performance of duties relating to the functions  
26 of the programs and services transferred from the Department of Children and Family  
27 Services, or a successor department, to Louisiana Works are hereby transferred to Louisiana  
28 Works to carry out the functions of Louisiana Works and its programs and services and shall  
29 continue to perform their duties, subject to applicable state civil service laws, rules, and  
30 regulations. Subject to such laws, positions in the unclassified service shall remain in the

1 unclassified service. Upon the transfer of employees to a board, such employees shall  
2 immediately have the ability to payroll deduct or direct deposit their payroll earnings in  
3 favor of any credit union of which they were members prior to the transfer.

4 (2) The Department of State Civil Service shall assist the Department of Children  
5 and Family Services, or a successor department, and Louisiana Works in all human resource  
6 activities deemed necessary to make such a transfer. All human resource activities shall  
7 include but are not limited to the transfer of personnel files and other related confidential  
8 documents, position descriptions, retirement benefits, and related benefits, including but not  
9 limited to those offered by the Office of Group Benefits.

10 (D) In order to ensure continuity of services, Louisiana Works shall provide  
11 adequate funding from the Temporary Assistance for Needy Families (TANF) program to  
12 the Department of Children and Family Services, or a successor department, to run the child  
13 protection and child welfare services as set forth in an interagency agreement. The amount  
14 and schedule of funding transfers shall be determined based on the agreement between the  
15 secretaries of Louisiana Works and the Department of Children and Family Services, or a  
16 successor department. Both departments agree to work collaboratively to ensure that  
17 adequate financial resources are provided annually. In the event that the secretaries are  
18 unable to reach an agreement regarding the funding provisions, either department may  
19 request a resolution by the commissioner of administration. The commissioner shall  
20 convene a meeting between the secretaries and make a final determination on the proposed  
21 allocation of funding to be included in the annual proposed operating budget.

22 Section 22.(A) The provisions of R.S. 23:73(E)(2) as amended and reenacted in  
23 Section 8 of this Act shall supersede the provisions of R.S. 23:73(E)(2) as amended and  
24 reenacted in Section 1 of Act No. 384 of the 2013 Regular Session of the Legislature when  
25 Section 1 of Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

26 (B) The provisions of R.S. 46:936 as amended and reenacted in Section 14 of this Act  
27 shall supersede the provisions of R.S. 46:936 as amended and reenacted in Section 5 of Act  
28 No. 384 of the 2013 Regular Session of the Legislature when Section 5 of Act No. 384 of  
29 the 2013 Regular Session of the Legislature becomes effective.

1           Section 23.(A) The workforce development programs administered by the  
2 Department of Children and Family Services shall be administered by Louisiana Works, or  
3 its successors. The workforce program includes those consolidated under Skills Employment  
4 and Training, or "SET for Success", or successor programs, the Child Support Enforcement  
5 Employment and Training Program, or a successor program, and the Strategies to Empower  
6 People (STEP) Program, or a successor program.

7           (B) All employees of the Department of Children and Family Services, or a  
8 successor department, whose duties involve the administration or implementation of the  
9 programs provided for in Subsection A of this Section shall be transferred to Louisiana  
10 Works, or its successors, in accordance with applicable civil service laws and regulations.

11           (C) The Department of Children and Family Services, or a successor department,  
12 and Louisiana Works, or its successors, shall execute an interagency agreement to ensure the  
13 continued funding of these programs in a manner consistent with each program's current  
14 funding sources and mechanisms. The agreement shall provide for the allocation of  
15 resources, personnel, and administrative support necessary to maintain uninterrupted  
16 program operations. Louisiana Works, or its successors, shall provide a monthly report and  
17 invoice to the Department of Children and Family Services, or a successor department,  
18 which shall be paid within thirty days of receipt, and provided in a format prescribed by the  
19 Department of Children and Family Services, or a successor department, for an interagency  
20 transfer of funding to Louisiana Works, or its successors.

21           (D) The secretaries of the Department of Children and Family Services, or a  
22 successor department, and Louisiana Works, or its successor, or their respective designees,  
23 shall take all actions necessary to implement the provisions of this Section, including  
24 transferring and assigning contracts and promulgating rules and regulations in accordance  
25 with the Administrative Procedure Act.

26           Section 24.(A) The Disability Determination Services (DDS) program administered  
27 by the Department of Children and Family Services shall be transferred to and administered  
28 by the Louisiana Department of Health, or its successors.

29           (B) All employees of the Department of Children and Family Services, or a  
30 successor department, whose duties involve the administration or implementation of the  
31 DDS program shall be transferred to the Louisiana Department of Health, or its successors,  
32 in accordance with applicable civil service laws and regulations.

1 (C) Upon transfer, the Louisiana Department of Health, or its successors, shall be  
2 the direct recipient of all federal funding for the DDS program from the Social Security  
3 Administration.

4 Section 25. To further improve the financial situation of the state and to more  
5 efficiently and effectively provide services to the citizens of this state, Louisiana Works shall  
6 reduce at least forty employees from its July 1, 2024, employee count through natural  
7 attrition no later than July 1, 2027.

8 Section 26.(A) The administrative rules contained in the Louisiana Administrative  
9 Code promulgated by the Department of Children and Family Services which govern or are  
10 applicable to the programs and operations transferred from the Department of Children and  
11 Family Services to the Louisiana Department of Health by this Act shall continue to be  
12 effective, and the office of state register shall change all applicable references to the  
13 Department of Children and Family Services to the Louisiana Department of Health and  
14 redesignate and renumber, as needed, all applicable provisions as are necessary to maintain  
15 continuity in the Louisiana Administrative Code.

16 (B) All Department of Children and Family Services contracts related to the  
17 operation and administration of the programs and activities transferred to the Louisiana  
18 Department of Health by this Act shall be deemed to have been transferred and assigned to  
19 the Louisiana Department of Health upon the effective date of this Section without the  
20 necessity of contractual amendment, and the Louisiana Department of Health shall be solely  
21 responsible for all related obligations and liabilities arising on or after that effective date.

22 (C) In order to ensure continuity of services during the transition period, any pending  
23 or unfinished business of the programs being transferred over shall be taken over and  
24 completed by the Louisiana Department of Health with the same power and authorization  
25 as that of the Department of Children and Family Services.

26 (D)(1) All employees engaged in the performance of duties relating to the functions  
27 of the programs and services transferred from the Department of Children and Family  
28 Services to the Louisiana Department of Health are hereby transferred to the Louisiana  
29 Department of Health to carry out the functions of the Louisiana Department of Health and  
30 its programs and services and shall continue to perform their duties, subject to applicable  
31 state civil service laws, rules, and regulations. Subject to such laws, positions in the

1 unclassified service shall remain in the unclassified service. Upon the transfer of employees  
2 to the Louisiana Department of Health, such employees shall immediately have the ability  
3 to payroll deduct or direct deposit their payroll earnings in favor of any credit union of which  
4 they were members prior to the transfer.

5 (2) The Department of State Civil Service shall assist the Department of Children and  
6 Family Services and the Louisiana Department of Health in all human resource activities  
7 deemed necessary to make such a transfer. All human resource activities shall include, but  
8 are not limited to the transfer of personnel files and other related confidential documents,  
9 position descriptions, retirement benefits, and related benefits, including but not limited to  
10 those offered by the Office of Group Benefits.

11 (E) The commissioner of administration is hereby authorized and directed to make  
12 necessary adjustments to appropriations for Fiscal Year 2025-2026 to conform with the  
13 provisions of this Act. Adjustments shall be through the notification of appropriation  
14 process or through approval of mid-year adjustments.

15 Section 27.(A) Sections 1, 2, 4, 6, 7, 9, 10, 12, 15, 16, 18, 20, and 23 through 26 of  
16 this Act shall become effective on October 1, 2025.

17 (B) The provisions of Sections 8, 14, and 22 of this Act shall become effective when  
18 Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

19 (C) Sections 3, 5, 11, 13, 17, 19, and 21 of this Act shall become effective October  
20 1, 2027.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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