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2026 Regular Session

ACT No. 9

ENROLLED

SENATE BILL NO. 66

BY SENATOR HODGES AND REPRESENTATIVES CHENEVERT, EDMONSTON AND LARVADAIN

AN ACT

To enact Subpart I of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:360 through 360.1, relative to child custody; to provide relative to testimony of medical experts in certain circumstances; to provide relative to trial procedure in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart I of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:360 through 360.1, is hereby enacted to read as follows:

SUBPART I. MEDICAL EXPERT TESTIMONY

§360. Medical expert testimony; priority for trial

In any proceeding in which a medical expert has been subpoenaed to testify based upon allegations of abuse or neglect of a child, the court shall take the testimony of the medical expert in priority to the parties and other witnesses, absent extenuating circumstances that would prohibit this procedure. The court shall take the testimony of the medical expert for all purposes by which the medical expert's appearance is responsive to a subpoena.

§360.1. Applicability

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The provisions of this Subpart shall apply to child custody proceedings pursuant to Title V of the Civil Code and child in need of care proceedings pursuant to Title VI of the Children's Code.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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2026 Regular Session

ACT No. 11

ENROLLED

SENATE BILL NO. 127

BY SENATOR MILLER

AN ACT

To amend and reenact Code of Civil Procedure Art. 4566(C) and to enact R.S. 9:1026 and 2374, relative to donations; to provide relative to management of affairs of the interdict; to provide relative to donations made by a curator on behalf of an interdict; to provide relative to the net worth of an interdict; to provide relative to donations inter vivos and testamentary and charitable dispositions; to provide with respect to limitations and exceptions on donations and testamentary and charitable dispositions in certain circumstances; to provide with respect to tax exclusions, exemptions, and maximum limits in certain circumstances; to provide relative to forced heirs with disabilities; to provide relative to forced portion in certain circumstances; to provide relative to the net worth of a forced heir with disabilities; to provide for certain terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Art. 4566(C) is hereby amended and reenacted to read as follows:

Art. 4566. Management of affairs of the interdict

* * *

C. A curator may accept donations made to the interdict. A curator shall not

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make donations of the property of the interdict except as provided by law. **A charitable donation inter vivos or testamentary charitable disposition made in compliance with the provisions of R.S. 9:1026 and approved by the court shall not constitute a breach of the fiduciary duty or conflict of interest by the curator even if the curator, undercurator, parent, direct descendant, sibling, or descendant of a sibling of the interdict is affiliated with the charity or a recipient of the donation. A curator without court approval may refuse, renounce, or disclaim a donation, inheritance, or bequest made to an interdict with a direct or beneficial net worth as a trust beneficiary or otherwise of one hundred million dollars or more.**

* * *

Section 2. R.S. 9:1026 and 2374 are hereby enacted to read as follows:

§1026. Interdicts; donations; limitations; net worth

A. Notwithstanding the provisions of R.S. 9:1022 through 1024 and pursuant to Subsection C of this Section, upon request of the curator and undercurator, the court may authorize a curator, in the name of and on behalf of an interdict with a direct or beneficial net worth of one hundred million dollars or more as a trust beneficiary or otherwise, to make the following donations:

(1) Subject to Paragraph (2) of this Subsection and Subsection C of this Section, other than to charitable recipients, an interdict may make, directly or indirectly, donations inter vivos of money and other assets from surplus funds of the interdict utilizing all or a portion of the interdict's annual federal gift tax exclusions pursuant to 26 U.S.C. 2503(b) and the interdict's lifetime credits and exemptions from federal estate tax and the tax on generation skipping transfers, pursuant to 26 U.S.C. 2010 and 2631 et seq., to one or more of the following: an interdict's direct descendant, sibling, descendant of a sibling, stepsibling, descendant of a stepsibling, or step-descendant of a sibling, or to one or more trusts for the benefit of the recipient or one or more class trusts for the benefit of such present and future recipients, including to grantor trusts. Additional

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donations inter vivos pursuant to this Paragraph may be made, except to a stepsibling, descendant of a stepsibling, step-descendant of a sibling, or a trust for the benefit of a stepsibling or step-descendant of a sibling, subject to a maximum lifetime limit of five times the prevailing federal estate tax lifetime exemption equivalent.

(2) Inter vivos noncharitable donations authorized in Paragraph (1) of this Subsection in the name or on behalf of an interdict shall be made in equal amounts to each member of the same class and generation descending from a common parent. Inter vivos noncharitable donations authorized in Paragraph (1) of this Subsection and made to nieces and nephews, including step-nieces and step-nephews, with the same parent shall be made equally to each descendant of that parent of the same generation.

(3) If the federal gift tax has been repealed, cumulative inter vivos transfers otherwise authorized in Paragraph (1) of this Subsection are permitted subject to an aggregate lifetime amount equal to six hundred percent of the highest gift tax lifetime exemption in effect prior to the gift tax being repealed. Annual exclusion donations may be made subject to the provisions of this Section after donations in the maximum allowable amounts pursuant to Paragraph (1) of this Subsection.

(4) Noncharitable testamentary dispositions made upon the death of the interdict, other than through intestacy, including a self-settled trust in which the interdict is a beneficiary may only be made to a direct descendant, sibling, descendant of a sibling of an interdict, one or more trusts for the benefit of such recipients, or one or more class trusts for the benefit of such present and future recipients, including to grantor trusts, but may not be made to a stepsibling, descendant of a stepsibling, or trust for the benefit of such recipient. Testamentary dispositions pursuant to this Paragraph shall be made in equal amounts to recipients of the same class and generation, except that a catch-up bequest may be made to an interdict's direct descendant, sibling, or descendant of a sibling to equalize a donation to a permissible recipient born after inter

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vivos donations were made to other recipients of the same degree.

(5) Nothing in this Section shall be construed to annul or supersede a lawful will or trust in effect prior to a person being interdicted.

(6) Inter vivos charitable dispositions may be made to charitable recipients, including split interest trusts, donor-advised funds, charitable trusts, and private foundations, even if such donees are controlled by a parent, direct descendant, sibling, or descendant of a sibling of an interdict, up to a maximum annual aggregate amount of ten percent of the interdict's net worth in excess of one hundred million dollars. An inter vivos charitable disposition pursuant to this Paragraph shall not be allowed if the interdict's net worth is less than one hundred million dollars.

B. Inter vivos donations, testamentary and charitable dispositions, including a charitable remainder trust, to one or more charities may be made that take effect upon the death of the interdict provided that such charitable donations shall not exceed an aggregate of seventy-five percent of the interdict's gross estate at the time of his death for federal estate tax reporting purposes.

C.(1) The court may authorize a curator to make a donation pursuant to Subsection A of this Section when the procedure provided for in Code of Civil Procedure Articles 4271 and 4566 is complied with and the donation does not materially impair the financial condition of the interdict and is not likely to deprive the interdict of sufficient funds to provide for his future needs and support. The court may require the curator to provide documentation to substantiate the request to make a donation and place the information obtained under seal.

(2) For purposes of this Subsection, it is presumed that a donation does not materially impair the financial condition of the interdict or deprive the interdict of sufficient resources if the curator shows that the direct or beneficial net worth of the interdict is not less than one hundred million dollars as a trust beneficiary or otherwise, after subtracting the value of the donation.

* * *

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§2374. Forced heirs; disability; forced portion; limitations; net worth

Notwithstanding the provisions of Civil Code Article 1495, a forced heir who has attained the age of majority, is permanently incapable of taking care of his person or administering his estate due to mental incapacity, physical infirmity, an inherited incurable disease, or other documented medical condition at the time of the death of a decedent who is an ancestor of such forced heir, and who has a direct or beneficial net worth in excess of fifty million dollars as a trust beneficiary or otherwise, shall have a forced portion of one dollar.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 63

HOUSE BILL NO. 292

BY REPRESENTATIVES BOYD AND TAYLOR

AN ACT

To amend and reenact R.S. 9:3251(A), relative to advances or deposits for a residential or dwelling premises; to permit the extension of a return of advance or deposits to a tenant or lessee; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3251(A) is hereby amended and reenacted to read as follows:

§3251. Lessee's deposit to secure lease; retention by lessor; conveyance of leased premises; itemized statement by lessor

A. Any advance or deposit of money furnished by a tenant or lessee to a landlord or lessor to secure the performance of any part of a written or oral lease or rental agreement shall be returned to the tenant or lessee of residential or dwelling premises within one month after the lease shall terminate. ~~except that~~ However, the landlord or lessor may retain all or any portion of the advance or deposit which is reasonably necessary to remedy a default of the tenant or to remedy unreasonable wear to the premises. If any portion of an advance or deposit is retained by a landlord or lessor, he shall forward to the tenant or lessee, within one month after the date the tenancy terminates or within fifteen days after the date that is one month after the tenancy terminates, an itemized statement accounting for the proceeds

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which are retained and giving the reasons therefor. The tenant shall furnish the lessor a forwarding address at the termination of the lease, to which such statements may be sent.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

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ENROLLED

2026 Regular Session

ACT No. 64

HOUSE BILL NO. 297

BY REPRESENTATIVES MANDIE LANDRY, BAYHAM, BILLINGS, BOURRIAQUE, BOYD, BRYANT, GREEN, DANA HENRY, KERNER, LAFLEUR, TERRY LANDRY, LARVADAIN, LYONS, MCMAHEN, MOORE, MURRAY, NEWELL, SCHLEGEL, TAYLOR, TURNER, AND WALTERS

AN ACT

To amend and reenact R.S. 9:3261.1(B)(2) and (6), (E)(introductory paragraph) and (2), and (H), relative to leases; to expand lease termination to include stalking and cyberstalking; to provide for definitions; to provide for procedures, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3261.1(B)(2) and (6), (E)(introductory paragraph) and (2), and (H) are hereby amended and reenacted to read as follows:

§3261.1. Lease agreements for certain residential dwellings; domestic abuse victims<u>; stalking and cyberstalking</u>

* * *

B. Definitions

* * *

(2) "Domestic abuse" means domestic abuse battery as defined in R.S. 14:35.3 provided that the domestic abuse was committed on the leased premises <u>or stalking or cyberstalking as defined in R.S. 14:40.2 and 40.3.</u>

* * *

(6) "Qualified third party" means the executive director, program director, or another employee of a community-based shelter contracted with the Department of Children and Family Services pursuant to R.S. 46:2124, provided the employee is a Licensed Clinical Social Worker (LCSW)<u>,</u> or ~~possesses a masters degree in~~

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~~Social Work (MSW)~~ a licensed professional counselor, prosecuting attorney, or investigating law enforcement officer who has personal involvement in the investigation or prosecution of any criminal case relative to the domestic abuse or stalking or cyberstalking.

* * *

E. Only a lessee or a household member of the lessee's residential dwelling unit may be considered a domestic abuse victim such that the lessee may request an accommodation ~~under~~ pursuant to this Section. In order for a lessee to receive an early termination as provided in this Section, the lessee shall do all of the following:

* * *

(2) Provide to the lessor reasonable documentation that the lessee seeking an accommodation, or that lessee's household member, was a victim of an act of domestic abuse on the leased premises within the past thirty days. If the stalking or cyberstalking did not occur on the leased premises, the lessee shall provide a written declaration on why residing on the leased premises may pose a threat to the victim's safety as provided by the certification in Subsection H of this Section.

* * *

H. A Certification of Domestic Abuse form as provided for in this Section shall read substantially the same as follows:

(Name of qualified third party and, if applicable, the name of their shelter, office, or agency)

I and/or my *(family or household member)* have suffered domestic abuse as defined in R.S. 9:3261.1 or stalking or cyberstalking as defined in R.S.14:40.2 and R.S. 14:40.3.

Briefly describe the incident giving rise to the claim of domestic abuse:

The incident(s) that I rely on in support of this declaration occurred on the following date(s) and time(s): _____ and at the following location(s): ___ _____.

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If the stalking or cyberstalking did not occur on the leased premises, the reasons why continuing to reside on the leased premises may pose a threat to the victim's safety.

The incident(s) that I rely on in support of this declaration was/were committed by the following person(s), if known: _____.

I state under penalty of perjury under the laws of the state of Louisiana that the foregoing is true and correct. By submitting this statement I do not waive any legally recognized privilege protecting any communications that I may have with the agency or representative whose name appears below or with any other person or entity. I understand that my obligation to pay rent does not end until the early termination date of my lease as decided by the lessor or until I vacate the premises upon receiving agreement by the lessor to terminate my obligations under the lease early. I understand that my lessor may keep my security deposit or other amounts as permitted under law.

Dated at _____, Louisiana, this_____day of ____ 20___.

(Signature of Lessee or Lessee's family or household member)

PRINTED NAME

I verify under penalty of perjury under the laws of the state of Louisiana that I have provided services to the person whose signature appears above and that, based on information communicated to me by the person whose signature appears above, the individual or his or her family or household member has suffered domestic abuse as defined by R.S. 9:3261.1 or stalking or cyberstalking as defined in R.S.14:40.2 and R.S. 14:40.3, and that the individual informed me of the name of the alleged perpetrator of the actions, giving rise to the claim, if known. This verification does not waive any legally recognized privilege that I, my agency, or any of its representatives have with the person whose signature appears above.

Dated this _____ day of _____, 20___.

(Signature of qualified third party)

PRINTED NAME

(License number or organizational tax identification number)

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(Organization name)

(Printed address)

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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2026 Regular Session

ACT No. 130

HOUSE BILL NO. 154

BY REPRESENTATIVE MCMAKIN

(On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact R.S. 9:315.1(C)(8) and to enact R.S. 9:315.1(C)(9) and 405.1 through 405.3, relative to acknowledgment of paternity and collection of child support; to provide for deviation from the child support guidelines; to provide for acknowledgment of paternity for minors; to provide with respect to judicial authorization of acknowledgment of paternity for minors; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:315.1(C)(8) is hereby amended and reenacted and R.S. 9:315.1(C)(9) and 405.1 through 405.3 are hereby enacted to read as follows:

§315.1. Rebuttable presumption; deviation from guidelines by court; stipulations by parties

* * *

C. In determining whether to deviate from the guidelines, the court's considerations may include:

* * *

(8) The status of a parent as an unemancipated minor with limited contractual, procedural, and earning capacity; the availability of familial or other sources of support to the minor parent; and the desirability of continuing the minor parent's education.

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(9) Any other consideration ~~which~~ that would make application of the guidelines not in the best interest of the child or children or inequitable to the parties.

* * *

§405.1. Minors; acknowledgment of paternity

An unemancipated minor who is under sixteen years of age may not enter into an acknowledgment of paternity. An unemancipated minor who is sixteen or seventeen years of age may not enter into an acknowledgment of paternity without judicial authorization.

Revision Comments - 2026

(a) The rights of emancipated minors are governed by Chapter 2 of Title VIII of Book I of the Civil Code and depend upon the type of emancipation.

(b) Unemancipated minors lack the procedural capacity to sue and be sued. Accordingly, the provisions of Civil Code Article 222 and Code of Civil Procedure Article 683 apply in this context and provide for representation by an unemancipated minor's married parents or tutor in a proceeding to acquire judicial authorization.

(c) This provision mirrors Civil Code Articles 90.1 and 2333, which provide that minors under sixteen years of age are not permitted to marry or enter into matrimonial agreements and that sixteen- and seventeen-year-old minors may enter into those contracts under limited circumstances.

§405.2. Minors; judicial authorization of acknowledgment of paternity; venue

A request for judicial authorization pursuant to R.S. 9:405.1 may be submitted to a court of competent jurisdiction in the parish in which the minor parent executing the acknowledgment is domiciled or in the parish in which the child to be acknowledged is domiciled.

§405.3. Minors; application for judicial authorization of acknowledgment of paternity; procedure

A. Upon request by an unemancipated minor who is sixteen or seventeen years of age, the court may authorize the acknowledgment of paternity ex parte after considering the best interest of the minor parent executing the acknowledgment and the best interest of the child to be acknowledged.

B. The court may, in its discretion, require that the minor parent executing the acknowledgment be present to evaluate whether the minor parent understands the nature and consequences of an acknowledgment of paternity, whether the minor

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parent understands his right to seek blood and tissue tests for determination of paternity before executing the acknowledgment, and whether the minor parent has discussed the acknowledgment with his parents or tutor.

Revision Comments - 2026

If the court denies the request, the minor parent may file a petition for judicial emancipation. See Civil Code Article 366.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

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2026 Regular Session

ACT No. 132

HOUSE BILL NO. 170

BY REPRESENTATIVE RISER AND SENATOR CATHEY

AN ACT

To amend and reenact R.S. 9:2779, relative to construction contracts; to provide for definitions; to provide for technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2779 is hereby amended and reenacted to read as follows:

§2779. Construction contracts, subcontracts, and purchase orders; certain provisions invalid

A.(1) For purposes of this Chapter, "construction contract" means any agreement for the design, construction, alteration, renovation, repair, or maintenance of a building, structure, highway, road, bridge, water line, sewer line, oil line, gas line, appurtenance, or other improvement to real property, or repair or maintenance of a highway, road, or bridge, including any moving, demolition, or excavation.

(2) "Construction contract" does not include any design, construction, alteration, renovation, repair, or maintenance of the following:

(a) Any dirt or gravel road used to access oil and gas wells and associated facilities.

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(b) Oil flow lines or gas gathering lines used in association with the transportation of production from oil and gas wells from the point that oil and gas becomes comingled for transportation to oil storage facilities or gas transmission lines.

(c) Any deed, lease, easement, license, or other instrument granting an interest in or the right to possess property even if the instrument includes the right to design, construct, alter, renovate, repair, or maintain improvements on such real property.

(d) Upstream, midstream, or downstream oil, gas, chemical, petrochemical, or fuel manufacturing facilities or infrastructure, including refineries, processing plants, terminals, or associated appurtenant structures and facilities.

~~A.~~ B. The legislature finds that, with respect to construction contracts, subcontracts, and purchase orders for public and private works projects, when one of the parties is domiciled in Louisiana, and the work to be done and the equipment and materials to be supplied involve construction projects in this state, ~~provisions in~~ any provision in such agreements requiring disputes ~~arising thereunder~~ to be resolved in a forum outside of this state or requiring their interpretation to be governed by the laws of another jurisdiction are inequitable and against the public policy of this state.

~~B.~~ C. The legislature hereby declares null, ~~and~~ void, and unenforceable as against public policy any provision in a contract, subcontract, or purchase order, as described in Subsection ~~A~~ B of this Section, which either:

(1) Requires a suit or arbitration proceeding to be brought in a forum or jurisdiction outside of this state; rather, such actions or proceedings may be pursued in accordance with the Louisiana Code of Civil Procedure or other laws of this state governing similar actions.

(2) Requires interpretation of the agreement according to the laws of another jurisdiction.

~~C.~~ D. The provisions of this Section apply to contracts, subcontracts, and purchase orders~~,~~ as described in Subsection ~~A,~~ B of this Section ~~entered into on or after September 6, 1991~~.

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~~D.~~ E. Notwithstanding any other provisions of law to the contrary, the provisions of this Section ~~shall~~ do not apply to negotiated labor contracts.

Section 2. The provisions of this Act apply to contracts, subcontracts, and purchase orders entered into on or after September 6, 1991.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

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ENROLLED

2026 Regular Session

ACT No. 135

HOUSE BILL NO. 194

BY REPRESENTATIVE RISER AND SENATOR CATHEY

AN ACT

To amend and reenact R.S. 9:5607(A), relative to actions against a professional engineer, surveyor, professional interior designer, architect, or real estate developer; to provide relative to peremptive periods; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:5607(A) is hereby amended and reenacted to read as follows:

§5607. Actions against a professional engineer, surveyor, professional interior designer, architect, real estate developer; peremptive periods

A. No action for damages against any professional engineer, surveyor, engineer intern, surveyor intern, or licensee as defined in R.S. 37:682, or any professional architect, landscape architect, architect intern, or agent as defined in R.S. 37:141, or professional interior designer, or licensee as defined in R.S. 37:3171, or other similar licensee licensed ~~under~~ pursuant to the laws of this state, or real estate developer relative to development plans which have been certified by a professional engineer or professional architect, whether based upon tort, or breach of contract, or otherwise arising out of an engagement to provide any manner of movable or immovable planning, construction, design, or building, which may include but is not limited to consultation, planning, designs, drawings, specifications, investigation, evaluation, measuring, or administration related to any building, construction, demolition, or work, shall be brought unless filed in a court of competent jurisdiction and proper venue at the latest within five years from:

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(1)(a) The date of registry in the mortgage office of acceptance of the work by the owner~~; or~~.

~~(2)~~(b) ~~The date the owner has occupied or taken possession of the improvement, in whole or in part, if no such acceptance is recorded; or~~ If no such acceptance is recorded within six months from the date the owner has occupied or taken possession of the improvement, in whole or in part, the date the improvement has been occupied by the owner.

~~(3)~~(2) The date the person furnishing ~~such~~ the services has completed the services with regard to actions against that person, if the person performing or furnishing the services~~, as described herein,~~ described in this Subsection does not render the services preparatory to construction, or if the person furnishes such services preparatory to construction but ~~the person furnishing such services~~ does not perform any inspection of the work.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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2026 Regular Session

ACT No. 251

ENROLLED

SENATE BILL NO. 185

BY SENATOR PRESSLY AND REPRESENTATIVES WILFORD CARTER, CHASSION, CHENEVERT, GLORIOSO, LARVADAIN, MELERINE, SCHLEGEL AND TAYLOR

AN ACT

To enact Chapter 1-D of Code Title IV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2720.21 through 2720.23, relative to requisites for a valid agreement; to prohibit nondisclosure agreements involving victims of child sexual abuse; to provide for terms and definitions; to provide relative to enforcement of nondisclosure agreements in certain circumstances; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 1-D of Code Title IV of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2720.21 through 2720.23 is hereby enacted to read as follows:

CHAPTER 1-D. TERMINATING RESTRICTIVE ENFORCEMENT OF YOUTH SETTLEMENTS LAW

§2720.21. Short title

This Chapter shall be known and may be cited as the "Terminating Restrictive Enforcement of Youth Settlements Law" or "TREY'S Law".

§2720.22. Definitions

As used in this Chapter, the following terms have the following meanings:

(1) "Minor" means a person who has not attained eighteen years of age.

(2) "Nondisclosure clause" means a provision in a contract or agreement that prohibits one or more parties to the contract or agreement from disclosing conduct or information covered by the terms and conditions of the contract or agreement.

(3) "Sexual abuse" means:

(a) Any sexual act or conduct constituting a crime under the laws of this state, including a sex offense or sexual offense as defined in R.S. 15:541,

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regardless of whether the conduct results in a criminal charge, conviction, adjudication, or sentence.

(b) Any sexual act or conduct constituting abuse as defined in Children's Code Article 603, including the aiding or toleration of a minor's involvement in any sexual act or sexual activity.

§2720.23. Nondisclosure agreements; victims of child sexual abuse; void and unenforceable

A. A nondisclosure clause shall be void and unenforceable as against public policy only to the extent that the nondisclosure clause prohibits the following:

(1) A victim or alleged victim of sexual abuse against a minor from disclosing that act of sexual abuse, or facts related to that act of sexual abuse.

(2) Any other person from disclosing facts related to sexual abuse against a minor in support of, in furtherance of, or consistent with the right of a victim or alleged victim to disclose under Paragraph (A)(1) of this Section.

B. Notwithstanding any provision of law to the contrary, nothing in this Section shall be construed to prohibit a person, including a victim or alleged victim of sexual abuse against a minor, from entering into a contract or agreement that restricts the disclosure of information, including the amount or payment terms of a settlement, by another party to the contract or agreement, including an alleged perpetrator, provided that such restriction does not prevent disclosure protected pursuant to Subsection A of this Section.

C. No person may enforce or attempt to enforce a nondisclosure clause provided for in this Section, regardless of the date that the contract or agreement containing the nondisclosure clause was entered into.

Section 2. The provisions of this Act shall apply retroactively and prospectively to any nondisclosure clause in a contract or agreement entered into before, on, or after the effective date of this Act.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature

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

_____
PRESIDENT OF THE SENATE

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 287

HOUSE BILL NO. 112

BY REPRESENTATIVES BAYHAM, ADAMS, AMEDEE, BAGLEY, BILLINGS, CHASSION, CREWS, FISHER, GREEN, JACKSON, TERRY LANDRY, LARVADAIN, MENA, MILLER, MURRAY, NEWELL, SPELL, TAYLOR, AND WALTERS

AN ACT

To amend and reenact R.S. 9:355.2, relative to the relocation of a child; to specify how miles are measured for relocation of a child; to provide for technical changes; to provide for applicability; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:355.2 is hereby amended and reenacted to read as follows:

§355.2. Applicability

~~A. This Subpart shall apply to an order regarding custody of or visitation with a child issued:~~

~~(1) On or after August 15, 1997.~~

~~(2) Before August 15, 1997, if the existing custody order does not expressly govern the relocation of the child.~~

~~B.~~ A. This Subpart ~~shall apply~~ applies to a proposed relocation when any of the following exist:

(1) There is intent to establish the principal residence of a child at any location outside ~~the~~ this state.

(2) There is no court order awarding custody and there is an intent to establish the principal residence of a child at any location within ~~the~~ this state that is at a distance of more than seventy-five miles from the domicile of the other parent.

(3) There is a court order awarding custody and there is an intent to establish the principal residence of a child at any location within ~~the~~ this state that is at a

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distance of more than seventy-five miles from the principal residence of the child at the time that the most recent custody decree was rendered.

(4) If either no principal residence of a child has been designated by the court or the parties have equal physical custody, and there is an intent to establish the principal residence of a child at any location within ~~the~~ this state that is at a distance of more than seventy-five miles from the domicile of a person entitled to object to relocation.

~~C.~~ B. To the extent that this Subpart conflicts with an existing custody order, this Subpart shall not apply to the terms of that order that govern relocation.

~~D.~~ C. This Subpart shall not apply when either of the following circumstances exist:

(1) The persons required to give notice of and the persons entitled to object to a proposed relocation have entered into an express written agreement for the relocation of the principal residence of the child.

(2) There is in effect an order issued pursuant to ~~Domestic Abuse Assistance, R.S. 46:2131, et seq., Protection from Dating Violence, R.S. 46:2151, Part II of Chapter 28 of Title 46 or the Post-Separation Family Violence Relief Act or Injunctions and Incidental Orders, Parts IV and V of Chapter 1 of Code Title V of Code Book I of Title 9, except R.S. 9:372.1, all of the Louisiana Revised Statutes of 1950, Domestic Abuse Assistance, Chapter 8 of Title XV of the Children's Code, or any other restraining order, preliminary injunction, permanent injunction, or any protective order prohibiting a person from harming or going near or in the proximity of the other person.~~ any of the following:

(a) Part II of Chapter 28 of Title 46 of the Louisiana Revised Statutes of 1950.

(b) Chapter 28-A of Title 46 of the Louisiana Revised Statutes of 1950.

(c) Parts IV and V of Subpart H of Part III of Code Title V of Book I of Title 9 of the Louisiana Revised Statutes of 1950, except R.S. 9:372.1.

(d) Chapter 8 of Title XV of the Children's Code.

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(e) Any other protective order prohibiting a person from harming or going near or in the proximity of the other person.

D. For purposes of this Subpart, miles shall be measured by the shortest distance that is publicly accessible by motor vehicle or by a public ferry, where applicable, from the principal residence of a child to the new intended principal residence.

Section 2. The provisions of this Act shall become effective on January 1, 2027.

Section 3. This Act shall not apply to any litigation pending on the effective date of this Act regarding the relocation of the principal residence of a child, but shall apply to any subsequent relocation after final disposition of that litigation.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 328

HOUSE BILL NO. 941

BY REPRESENTATIVES HEBERT, BAYHAM, BEAULLIEU, BILLINGS, BOUDREAUX, CARLSON, EGAN, JACOB LANDRY, MARCELLE, MELERINE, AND WYBLE

AN ACT

To amend and reenact R.S. 9:2780(B), (C), (G), (H), and (I) and to enact R.S. 9:2780(J), relative to oilfield indemnification agreements and additional insured coverage; to make technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2780(B), (C), (G), (H), and (I) are hereby amended and reenacted and R.S. 9:2780(J) is hereby enacted to read as follows:

§2780. Certain indemnification agreements invalid; additional insured coverage

* * *

B. Any provision contained in, collateral to, or affecting an agreement pertaining to a well or wells for oil, gas, or water, or drilling for minerals which occur in a solid, liquid, gaseous, or other state, is void and unenforceable to the extent that it purports to or does provide for defense or indemnity, or either, to the indemnitee against loss or liability for damages arising out of or resulting from death or bodily injury to persons, which is caused by or results from the sole or concurrent negligence or fault (strict liability) of the indemnitee, or an agent, employee, or an independent contractor who is directly responsible to the indemnitee.

C. The term "agreement," as it pertains to a well or wells for oil, gas, or water, or drilling for minerals which occur in a solid, liquid, gaseous, or other state, as used in this Section, means any agreement or understanding, written or oral, concerning any operations related to the exploration, development, production, or transportation of oil, gas, or water, or drilling for minerals which occur in a solid, liquid, gaseous, or other state, including but not limited to drilling, deepening, reworking, repairing, improving, testing, treating, perforating, acidizing, logging,

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conditioning, altering, plugging, or otherwise rendering services in or in connection with any well or wells drilled for the purpose of producing or excavating, constructing, improving, or otherwise rendering services in connection with any mine shaft, drift, or other structure intended for use in the exploration for or production of any mineral, or an agreement to perform any portion of any such work or services or any act collateral thereto, including the furnishing or rental of equipment, incidental transportation, and other goods and services furnished in connection with any such service or operation.

* * *

G. Any provision in any agreement arising out of the operations, services, or activities listed in Subsection C of this Section ~~of the Louisiana Revised Statutes of 1950~~ which requires waivers of subrogation, additional named insured endorsements, or any other form of insurance protection which would frustrate or circumvent the prohibitions of this Section, shall be null and void and of no force and effect.

H. Notwithstanding the prohibitions of Subsection G of this Section, additional insured coverage if procured as the result of an agreement shall be enforceable solely as follows:

(1) A party can seek additional insured coverage for itself or itself and members of its group as defined by its agreement with the named insured after the party seeking additional insured coverage does all of the following:

(a) Makes such a request for an additional insured premium quote by separate written communication to the named insured or the named insured's insurance agent or broker, or both.

(b) Receives a premium quote from the named insured's insurer or its authorized representative.

(c) Makes direct payment to the named insured's insurer or its authorized representative for either additional insured coverage for itself only or for itself and members of its group as defined by its agreement with the named insured.

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(2)(a) Additional insured coverage for the group shall only be valid and enforceable pursuant to this Subsection when the premium is expressly quoted for group coverage, and the payment by the additional insured is for that corresponding group premium amount.

(b) Once additional insured coverage is actually purchased, the named insured, its insurer, or authorized representative shall notify the additional insured in writing at least thirty days before the next annual premium is due or within seven days of binding the renewal coverage for the named insured, whichever time period is less.

(c) For any policy year where an additional insured either does not make the request pursuant to Subparagraph (1)(a) of this Subsection or does not make payment in the previous policy year pursuant to Subparagraph (1)(c) of this Subsection, the named insured, its insurer, or authorized representative are not required to notify the additional insured in writing at least thirty days before future renewals and, in such instances, the additional insured shall make a new written request for additional insured coverage pursuant to Subparagraph (1)(a) of this Subsection.

(3) When additional insured coverage is obtained pursuant to Paragraph (1) of this Subsection, the additional insured or insureds, and not the named insured, are liable for and responsible for any applicable deductibles or retentions as set forth in the named insured's policy up to a maximum of one hundred thousand dollars, with the named insured responsible to fund the amount of the applicable deductibles or retentions, if any, in excess of one hundred thousand dollars.

(4) Any agreement where the named insured is made to fund all or any part of the deductibles or retentions up to the first one hundred thousand dollars is null and unenforceable and the provisions of this Subsection shall not apply.

(5) Nothing in this Subsection shall in any way be deemed to negate the prohibition against defense and indemnity as set forth in Subsection B of this Section, which defense and indemnity provisions remain null and void and against public policy.

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~~H.~~ I. The provisions of this Act do not deprive a person who has transferred land, with a reservation of mineral rights, of the right to secure an indemnity from any lessee, operator, contractor, or other person conducting operations for the exploration or production of minerals in connection with the reserved mineral rights; provided such person does not retain a working interest or an overriding royalty interest convertible to a working interest in any production obtained through activities described in Subsection C of this Section.

~~I.~~ J. This Act shall apply to certain provisions contained in, collateral to or affecting agreements in connection with the illustrative activities listed in Subsection C of this Section which are designed to provide indemnity to the indemnitee for all work performed between the indemnitor and the indemnitee in the future. This specifically includes what is commonly referred to in the oil industry as master or general service agreements or blanket contracts in whatever form and by whatever name. The provisions of this Act shall not apply to a contract providing indemnity to the indemnitee when such contract was executed before the effective date of this Act and which contract governs a specific terminable performance of a specific job or activity listed in Subsection C of this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 343

HOUSE BILL NO. 1250 (Substitute for House Bill No. 1099 by Representative McFarland)

BY REPRESENTATIVE MCFARLAND

AN ACT

To enact R.S. 9:2800.31, relative to aerospace flight activities; to provide for legislative intent and purpose; to provide for definitions; to provide relative to motions to strike; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2800.31 is hereby enacted to read as follows:

§2800.31. Aerospace flight entities; motion to strike; legislative findings

A.(1) The legislature finds and declares that aerospace flight activities are a public issue.

(2) The legislature finds and further declares that aerospace flight activities are a sector of identified state importance as it facilitates the transport of goods or persons. Aerospace flight activities are licensed, regulated, and supervised by the Federal Aviation Administration under a comprehensive federal scheme that includes informed-consent and reciprocal-waiver requirements. The continued development of aerospace flight activities in this state advances public welfare, economic development, and workforce investment.

(3) It is the intent of this legislation that claims arising from aerospace flight activities be capable of early resolution without the imposition of discovery costs or other litigation expenses that would unreasonably burden lawfully licensed aerospace flight entities and the public entities that facilitate their operations.

B. For purposes of this Section, the following definitions apply:

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(1) "Aerospace flight activities" mean any act or activity related to the research, development, testing, manufacture, preparation, launch, operation, reentry, descent, landing, or post-landing recovery of an aeronautic or astronautic launch vehicle, craft, payload, or related equipment, including but not limited to, fueling, integration, conditioning, and transporting, including but not limited to the transport of goods or persons, and any associated ground support operations whether conducted on-site or involving overflight.

(2) "Aerospace flight entity" means any person, corporation, partnership, limited liability company, or any other entity that conducts aerospace flight activities and, to the extent required by federal law, holds or operates anywhere under a valid Federal Aviation Administration license, experimental permit, or other authorization for the relevant activities requiring such a license. This also includes any employee, officer, director, agent, contractor, manufacturer, supplier, or vendor of such entity, any owner or lessor of immovable property used for aerospace flight activities, and any political subdivision or public entity with a contractual or operational relationship facilitating such activities.

C.(1) A cause of action against an aerospace flight entity arising from any act of the aerospace flight entity in connection with a public issue shall be subject to a special motion to strike, unless the court determines that the plaintiff has established a probability of success on the claim.

(2) In making its determination, the court shall consider the pleadings and supporting and opposing affidavits stating the facts upon which the liability or defense is based.

(3) If the court determines that the plaintiff has established a probability of success on the claim, that determination shall be admissible in evidence at any later stage of the proceeding.

D. In any action subject to Subsection C of this Section, a prevailing party on a special motion to strike shall be awarded reasonable attorney fees and costs.

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E.(1) The special motion to strike may be filed within ninety days of service of the petition, or in the court's discretion, at any later time upon terms the court deems proper.

(2) If the plaintiff voluntarily dismisses the action prior to the running of the delays for filing an answer, the aerospace flight entity shall retain the right to file a special motion to strike within the delays provided by Paragraph (1) of this Subsection, and the motion shall be heard pursuant to the provisions of this Section.

(3) The motion shall be noticed for hearing not more than thirty days after service unless the docket conditions of the court require a later hearing.

F. All discovery proceedings in the action shall be stayed upon the filing of a notice of motion made pursuant to this Section. The stay of discovery shall remain in effect until notice of entry of the order ruling on the motion. Notwithstanding the provisions of this Section, the court, on noticed motion and for good cause shown, may order that specified discovery be conducted.

G. This Section does not apply to any enforcement action brought on behalf of this state by the attorney general, district attorney, or city attorney acting as a public prosecutor.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

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2026 Regular Session

ACT No. 367

ENROLLED

SENATE BILL NO. 216

BY SENATOR WHEAT

AN ACT

To amend and reenact R.S. 9:111(B), relative to medical pronouncement of death; to provide relative to the information received from certain authorized personnel; to provide relative to licensed practical nurses; to authorize a coroner to make a medical pronouncement of death based on information received from licensed practical nurses in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:111(B) is hereby amended and reenacted to read as follows:

§111. Definition of death

* * *

B. The medical pronouncement of death by a coroner may also be based on personal observation, information, or statements obtained from coroner investigators, registered nurses, **licensed practical nurses,** physician assistants, or emergency medical technicians at the scene who are reporting from firsthand observation of the physical condition of the deceased. The time of death shall be reported as the time that the death was reported or discovered. The name of the personnel that the coroner is relying on shall be noted on the coroner's investigative report.

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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

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2026 Regular Session

ACT No. 377

ENROLLED

SENATE BILL NO. 260

BY SENATORS EDMONDS, CARTER, JENKINS, LUNEAU, MILLER AND MIZELL

AN ACT

To amend and reenact R.S. 9:2798(B)(1) and to enact R.S. 9:2798(D)(4) and R.S. 40:1087.2, relative to youth athletics; to provide for the Coach Safely Act; to provide for limitation of liability; to provide for definitions; to provide for an injury mitigation course; to provide for content of youth injury mitigation courses; to provide for posting of certain information on the internet; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2798(B)(1) is hereby amended and reenacted and R.S. 9:2798(D)(4) is hereby enacted to read as follows:

§2798. Limitation of liability of a volunteer athletic coach, manager, team volunteer ~~health care~~ **healthcare** provider, or official; definitions

* * *

B.(1) The provisions of this Section shall not be applicable unless the volunteer athletic coach, manager, athletic trainer, team volunteer ~~health care~~ **healthcare** provider, or sports team official has participated in a safety orientation and training program established by the league or team with which he is affiliated **or a youth injury mitigation course**. Any safety orientation and training program established in compliance with this Subsection may include, as a condition of satisfactory completion, a course in child cardiopulmonary resuscitation. Participation in a safety orientation and training program by a coach, manager, athletic trainer, team volunteer ~~health care~~ **healthcare** provider, or sports team official may be waived by the league prior to the individual's or person's participation in the sporting activities or in the practice thereof upon submission of appropriate documented evidence as to that individual's or person's proficiency in first aid and

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safety, which may include a current certification in child cardiopulmonary resuscitation.

* * *

D. For the purposes of this Section, the following phrases shall have the meanings hereafter ascribed to them:

* * *

(4) "Youth injury mitigation course" means a course approved by the Louisiana Department of Health that includes instruction in all of the following:

(a) Emergency preparedness and planning and rehearsal for responding to traumatic injuries sustained during youth athletic activities.

(b) Concussions and head trauma.

(c) Heat and extreme weather-related injuries.

(d) Musculoskeletal overuse, physical conditioning, recovery, and training equipment usage.

(e) Heart defects and abnormalities leading to sudden cardiac death.

Section 2. R.S. 40:1087.2 is hereby enacted to read as follows:

§1087.2. Youth injury mitigation courses; approval process

A. The Louisiana Department of Health shall establish and administer a process for approving courses that meet the requirements of a youth injury mitigation course.

B. Completion of an approved youth injury mitigation course may be used to satisfy the requirements of a safety orientation and training program in R.S. 9:2798. Each youth injury mitigation course shall include instruction on the following:

(1) Emergency preparedness and planning and rehearsal for responding to traumatic injuries sustained during youth athletic activities.

(2) Heat and extreme weather-related injuries.

(3) Musculoskeletal overuse, physical conditioning, recovery, and training equipment usage.

(4) Heart defects and abnormalities leading to sudden cardiac death.

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C. Not later than one hundred eighty days after the effective date of this Section, the department shall publish and maintain on its official website a list of approved courses. The department shall annually review and update the list of approved injury mitigation courses.

D. The department may adopt rules, in accordance with the Administrative Procedure Act, as necessary to carry out the provisions of this Section.

E. This Section shall not require the department to spend its funds to pay for the development of the training courses provided in this Section. The department may accept donated online courses, provided that the donated courses are approved by the department.

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

Section 4. This Act shall be known and may be cited as the "Coach Safely Act".

_____
PRESIDENT OF THE SENATE

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

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2026 Regular Session

ACT No. 402

HOUSE BILL NO. 545

BY REPRESENTATIVE RISER

AN ACT

To amend and reenact R.S. 9:3530(A)(1), relative to maximum charges by lenders; to provide for maximum origination fees on a consumer loan or revolving account; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3530(A)(1) is hereby amended and reenacted to read as follows:

§3530. Fees; origination; notary, documentation; over-the-credit-limit fee

A.(1) A lender may charge an origination fee that does not exceed ~~fifty~~ seventy-five dollars on a consumer loan or revolving loan account.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

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ENGROSSED

2026 Regular Session

ACT No. 405

HOUSE BILL NO. 1044

BY REPRESENTATIVE LACOMBE

AN ACT

To enact R.S. 9:2801.3, relative to classification of separate property; to provide relative to future earnings as it relates to the community property regime; to provide relative to unearned portions of employment contracts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2801.3 is hereby enacted to read as follows:

§2801.3. Award for future earnings; separate property

Future wages or earnings of a spouse set forth in an employment contract executed during the community property regime are the separate property of the contracting spouse for any unearned portions of the contract existing on the date the community property regime is terminated, including but not limited to any amounts later paid as severance pay or liquidated damages.

Section 2. It is the intent of the legislature to overrule *Orgeron v. Orgeron*, 413 So. 3d 390 (2025).

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

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2026 Regular Session

ACT No. 468

ENROLLED

SENATE BILL NO. 165

BY SENATOR ABRAHAM

AN ACT

To amend and reenact R.S. 9:4757, 4758.1(A)(2) and (B), and 4759(3), (5)(a), and (9) and to enact R.S. 9:4759.1 and 4759.2, relative to self-service storage facilities; to provide relative to the rental agreement; to provide for default of rental agreement by lessee; to provide relative to delivery of notice of privilege; to provide for the sale or other disposition of certain movable property; to provide for definitions and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:4757, 4758.1(A)(2) and (B), and 4759(3), (5)(a), and (9) are hereby amended and reenacted and R.S. 9:4759.1 and 4759.2 are hereby enacted to read as follows:

§4757. Definitions

As used in this Part, unless the context clearly requires otherwise:

(1) **"Default" means the failure by the lessee to perform, on time, any obligation or duty set forth in the rental agreement or pursuant to this Part.**

(2) "Electronic mail" means an electronic message that is transmitted between two or more telecommunications devices, computers, or electronic devices capable of receiving electronic messages, whether or not the message is converted to printed format after receipt or is viewed upon transmission or stored for later retrieval. "Electronic mail" includes electronic messages that are transmitted through a local, regional, or global computer network.

~~(2)~~**(3)** "Electronic mail address" means a destination, commonly expressed as a string of characters, to which electronic mail can be sent or delivered. An "electronic mail address" may include a user name or mailbox and a reference to an Internet domain.

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~~(3)~~**(4)** "Last known address" means the mailing address or the electronic mail address provided by the lessee in the latest rental agreement or**, subject to any requirements in the rental agreement,** the mailing address or the electronic mail address provided by the lessee in a subsequent written notice of a change of address.

~~(4)~~**(5)** "Lessee" means a person, his sublessee, successor, or assign, entitled to the use of storage space at a self-service storage facility under a rental agreement, to the exclusion of others.

~~(5)~~**(6)** "Owner" means the owner, operator, lessor, or sublessor of a self-service storage facility, his agent, or any other person authorized by him to manage the facility or to receive rent from a lessee under a rental agreement.

~~(6)~~**(7)** "Rental agreement" means any agreement or lease, written or oral, entered into between the owner and a lessee, that establishes or modifies the terms, conditions, rules, or any other provisions concerning the use of self-service storage facility. **The rental agreement may be delivered and accepted electronically.**

~~(7)~~**(8)** "Self-service storage facility" means any real property designed and used for the purpose of renting or leasing individual storage space to lessees who are to have access to such for the purpose of storing and removing movable property. No lessee shall use a self-service storage facility for residential purposes. A self-service storage facility shall not be considered as a warehouse subject to the provisions of Title 10 of the Louisiana Revised Statutes **of 1950**; however, if an owner issues any warehouse receipt, bill of lading, or other document of title for the movable property stored, the owner and the lessees shall be subject to the provisions of Title 10 of the Louisiana Revised Statutes **of 1950** and the provisions of this Part shall not apply.

~~(8)~~**(9)** "Verified mail" means any method of mailing that is offered by the United States Postal Service or a private delivery service that provides evidence of mailing.

~~(9)~~**(10)** "Wireless telecommunications device" means a cellular telephone, a text messaging device, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device.

* * *

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§4758.1. Notice of privilege

A. A lessee shall be notified of the privilege created by this Part before enforcement of the privilege by an owner. Notification of the privilege created by this Part shall be satisfied by either of the following:

* * *

(2) A written notification of the privilege sent to the lessee by verified mail to the last known address of the lessee~~, by electronic mail to a primary and secondary email address of the lessee, and by text message to the wireless telecommunications device of the lessee provided the email addresses and number of the wireless telecommunications device are listed in the rental agreement~~ **and by electronic mail to the email address provided by the lessee and listed in the rental agreement**.

B. An owner who does not have a written rental agreement that includes a notice of the privilege created by this Part shall not initiate an enforcement action as provided in this Part until thirty days after the written notice of a privilege is ~~mailed~~ **sent** to the lessee as required by Paragraph (A)(2) of this Section.

* * *

§4759. Options of owner upon lessee's default

In the event of default by the lessee, the owner of a self-service storage facility has the option to enforce judicially all of his rights under the rental agreement, including, if the agreement so provides, his right to accelerate all rentals that will become due in the future for the full term of the lease or to cancel the lease and enforce his privilege for the debt due him, as follows:

* * *

(3) The notice shall be delivered in person to the lessee or sent by verified mail to the last known address of the lessee~~, by electronic mail to a primary and secondary email address of the lessee, and by text message to a wireless telecommunications device provided the email addresses and number of the wireless telecommunications device are listed by the lessee in the rental agreement~~ **and by electronic mail to the email address provided by the lessee and listed in the rental agreement**.

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* * *

(5)(a) Actual receipt of the notice made pursuant to this Section shall not be required. At least ten days after its mailing, or at least ten days after the date that payment is demanded, whichever is later, an advertisement of the sale or other disposition of movable property subject to the privilege shall on at least one occasion be published in a newspaper of general circulation where the self-service storage facility is located or on a publicly accessible website that **regularly advertises or** conducts personal property auctions **or sales**.

* * *

(9) If the property upon which the lien is claimed is a motor vehicle, watercraft, or trailer~~, and rent and other charges remain unpaid for sixty days~~ **and the lessee is in default for sixty days**, the owner may have the property towed in lieu of foreclosing on the lien. If a motor vehicle, watercraft, or trailer is towed pursuant to the provisions of this Paragraph, the owner shall not be liable for the motor vehicle, watercraft, or trailer or for any damages to the motor vehicle, watercraft, or trailer once the tower takes possession of the property. Any tower shall be licensed pursuant to the Louisiana Towing and Storage Act, R.S. 32:1711 et seq.

* * *

§4759.1. Termination of rental agreement

A. An owner may terminate a rental agreement in accordance with the provisions of the rental agreement or as authorized by law by delivering to the lessee a written notice of termination. The notice shall include all of the following information:

(1) The lessee shall have fifteen days after the date of delivery of the notice as provided by this Subsection to remove all personal property from the self-service storage facility.

(2) The owner may limit access to the self-service storage facility to the owner's posted business hours.

(3) Failure of the lessee to remove all personal property as provided by this Subsection shall constitute a default of the rental agreement by the lessee.

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B. Upon default of the lessee as provided in Subsection A of this Section, the owner may assert a lien privilege on any personal property remaining at the self-service storage facility and may enforce the lien by sale or public auction in accordance with this Part, except the requirement to advertise in accordance with this Part shall not apply.

§4759.2. Nonrenewal of rental agreement; abandonment

A. If the owner provides written notice to the lessee that the rental agreement shall not be renewed upon expiration of its term, the lessee shall remove all personal property from the self-service storage facility on or before the date of expiration of the rental agreement.

B. Any personal property remaining at the self-service storage facility fifteen days after expiration of the rental agreement shall be deemed abandoned. Upon determination that the storage space is abandoned, the owner shall have the right to dispose of the personal property without further notice to the lessee.

_____
PRESIDENT OF THE SENATE

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 552

HOUSE BILL NO. 427

BY REPRESENTATIVES SCHLEGEL, ADAMS, AMEDEE, BACALA, BAMBURG, BERAULT, BILLINGS, BOUDREAUX, BOYD, BOYER, BROUSSARD, BRYANT, BUTLER, CARLSON, CARVER, CHASSION, CHENEVERT, COATES, COX, DESHOTEL, DEVILLIER, DEWITT, DICKERSON, EDMONSTON, EGAN, FONTENOT, FREEMAN, FREIBERG, GLORIOSO, HILFERTY, HORTON, ILLG, MIKE JOHNSON, KERNER, KNOX, LAFLEUR, TERRY LANDRY, LARVADAIN, LYONS, MACK, MARCELLE, MARTINEZ, MOORE, MURRAY, NEWELL, OWEN, SPELL, STAGNI, TARVER, TAYLOR, THOMPSON, VILLIO, WALTERS, WILDER, WILEY, WYBLE, AND ZERINGUE

AN ACT

To amend and reenact R.S. 9:2717.4(B)(3) through (10) and (C)(1), (4), and (5), relative to material harmful to minors; to provide for definitions; to make technical changes; to provide relative to settings on minor accounts; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2717.4 (B)(3) through (10) and (C)(1), (4), and (5), are hereby amended and reenacted to read as follows:

§2717.4. Kids Online Protection and Anti-Grooming Act

* * *

B. For purposes of this Section:

* * *

(3) "Material harmful to minors" has the same meaning as provided in R.S. 51:2121.

~~(3)~~ (4)(a) "Microtransaction" means any of the following:

(i) A purchase made in an online video game involving surprise mechanics, new characters, or other in-game items.

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(ii) A purchase made using a virtual currency that is purchasable or redeemable using cash or credit that is included as part of a paid subscription service.

(iii) Any purchase or transfer of virtual currency on a covered platform.

(b) The term ~~shall~~ does not include a purchase made in an online video game using a virtual currency that is earned through game play and is not otherwise purchasable or redeemable using cash or credit or included as part of a paid subscription service.

~~(4)~~ (5) "Minor" ~~means an account holder on the covered platform who resides in this state under circumstances where the covered platform reasonably believes or has actual knowledge that the account holder is under the age of sixteen and is not emancipated or married~~ has the same meaning as provided in R.S. 9:2717.2.

~~(5)~~ (6) "Nonprofit corporation" means any organization organized on a not-for-profit basis ~~under~~ pursuant to the provisions of Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950.

~~(6)~~ (7)(a) "Online platform" means any public website, online service, online application, or mobile application that predominantly provides a community forum for user-generated content, such as sharing videos, images, games, audio files, or other content, including a social media service, social network, or virtual reality environment.

(b) A website, online service, online application, or mobile application is not an online platform solely on the basis that it includes a chat, comment, or other interactive function that is incidental to its predominant purpose.

~~(7)~~ (8) "Online video game" means a video game, including an educational video game, that accesses the internet and allows the user to do any of the following:

(a) Create and upload content that is not incidental to game play such as character or level designs.

(b) Engage in microtransactions within the game.

(c) Communicate with other users.

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~~(8)~~ (9) "Precise geolocation" means information derived from technology, including but not limited to global positioning system level latitude and longitude coordinates or other mechanisms, that directly identify the specific location of a natural person with precision and accuracy within a radius of one thousand seven hundred fifty feet. The provisions of this definition ~~shall~~ do not extend to the content of communications.

~~(9)~~ (10) "School" means any child daycare center as defined in R.S. 17:407.33, any public or nonpublic school enrolling students in prekindergarten through grade twelve, any institution under the management and supervision of a public postsecondary education management board, any nonpublic college or university, any program or initiative of the Board of Regents, or any proprietary school as defined in R.S. 17:3140.1.

~~(10) "Sexually explicit material" shall have the same meaning as provided in R.S. 25:225.~~

C. Every owner or operator of a covered platform who contracts with a minor, including the creation of an online account, shall owe a duty of care to the minor. The duty of care shall require the covered platform to take reasonable measures in the operation of the covered platform to prioritize the privacy of the minor's account and establish the following default privacy settings for minors:

(1) Prohibit an adult from connecting to a minor without express consent from the minor's legal representative or enable the legal representative of a minor to access a list of the connections of the minor, including a list of contacts with whom the minor has exchanged direct messages through the parental supervision tools of the covered platform.

* * *

(4) ~~Restrict the visibility of the minor's account to only connected accounts~~ Set minor accounts to private mode in a manner in which only users to whom the minor is connected on the covered platform may view or respond to content posted by the minor.

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(5) Allow the legal representative of a minor to choose to be informed via text, voice, email, through the legal representative's linked account or through the covered platform's parental control interface within a reasonable time, if any of the following occur:

(a) A minor is exposed to ~~sexually explicit~~ material harmful to minors on a covered platform.

(b) A connection is made between a minor and any other user on a covered platform unless the legal representative of the minor is connected to the account of the minor through the covered platform's parental supervision tools.

* * *

Section 2. Section 2 of Act No. 236 of the 2025 Regular Session of the Legislature of Louisiana is hereby repealed in its entirety.

Section 3. Section 1 of Act No. 236 of the 2025 Regular Session and the provisions of this Act shall become effective on January 1, 2027.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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2026 Regular Session

ACT No. 582

HOUSE BILL NO. 1198

BY REPRESENTATIVE AMEDEE

AN ACT

To amend and reenact R.S. 9:4216 and R.S. 13:1805(C) and to enact R.S. 13:1805(D), relative to child custody; to provide relative to public policy; to provide relative to arbitration of child custody matters; to provide relative to child custody agreements from foreign countries; to provide relative to fundamental constitutional rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:4216 is hereby amended and reenacted to read as follows:

§4216. Limitation of application of Chapter

A. Nothing contained in this Chapter ~~shall apply~~ applies to contracts of employment of labor or to contracts for arbitration which are controlled by valid legislation of the United States or to contracts made prior to July 28, 1948.

B. Nothing contained in this Chapter applies to contracts mandating arbitration of child custody or visitation.

C. Arbitration of child custody or visitation is against the public policy of this state. Any provision of an agreement to arbitrate that mandates the arbitration of child custody or visitation is void and unenforceable.

D. No court in the state shall recognize or enforce any arbitral award governing child custody or visitation.

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Section 2. R.S. 13:1805(C) is hereby amended and reenacted and R.S. 13:1805(D) is hereby enacted to read as follows:

§1805. International application

* * *

C. A court of this state need not apply this Act if the child custody law of a foreign country violates fundamental principles of human rights or is manifestly contrary to the public policy of this state.

D. A child custody law of a jurisdiction of a foreign country is manifestly contrary to the public policy of this state if any of the following apply:

(1) The law does not grant a parent the same fundamental constitutional rights guaranteed by the Constitution of the United States or the Constitution of Louisiana including the right of equal protection, due process, and free exercise of religion.

(2) The law does not use the best interest of the child as the standard for application of child custody.

(3) The law does not consider whether domestic violence has occurred and is likely to occur again.

(4) The law does not consider whether a determination of child custody or visitation might risk the substantial harm of the child.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

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2026 Regular Session

ACT No. 605

HOUSE BILL NO. 1239 (Substitute for House Bill No. 473 by Representative Green)

BY REPRESENTATIVE GREEN AND SENATORS BARROW, BOUDREAUX, CARTER, JACKSON-ANDREWS, JENKINS, AND PRICE

AN ACT

To amend and reenact R.S. 9:335(A)(2)(b), relative to child custody; to provide relative to the best interest of a child; to provide relative to equal custody; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:335(A)(2)(b) is hereby amended and reenacted to read as follows:

§335. Joint custody decree and implementation order; custody during an emergency or disaster

A.

* * *

(2)

* * *

(b) Unless the court determines ~~To the extent~~ it is not feasible ~~and~~ or in the best interest of the child, physical custody of the ~~children should~~ child shall be shared equally.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

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2026 Regular Session

ACT No. 613

HOUSE BILL NO. 71

BY REPRESENTATIVE CARLSON

AN ACT

To amend and reenact R.S. 9:2793.12(B) and to enact R.S. 9:2793.12(A)(3), relative to liability of persons authorized to carry a concealed handgun; to provide that armed security officers are authorized persons; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2793.12(B) is hereby amended and reenacted and R.S. 9:2793.12(A)(3) is hereby enacted to read as follows:

§2793.12. Limitation of liability; concealed handgun permit; definitions; exceptions

A.

* * *

(3) The term "authorized person" shall also apply to any armed security officer as defined by R.S. 37:3272(A)(2) who has completed the training requirements provided by R.S. 37:3284(B)(2) and who has been issued an armed registration card by the Louisiana State Board of Private Security Examiners.

B. An authorized person as defined in this Section shall not be liable for damages for any injury, death, or loss suffered by a perpetrator when the injury, death, or loss is caused by a justified use of force or self-defense through the discharge of a firearm by the authorized person. An armed security officer is entitled to the limitation of liability provided for in this Section only if the perpetrator is wielding a dangerous weapon as defined in R.S. 14:2 at the time the armed security

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officer injures the perpetrator. This provision shall preclude any right of action by the perpetrator, his survivors, or his heirs.

* * *

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2026 Regular Session

ACT No. 618

HOUSE BILL NO. 134

BY REPRESENTATIVES SCHLEGEL AND EDMONSTON

AN ACT

To enact R.S. 9:2717.2.1, relative to material harmful to minors, to provide relative to interactive computer services that enter into a contract with a minor; to provide relative to the delivery or display of material harmful to minors; to provide relative to algorithmic systems and the delivery of material harmful to minors; to provide for definitions; to provide for penalties; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2717.2.1 is hereby enacted to read as follows:

§2717.2.1. Display or delivery of material harmful to minors

A. For purposes of this Section, the following terms apply:

(1) "Account", "interactive computer service", and "minor" have the same meanings as provided in R.S. 9:2717.2.

(2) "Material harmful to minors" has the same meaning as provided in R.S. 51:2121.

B. An interactive computer service that enters into a contract with a minor, including the creation of an online account, shall not deliver or display to a minor account material harmful to minors that was created or developed, in whole or in part, by the interactive computer service.

C.(1) Any interactive computer service that violates the provisions of this Section shall be subject to a civil fine of up to ten thousand dollars per violation set and enforced by the attorney general by filing a civil enforcement action in a court of competent jurisdiction.

(2)(a) Prior to filing a civil enforcement action, the attorney general shall provide the interactive computer service with a written notice that identifies each alleged violation and an explanation of the basis for each allegation.

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(b) The interactive computer service may cure the alleged violations by providing the attorney general with a written statement, within forty-five days of receipt of the notice provided pursuant to Subparagraph (a) of this Paragraph, indicating that the violation is cured and no further violations will occur.

(c) Except as provided in Paragraph (3) of this Subsection, the attorney general shall not file a civil enforcement action if the interactive computer service timely cures the alleged violations as provided by Subparagraph (b) of this Paragraph.

(3) The attorney general may file a civil enforcement action against an interactive computer service that does either of the following:

(a) Fails to cure a violation after receiving the written notice described in Subparagraph (2)(a) of this Subsection.

(b) Commits another violation after receiving the written notice described in Subparagraph (2)(a) of this Subsection.

(4) If a court of competent jurisdiction grants judgment or injunctive relief to the attorney general, the court shall award the attorney general reasonable attorney fees, court costs, and investigative costs.

D. All monies received from the payment of a fine or civil penalty imposed and collected pursuant to the provisions of this Section shall be used by the attorney general for consumer protection efforts or to promote consumer protection and education.

Section 2. The provisions of this Act shall become effective on January 1, 2027.

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
PRESIDENT OF THE SENATE

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ACT No. 708

2026 Regular Session

HOUSE BILL NO. 1166

BY REPRESENTATIVE CARVER

AN ACT

To amend and reenact R.S. 9:3196(introductory paragraph), (2), (4), and (6), 3197(A), (B)(introductory paragraph), (3), (8), (9), and (12), 3198 (A)(1) and (2)(a), 3198.1(A) and (B), and 3199(A), and R.S. 37:1432(A) and 1455(A)(introductory paragraph) and (33), and to enact R.S. 9:3196(7), relative to real estate; to provide for definitions; to require certain disclosures; to provide for the duties of sellers and real estate agents; to provide for applicability and exemptions; to provide for the membership of the Louisiana Real Estate Commission; to provide for penalties; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3196(introductory paragraph), (2), (4), and (6), 3197(A), (B)(introductory paragraph), (3), (8), (9), and (12), 3198 (A)(1) and (2)(a), 3198.1(A) and (B), and 3199(A) are hereby amended and reenacted and R.S. 9:3196(7) is hereby enacted to read as follows:

CHAPTER 8. RESIDENTIAL PROPERTY DISCLOSURE REQUIREMENTS

§3196. Definitions

As used in this Chapter, the following terms have the following meanings ~~hereinafter ascribed to them~~:

* * *

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(2) "Property disclosure document" means a document in a form prescribed by the Louisiana Real Estate Commission, or a form that contains at least the minimum language prescribed by the commission, which is presented by the seller to the purchaser in the manner set forth in R.S. 9:3198(B) and which discloses, at a minimum, known defects in ~~the~~ either residential real property or vacant residential property.

* * *

(4) "Real estate contract" means any written agreement, entered into prior to the perfection of the contract of sale or contract to lease or otherwise with an option to purchase, which relates to the sale, offer for sale, purchase, offer to purchase, lease with option to purchase, offer to lease with option to purchase, any other option to purchase, or any other offer which includes an option to purchase any residential real property, vacant residential property, or improvements thereon.

* * *

(6) "Seller" means an owner of residential real property or vacant residential property, whether an individual, partnership, corporation, or trust, who sells or attempts to sell residential real property or vacant residential property in a manner described in R.S. 9:3197(A).

(7)(a) "Vacant residential property" means any land that is either legally authorized to be used solely for residential purposes or is otherwise classified or intended for residential use and may include uninhabitable improvements or no improvements including but not limited to slabs, utility connections, driveways, walkways, fencing, wells, septic systems, sheds, and agricultural or storage structures.

(b) "Vacant residential property" does not include the following:

(i) Residential real property as defined in this Section.

(ii) Any land that is legally authorized to be used for agricultural, commercial, industrial, or other nonresidential purposes.

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§3197. Applicability; exemptions

A. The provisions of this Chapter ~~shall~~ apply to the transfer of any interest in residential real property or vacant residential property, whether by sale, exchange, bond for deed, lease with option to purchase, or any other option to purchase, including transactions in which the assistance of a real estate licensee is utilized and those in which such assistance is not utilized.

B. The provisions of this Chapter ~~shall~~ do not apply to any of the following:

* * *

(3) Transfers by a mortgagee who has acquired the residential real property or vacant residential property at a sale conducted pursuant to a power of sale under a mortgage or a sale pursuant to decree of foreclosure, or who has acquired the vacant or residential property by a deed in lieu of foreclosure.

* * *

(8) Transfers of residential real property or vacant residential property that will be converted by the purchaser into a use other than residential use.

(9) Transfers of residential real property or vacant residential property to a spouse or relative in the line of consanguinity.

* * *

(12) Transfers from an entity that has acquired title or assignment of a real estate contract to a piece of residential real property or vacant residential property to assist the prior owner in relocating, as long as the entity makes available to the purchaser a copy of the property disclosure statement, any inspection reports if any furnished to the entity by the prior owner, or both.

* * *

§3198. Duties of the seller; delivery of property disclosure document; termination of real estate contract; information contained in document and inaccuracies; required disclosure of information relative to homeowners' associations and restrictive covenants; liability of seller

A.(1) The seller of residential real property or vacant residential property shall complete a property disclosure document in a form prescribed by the Louisiana

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Real Estate Commission or a form that contains at least the minimum language prescribed by the commission. ~~The promulgation of this form shall be conducted in accordance with the Administrative Procedure Act no later than April 1, 2004.~~

(2)(a) Included with the property disclosure documents required by this Section shall be statements of notification to the purchaser as to whether he is obligated to be a member of a homeowners' association as a homeowner in the community in which he is purchasing property and whether the residential property or vacant residential property he is purchasing is subject to a common regime of restrictive covenants or building restrictions, or both.

* * *

§3198.1. Duties of governmental entities; contaminated property

A. Whenever a state or local law enforcement agency becomes aware that residential real property or vacant residential property has been contaminated by its use as a clandestine methamphetamine drug lab, the agency shall report the contamination to the Department of Environmental Quality, ~~hereinafter~~ referred to in this Section as the "department", and to the local sheriff's office.

B. The department shall maintain a listing of residential real property or vacant residential property that has been reported as contaminated, and the list shall be made available to the public through a website.

* * *

§3199. Duty of real estate licensees; liability

A. A real estate licensee representing a seller of residential real property or vacant residential property shall inform the seller of the duties and rights ~~under~~ established in this Chapter. A real estate licensee representing a buyer of residential real property or vacant residential property shall inform the buyer of the duties and rights ~~under~~ established in this Chapter.

* * *

Section 2. R.S. 37:1432(A) and 1455(A)(introductory paragraph) and (33) are hereby amended and reenacted to read as follows:

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§1432. Louisiana Real Estate Commission; qualifications; terms of office

A. The Louisiana Real Estate Commission is hereby created within the office of the governor. The commission shall consist of eleven members appointed by the governor. ~~One member shall be appointed from each of the seven supreme court districts. Two members shall be appointed at large. Two members shall be appointed from the following districts: one appointee from either the Fourth Congressional District or the Fifth Congressional District and one appointee from either the First, Second, Third, or Sixth Congressional District.~~ One member shall be appointed from each congressional district, and the remaining members shall be appointed at large. Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *

§1455. Causes for censure, suspension, or revocation of license, registration, or certification

A. The commission may censure a licensee, registrant, or certificate holder or conditionally or unconditionally suspend or revoke any license, registration, or certificate issued ~~under~~ pursuant to this Chapter, levy fines, or impose civil penalties not to exceed five thousand dollars, or impose continuing education requirements on licensees, registrants, or certificate holders if, in the opinion of the commission, a licensee, registrant, or certificate holder is performing or attempting to perform or has performed or has attempted to perform any of the following acts:

* * *

(33) Failure by a licensee ~~to provide~~ who represents a buyer or seller ~~with a written property disclosure form for sales and certain leases involving residential real property pursuant to~~ of residential real property or vacant residential property to inform such buyer or seller of the duties and rights regarding the written property disclosure form requirements pursuant to R.S. 9:3196 et seq.

* * *

Section 3. R.S. 37:1432(A) as amended and reenacted by Section 2 of this Act shall not be construed to change the existing term of appointment for any member of the

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Louisiana Real Estate Commission who is serving as a commissioner on the effective date of this Act.

Section 4. This Act shall become effective January 1, 2027.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 786

HOUSE BILL NO. 180

BY REPRESENTATIVE OWEN AND SENATORS BASS, CLOUD, EDMONDS, FESI, HODGES, MIGUEZ, SEABAUGH, AND WHEAT

AN ACT

To enact R.S. 9:2717.1.1, relative to expropriation by private entities; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2717.1.1 is hereby enacted to read as follows:

§2717.1.1. Expropriation; private entity; foreign adversary; agent of a foreign adversary

For the purposes of expropriation of property by a private entity:

(1) "Foreign adversary" means an individual or a government identified as a foreign adversary in 15 CFR 7.4(a) and identified in the database maintained by the United States Department of the Treasury, office of foreign assets control.

(2) "Agent of a foreign adversary" means the juridical person, as defined in Civil Code Article 24, in which the foreign adversary has the power to direct or cause the direction of the management or policies of the juridical person whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote fifty percent or more of the voting interests of an entity or is entitled to fifty percent or more of its profits is presumed to have

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the power to direct or cause the direction of the management or policies of the juridical person.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 814

HOUSE BILL NO. 578

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

AN ACT

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

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

Be it enacted by the Legislature of Louisiana:

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

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

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

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

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

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

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

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

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

* * *

E. Appointments to the board shall be made no later than September 1, 2022. Each appointing authority shall notify the commissioner of the appointment. The

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

* * *

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

* * *

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

* * *

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

§158.2. Quarterly reporting of professional services information

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

* * *

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

* * *

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

* * *

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

* * *

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

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§2720. Enforceability of gestational carrier contract

* * *

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

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

§3390. Beneficiaries

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

* * *

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

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

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

§1856. Contents of petition

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

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

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

* * *

§1857. Factors to determine risk of abduction

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

* * *

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

* * *

(d) Has laws or practices that would either:

* * *

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

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

* * *

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

§107.2. Hate crimes

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

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

* * *

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

* * *

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

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

* * *

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§832. Work by inmates; allowance

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

* * *

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

* * *

F.

* * *

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

* * *

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

* * *

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

* * *

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

* * *

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

* * *

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

* * *

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

* * *

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

* * *

(4) ~~Gender~~ Sex.

* * *

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

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

* * *

§934. Detention centers

* * *

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

* * *

(4) ~~Gender~~ Sex.

* * *

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

* * *

D.

* * *

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

* * *

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

* * *

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

* * *

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

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

* * *

§1228.9. Impaired Driver Tracking System; purpose; procedure

* * *

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

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

* * *

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

§17.5. Physical fitness assessment; statewide expansion program

* * *

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

* * *

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

* * *

§100.13. Expanded academic support

* * *

G.

* * *

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

* * *

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

* * *

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

* * *

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

* * *

B.

* * *

(2) Such notification shall:

* * *

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

* * *

§416. Discipline of students; suspension; expulsion

* * *

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

* * *

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

* * *

N.

* * *

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

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

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

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

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

* * *

§1519.7. Hospital advisory committees

* * *

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

* * *

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

A.

* * *

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

* * *

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§1998. Advisory councils

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

* * *

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

* * *

B. The information reporting system shall include the following:

* * *

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

* * *

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

* * *

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

* * *

(2) Rules and regulations which may provide for:

* * *

(b)

* * *

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

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

* * *

§3399.12. Definitions

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

* * *

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

* * *

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

* * *

§3911. Data collection system; establishment

* * *

B.(1)

* * *

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

* * *

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

* * *

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

A.(1)

* * *

(c)

* * *

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

* * *

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

* * *

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

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

* * *

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

* * *

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

* * *

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

* * *

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

§1204. Board of directors

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

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

* * *

(10)

* * *

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

* * *

§1504. Use of credit information

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

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

* * *

§1545. Examination

* * *

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

* * *

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

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

* * *

§1808.2. Examination

* * *

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

* * *

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

* * *

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

* * *

§2187. Actuarial reviews of proposed healthcare legislation

* * *

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

* * *

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

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

* * *

§2503. Definitions

As used in this Chapter, the following definitions apply:

* * *

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

* * *

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

* * *

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

§2043. Members

* * *

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

* * *

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

§46. Quarterly reporting of professional services and employment information

* * *

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

* * *

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

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

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

* * *

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

* * *

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

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

* * *

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

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

A.

* * *

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

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

* * *

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

A.

* * *

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

* * *

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

* * *

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

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

* * *

§2740.70.3. Evangeline Economic Development Authority

* * *

B.

* * *

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

* * *

§4071. Creation and organization of sewerage and water board

A.

* * *

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

* * *

§4720.301. Shreveport Implementation and Redevelopment Authority

* * *

G.

* * *

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

* * *

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

§108. Offices; purposes and functions

* * *

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B. The office of economic development shall perform the following functions of the state:

* * *

(5) The office shall provide services to small and medium-sized businesses in Louisiana, without regard to race or ~~gender~~ sex, and encourage and support the startup of new small businesses and the growth and retention of existing Louisiana firms.

* * *

Section 17. R.S. 37:832(A)(2), 914(B)(3), 962(C), 1042(B)(1)(b), 1104(A), 1172(A), 2102(A)(2), 2353(A)(2), 2403(H), 2407(D), 2455(B)(1), 2704(A)(introductory paragraph), 3061(A)(2)(c), 3084(B)(2), 3201(B)(2), 3386.2(C), 3389(C), 3444(A), 3463(B)(1), 3554(A)(2), and 3703(B)(3) are hereby amended and reenacted to read as follows:

§832. Louisiana State Board of Embalmers and Funeral Directors; appointments; terms of office

A.

* * *

(2) The board shall consist of nine members to be appointed by the governor, subject to Senate confirmation, as further provided in Subsection B of this Section. All members of the board shall serve at the pleasure of the governor for terms of four years. The governor shall ensure that his appointments demonstrate race, ~~gender~~ sex, ethnic, and geographical diversity.

* * *

§914. Louisiana State Board of Nursing; appointment of members; term of office; vacancy; officers; compensation

* * *

B.

* * *

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

* * *

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

* * *

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

* * *

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

* * *

B.(1)

* * *

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

* * *

§1104. Louisiana Licensed Professional Counselors Board of Examiners

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

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

* * *

§1172. Membership

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

* * *

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

A.

* * *

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

* * *

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

A.

* * *

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

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

* * *

§2403. Physical therapy board; composition

* * *

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

* * *

§2407. Practice of physical therapy defined

* * *

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

* * *

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

* * *

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

* * *

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§2704. Board of Social Work Examiners

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

* * *

§3061. Board of Electrolysis Examiners

A.

* * *

(2)

* * *

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

* * *

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

* * *

B.

* * *

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

* * *

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

* * *

B.

* * *

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

* * *

§3386.2. Addictive Disorder Regulatory Authority

* * *

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

* * *

§3389. Transition; Addictive Disorder Regulatory Authority

* * *

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

* * *

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

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

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

* * *

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

* * *

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

* * *

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

A.

* * *

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

* * *

§3703. Louisiana Behavior Analyst Board

* * *

B.

* * *

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

* * *

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

§31.61. Legislative intent

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

* * *

§101. Commemorative certificate of miscarried child; requirements

* * *

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

* * *

§600.151. Louisiana Interagency Council on Homelessness

* * *

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

* * *

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(l)

* * *

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

* * *

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

* * *

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

* * *

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

* * *

§2403. Council on Peace Officer Standards and Training

* * *

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

* * *

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

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

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

* * *

§1132. Board of Ethics

* * *

B. Membership; terms; vacancies; qualifications.

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

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

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

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

* * *

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

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

* * *

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

* * *

§288.5. Written court report; filing

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

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

* * *

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

* * *

B.

* * *

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

* * *

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

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

* * *

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

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

* * *

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

§337.14. Central collection commission

* * *

E.

* * *

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

* * *

§1702. Definitions

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

* * *

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

* * *

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

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

* * *

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

* * *

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

§1112. Commission established; purposes; membership; officers

* * *

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

* * *

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

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§942. Small and emerging businesses

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

* * *

§1762. Prohibitions; data collection; targeted advertising

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

* * *

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

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

* * *

(iii) ~~Gender.~~ Sex.

* * *

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

§108. Deer and turkey harvest records and tagging

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

* * *

§1705. Poverty Point Reservoir Development Dedicated Fund Account

* * *

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

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

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

Unless the context clearly indicates otherwise:

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

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

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

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

Unless the context clearly indicates otherwise:

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

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

* * *

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

* * *

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

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

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

* * *

Art. 989. Motion for expungement forms to be used

STATE OF LOUISIANA

JUDICIAL DISTRICT FOR THE PARISH OF

_____

No.: _____ **Division: "_____"**

State of Louisiana

vs.

_____

MOTION FOR EXPUNGEMENT

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

I. DEFENDANT INFORMATION

NAME: _____

(Last, First, MI)

DOB: _____/_____/_____ (MM/DD/YYYY)

~~GENDER~~ SEX _____ Female _____Male

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

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RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

AGENCY ITEM NO. _____

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

II. ARREST INFORMATION

1. Mover was arrested on _____/_____/_____ (MM/DD/YYYY)

2. _____ YES _____ NO A supplemental sheet with arrests and/or convictions is attached after page 2 of this Motion.

3. Mover was:

_____ YES _____ NO Arrested, but it did not result in conviction

_____ YES _____ NO Convicted of and seeks to expunge a misdemeanor

_____ YES _____ NO Convicted of and seeks to expunge a felony

_____ YES _____ NO Convicted but determined to be factually innocent and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8.

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

____ Yes ____ No ARRESTS THAT DID NOT RESULT IN CONVICTION

NO. 1 La. Rev. Stat. Ann. § _____ : _____

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Name of the offense _____

( ) Time expired for prosecution _____

(MM/DD/YYYY)

( ) Not prosecuted for any offense arising out of this charge.

( ) Pre-trial Diversion Program.

( ) DWI Pre-Trial Diversion Program and 5 years have elapsed since the date of arrest.

( ) Charge dismissed

( ) Found not guilty/judgment of acquittal

NO. 2 La. Rev. Stat. Ann. § _____ : _____

Name of the offense _____

( ) Time expired for prosecution _____

(MM/DD/YYYY)

( ) Not prosecuted for any offense arising out of this charge.

( ) Pre-trial Diversion Program.

( ) Charge dismissed

( ) Found not guilty/judgment of acquittal

NO. 3 La. Rev. Stat. Ann. § _____ : _____

Name of the offense _____

( ) Time expired for prosecution _____

(MM/DD/YYYY)

( ) Not prosecuted for any offense arising out of this charge.

( ) Pre-trial Diversion Program.

( ) Charge dismissed

( ) Found not guilty/judgment of acquittal

____ Yes ____ No MISDEMEANOR CONVICTIONS

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NO. 1 La. Rev. Stat. Ann. § _____ : _____

Name of the offense _____

( ) Conviction set aside/dismissed _____/____/_____

pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)

( ) More than 5 years have passed

since completion of sentence.

NO. 2 La. Rev. Stat. Ann. § _____ : _____

Name of the offense _____

( ) Conviction set aside/dismissed _____/____/_____

pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)

( ) More than 5 years have passed

since completion of sentence.

____ Yes ____ No FELONY CONVICTIONS

NO. 1 La. Rev. Stat. Ann. § _____ : _____

( ) Conviction set aside/dismissed _____/____/_____

pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)

( ) More than 10 years have passed

since completion of sentence

( ) Received a first offender pardon for an eligible offense

NO. 2 La. Rev. Stat. Ann. § _____ : _____

( ) Conviction set aside/dismissed _____/____/_____

pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)

( ) More than 10 years have passed

since completion of sentence

( ) Received a first offender pardon for an eligible offense

____ Yes ____ No OPERATING A MOTOR VEHICLE WHILE INTOXICATED CONVICTIONS

Mover has attached the following:

( ) A copy of the proof from the Department of Public Safety and Corrections, office of motor vehicles, that it has received from the

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

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

☐ Criminal Background Check from the La. State Police/Parish Sheriff dated within the past 60 days (required).

☐ Bill(s) of Information (if any).

☐ Minute entry showing final disposition of case (if any).

☐ Certification Letter from the District Attorney for fee waiver (if eligible).

☐ Certification Letter from the District Attorney verifying that the applicant has no convictions or pending applicable criminal charges in the requisite time periods.

☐ Certification Letter from the District Attorney verifying that the charges were refused.

☐ Certification Letter from the District Attorney verifying that the applicant did not participate in a pretrial diversion program.

☐ A copy of a first offender pardon.

☐ A copy of the order waiving the sex offender registration and notification requirements.

☐ A copy of the court order determination of factual innocence and order of compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8 if applicable.

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

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

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

Respectfully submitted,

_____

Signature of Attorney for Mover/Defendant

_____

Attorney for Mover/Defendant Name

_____

Attorney's Bar Roll No.

_____

Address

_____

City, State, ZIP Code

_____

Telephone Number

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If not represented by counsel:

_____

Signature of Mover/Defendant

_____

Mover/Defendant Name

_____

Address

_____

City, State, ZIP Code

_____

Telephone Number

* * *

Art. 992. Order of expungement form to be used

STATE OF LOUISIANA

JUDICIAL DISTRICT FOR THE PARISH OF

_____

No.: _____ **Division: "_____"**

State of Louisiana

vs.

_____

ORDER OF EXPUNGEMENT OF ARREST/CONVICTION RECORD

Considering the Motion for Expungement

☐ The hearing conducted and evidence adduced herein, OR

☐ Affidavits of No Opposition filed,

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IT IS ORDERED, ADJUDGED AND DECREED

☐ **THE MOTION IS DENIED** for No(s). _____ for the following reasons (check all that apply):

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

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

☐ Mover was convicted of one of the following ineligible felony offenses:

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

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

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

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

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

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

☐ Mover did not complete pretrial diversion.

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

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

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

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☐ Mover completed a DWI pretrial diversion program, but five years have not elapsed since the mover's date of arrest.

☐ Mover's conviction for felony carnal knowledge of a juvenile is not defined as misdemeanor carnal knowledge of a juvenile had the mover been convicted on or after August 15, 2001.

☐ Mover was not convicted of a crime that would be eligible for expungement as required by C.Cr.P. Art. 978(E)(1).

☐ Mover has criminal charges pending against him.

☐ Mover was convicted of a criminal offense during the ten-year period, excluding any noncapital felony during the preceding ten-year period that would otherwise be eligible for expungement pursuant to C.Cr.P. Art. 978(F).

☐ Mover received a first offender pardon but for an ineligible offense.

☐ Mover did not receive a first offender pardon.

☐ Denial for any other reason provided by law with attached reasons for denial.

☐ **THE MOTION IS HEREBY GRANTED** for No(s). _____ and all agencies are ordered to expunge the record of arrest/conviction and any photographs, fingerprints, or any other such information of any kind maintained in connection with the Arrest(s)/Conviction(s) in the above-captioned matter, which record shall be confidential and no longer considered a public record, nor be available to other persons except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541 et seq. or upon an order of this Court to any other person for good cause shown, or as otherwise authorized by law.

☐ **THE MOTION IS HEREBY GRANTED FOR EXPUNGEMENT BY REDACTION** If the record includes more than one individual and the mover

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

NAME: _____

(Last, First, MI)

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

~~GENDER~~ SEX: _____ Female _____Male

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

RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

AGENCY ITEM NUMBER: _____

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

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

at _____, Louisiana.

_____

JUDGE

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PLEASE SERVE:

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

* * *

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

STATE OF LOUISIANA

JUDICIAL DISTRICT FOR THE PARISH OF

_____

No.: _____ **Division: "_____"**

State of Louisiana

vs.

_____

MOTION FOR INTERIM EXPUNGEMENT

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

I. DEFENDANT INFORMATION

NAME: _____

(Last, First, MI)

DOB: _____/_____/_____ (MM/DD/YYYY)

~~GENDER~~ SEX _____ Female _____Male

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

RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

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AGENCY ITEM NO. _____

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

II. ARREST INFORMATION

1. Mover was arrested on _____/_____/_____ (MM/DD/YYYY)

2. _____ YES _____ NO A supplemental sheet with arrests and/or convictions is attached after page 2 of this Motion.

3. Mover was:

_____ YES _____ NO Arrested for a felony offense.

_____ YES _____ NO Convicted of a misdemeanor arising out of that felony offense.

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

____ Yes ____ No FELONY ARREST THAT RESULTED IN A MISDEMEANOR CONVICTION

NO. 1 La. Rev. Stat. Ann. § _____ : _____

Name of the offense _____

_____

(MM/DD/YYYY)

( ) Felony charge dismissed.

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

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5. Mover has attached to his Motion a criminal background check from the Louisiana State Police/Parish Sheriff dated within the past sixty days (required).

The mover prays that if there is no objection timely filed by the arresting law enforcement agency, the District Attorney's Office, or the Louisiana Bureau of Criminal Identification and Information, that an order be issued herein ordering the Louisiana Bureau of Criminal Identification and Information to expunge the entry of the felony charge(s) listed contained in the criminal history; and further that the Clerk of Court, District Attorney, and arresting law enforcement agency expunge the entry of those felony charge(s) from any public indices.

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

Respectfully submitted,

_____
Signature of Attorney for Mover/Defendant

_____
Attorney for Mover/Defendant Name

_____
Attorney's Bar Roll No.

_____
Address

_____
City, State, ZIP Code

_____
Telephone Number

If not represented by counsel:

_____
Signature of Mover/Defendant

_____
Mover/Defendant Name

_____
Address

_____
City, State, ZIP Code

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_____
Telephone Number

PLEASE SERVE:

1. District Attorney_____
2. Louisiana Bureau of Criminal Identification and Information_____
3. Arresting Agency_____

* * *

Art. 997. Certification of human trafficking victim status

STATE OF LOUISIANA
_____ JUDICIAL DISTRICT FOR THE PARISH OF _____

NO.:_____ DIVISION: _____

STATE OF LOUISIANA
vs.
_____

CERTIFICATION OF HUMAN TRAFFICKING VICTIM STATUS

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

_____,
RACE/~~GENDER~~ SEX: _____ DOB: _____, SSN:_____, has established by a preponderance of the evidence proof of status as a victim of human trafficking in accordance with the provisions of R.S. 14:46.2, for the following offense(s), detailed specifically as follows:

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

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

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

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

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

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

_____ _____
DATE DISTRICT ATTORNEY
PARISH OF

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_____ JUDICIAL DISTRICT
STATE OF LOUISIANA

* * *

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

STATE OF LOUISIANA
JUDICIAL DISTRICT FOR THE PARISH OF

_____

No.: _____ **Division: "_____"**

State of Louisiana
vs.

_____

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

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

I. DEFENDANT INFORMATION

NAME: _____
(Last, First, MI)

DOB: _____/_____/_____ (MM/DD/YYYY)

~~GENDER~~ SEX _____ Female _____Male

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

RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

AGENCY ITEM NO. _____

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

II. MISDEMEANOR CONVICTION FOR A FIRST OFFENSE POSSESSION OF MARIJUANA

1. Mover was convicted on _____/_____/_____ (MM/DD/YYYY)

The Mover prays that if there is no objection timely filed by the arresting law enforcement agency, the district attorney's office, or the Louisiana Bureau of Criminal Identification and Information, that an order be issued herein ordering the expungement of the record of arrest and/or conviction set forth above, including all photographs, fingerprints, disposition, or any other such information, which record shall be confidential and no longer considered a public record, nor be made available to other persons, except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing, certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541 et seq. or as an order of this court to any other person for good cause shown, or as otherwise authorized by law.

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

Respectfully submitted,

_____
Signature of Attorney for Mover/Defendant

_____
Attorney for Mover/Defendant Name

_____
Attorney's Bar Roll No.

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_____
Address

_____
City, State, ZIP Code

_____
Telephone Number

If not represented by counsel:

_____
Signature of Mover/Defendant

_____
Mover/Defendant Name

_____
Address

_____
City, State, ZIP Code

_____
Telephone Number

* * *

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

JUDICIAL DISTRICT FOR THE PARISH OF

_____

No.: _____ **Division: "_____"**

State of Louisiana

vs.

_____

ORDER OF EXPUNGEMENT UNDER
CODE OF CRIMINAL PROCEDURE ARTICLE 999

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

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

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

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

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

THUS ORDERED AND SIGNED, ADJUDGED, AND DECREED this ____ day of _____, 20 ____ at _____, Louisiana, _____.

_____
JUDGE

DEFENDANT INFORMATION:

NAME:_____
First Middle Last

DATE OF BIRTH:_____

~~GENDER~~ SEX:_____

SS#_____

RACE_____

DRIVER'S LICENSE#_____

ARRESTING AGENCY_____

SID#_____

ARREST NUMBER (ATN)_____

AGENCY ITEM NO:_____

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

* * *

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

Art. 106. Number, ~~gender~~ sex

Unless the context clearly indicates otherwise:

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

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

* * *

Art. 720. Motion for guardianship

* * *

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

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

* * *

Art. 725. Findings and purpose

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

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

* * *

Art. 1217.1. Reporting requirement; statistical availability

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

* * *

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

* * *

Art. 1239.1. Reporting requirement; statistical availability

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

* * *

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

* * *

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 822

HOUSE BILL NO. 638

BY REPRESENTATIVE JACOB LANDRY

AN ACT

To amend and reenact R.S. 9:2784, relative to the prompt payment to contractors and subcontractors; to establish procedure; to provide time delays; to provide penalties; to provide relative to accrued interest; to provide for contract nullity; to provide for a cause of action; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2784 is hereby amended and reenacted to read as follows:

§2784. ~~Late payment by contractors to subcontractors and suppliers; penalties~~

Prompt payment by owners to contractors; prompt payment to subcontractors and suppliers; penalties; action to collect payment; attorney fees and costs

A.(1) If an owner or person authorized to act on behalf of the owner receives a written payment request from a contractor for an amount payable under a contract for construction of improvements made to an immovable for properly performed work or suitably stored or specially fabricated materials under the contract, the owner shall pay the amount owed to the contractor, unless any amount is withheld as authorized by law, the contract, or this Section, no later than thirty-five days following receipt of the written request.

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(2) If the owner or person authorized to act on behalf of the owner fails to make payment to the contractor within thirty-five days of the receipt of the written payment request from a contractor for improvements to an immovable, in the absence of a good faith dispute, the owner shall pay to the contractor a penalty in accordance with Subsection D of this Section. This penalty shall be in addition to any other remedies authorized by law or the contract for construction on or improvements to the immovable.

B.(1) ~~When a~~ A contractor who receives any payment from the owner ~~for improvements to an immovable after the issuance of a certificate of payment by the architect or engineer, or when a contractor receives any payment from the owner for improvements to an immovable when no architect or engineer is on the job,~~ or person authorized to act on behalf of the owner for the construction of or for improvements made to an immovable ~~the contractor shall promptly pay such monies received~~ shall promptly pay each subcontractor and supplier the portion of payment that is attributable to work properly performed or materials suitably stored or specially fabricated as provided by the contract by the subcontractor or supplier, including any interest accrued, to the extent of the subcontractor or supplier's interest in the payment. ~~to each subcontractor and supplier in proportion to the percentage of work completed prior to the issuance of the certificate of payment by such subcontractor and supplier, or by the owner if no architect or engineer is on the job. Further, whenever a subcontractor receives payment from the contractor, the subcontractor shall promptly pay such monies received to each sub-subcontractor and supplier in proportion to the work completed.~~ The payment required by this Subsection shall be made no later than the seventh day after the date the contractor receives payment from the owner or person authorized to act on behalf of the owner.

(2) A subcontractor who receives a payment from the contractor pursuant to this Section or from a contractor in connection with a contract to improve an immovable shall promptly pay each subcontractor and supplier the portion of the payment that is attributable to work properly performed or materials suitably stored or specially fabricated as provided under the contract by the subcontractor or

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supplier, including any interest, to the extent of the subcontractor's or supplier's interest in the payment. The payment required by this Subsection shall be made no later than the seventh day after the date the subcontractor receives payment from the contractor.

~~B. If for any reason the contractor receives less than the full payment from the owner, then the contractor shall be obligated to disperse only the funds received on a prorated basis with the contractor, subcontractors, and suppliers each receiving a prorated portion based on the amount due on the payment.~~

~~C.~~ (3) If the contractor or subcontractor ~~without reasonable cause~~ fails to make ~~any~~ payment that is due to his subcontractors and suppliers within ~~fourteen~~ seven consecutive days of the receipt of payment from the owner or contractor for improvements to an immovable in the absence of a good faith dispute, the contractor or subcontractor shall pay to the subcontractors and suppliers, in addition to the payment, a penalty ~~in the amount of one-half of one percent of the amount due, per day, from the expiration of the period allowed herein for payment after the receipt of payment from the owner. The total penalty shall not exceed fifteen percent of the outstanding~~ in accordance with Subsection D of this Section. This penalty shall be in addition to any other remedies authorized by law, the contract for construction on or improvements to the immovable, or any other agreement between the contractor, subcontractor, or suppliers. ~~balance due. In addition, the contractor or subcontractor shall be liable for reasonable attorney fees for the collection of the payments due the subcontractors and suppliers. However, any claim which the court finds to be without merit shall subject the claimant to all reasonable costs and attorney fees for the defense against such claim.~~

C. If a good faith dispute exists concerning the amount owed for a payment requested or required by this Section under a contract for construction of or improvements to an immovable, the owner, contractor, or subcontractor disputing the obligation to pay shall pay the amount that is not in dispute by the applicable date required by this Section. For purposes of this Section, a good faith dispute may

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include a dispute regarding whether the work was performed in a proper manner under the contract.

D.(1) An unpaid amount as described in this Section shall incur a penalty at the rate of one and one-half percent of the unpaid amount per month. This penalty begins to accrue the day after the date on which the payment is due.

(2) The penalty on any unpaid amounts pursuant to this Section stops accruing on the earlier of the date of delivery of payment, the date the payment is mailed if delivered within three days, or the date a judgment is rendered on an action brought pursuant to this Section.

E. A waiver of a provision of this Section shall be absolutely null. However, a written contract between an owner and a contractor for improvements on or construction of a single-family residence may provide that the payment required in accordance with this Section be made at a time not later than sixty-one days after the date the owner receives the payment request. Any unpaid amount under contract that allows payment later than the date otherwise required by Subsection A of this Section incurs a penalty in accordance with Subsection D of this Section.

F. A contractor, subcontractor, or supplier may bring an action to collect the payments and penalties owed in accordance with this Section. The court shall award court costs and reasonable attorney fees to the prevailing party. The rights and remedies provided by this Section are in addition to any other rights and remedies available under the law or contract. Nothing in this Section shall be construed to create a right of action of the contractor, subcontractor, or supplier against a lender or insurer.

~~D.~~ G.(1) ~~The provisions of this Section shall not be applicable to improvements to immovable property used for residential purposes.~~ The provisions of this Section do not supercede the prompt payment obligations and penalties for contracts with a public entity as required in R.S. 38:2191.

(2) The date of payment required of the owner pursuant to this Section shall be the later of thirty-five days after the date the owner receives the payment request

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or the fifth day after the date the owner receives loan proceeds for the payment that is due when all of the following occurs:

(a) The owner has, prior to the contractor's payment request, obtained a loan intended to pay for all or part of a contract to improve immovable property.

(b) The owner has timely and properly requested disbursement of proceeds from that loan.

(3) This Section does not apply to any of the following:

(a) Agreements authorizing the exploration, production, manufacturing, or development of oil, natural gas, natural gas liquids, synthetic gas, sulphur, ore, chemicals, or other mineral substances, including any lease or royalty agreement, joint interest agreement, production or production-related agreement, operating agreement, farmout agreement, area of mutual interest agreement, or other related agreement.

(b) Well or mine services.

(c) The purchase, sale, gathering, storage, or transport of oil, natural gas, natural gas liquids, synthetic gas, or other hydrocarbon substances by pipeline or by a fixed associated facility.

(d) For the purposes of this exemption, "agreement" includes a written or oral agreement or understanding that does any of the following:

(i) Provides work or services, including any construction, operating, repair, or maintenance services.

(ii) Performs a part of the services covered by Subparagraph (a) of this Paragraph or an act collateral to those services, including furnishing or renting equipment, incidental transportation, or other goods and services furnished in connection with those services.

(e) For the purposes of this exemption, "well or mine services" includes either of the following:

(i) Drilling, deepening, reworking, repairing, improving, testing, treating, perforating, acidizing, logging, conditioning, purchasing, gathering, storing, or transporting oil or natural gas, brine water, fresh water, produced water, condensate,

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petroleum products, or other liquid commodities, or otherwise rendering services in connection with a well drilled to produce or dispose of oil, gas, or other minerals or water.

(ii) Designing, excavating, constructing, improving, or otherwise rendering services in connection with an oil, gas, or other mineral production platform or facility, mine shaft, drift, or other structure intended directly for use in exploring for or producing a mineral.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 826

HOUSE BILL NO. 718

BY REPRESENTATIVE BOURRIAQUE

AN ACT

To enact R.S. 9:2791.2, relative to the limitation of liability applicable to aeronautical activities at nonpublic use airports; to provide for a limitation of liability for private landowners permitting the recreational use of private land for aeronautical activities at nonpublic use airports; to establish exceptions to this limitation of liability; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2791.2 is hereby enacted to read as follows:

§2791.2. Limitation of liability for aeronautical activities at nonpublic use airports; private landowners

A. As used in this Section:

(1) "Aeronautical activities" means the act or practice of the art and science of transportation by aircraft and operations, construction, repair, or maintenance of aircraft, airports, landing fields, landing strips, air navigation of, or flight in, or air instruction.

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(2) "Charge" means the admission price or fee required in return for permission to use lands, but does not include the following:

(a) The sharing of game, fish, or other products of recreational use.

(b) Contributions in kind, services, or cash paid to reduce or offset costs and eliminate losses from recreational use.

(c) Donations made during aeronautical activities at nonpublic use airports.

(3) "Land" means urban or rural land, roads, water, watercourses, airstrips, private ways and buildings, structures, including machinery or equipment when attached to immovable property.

(4) "Malicious" means an intentional act of misconduct that the actor knows or should have known is likely to result in harm. The term shall not include negligent or reckless conduct.

(5) "Nonpublic use airport" means an airport that is primarily used by the owner with access by others without a charge as permitted by the owner.

(6) "Owner" means the possessor of a fee interest, a tenant, lessee, occupant, or person in control of the premises.

(7) "Person" means individuals regardless of age.

(8) "Recreational purpose" includes aeronautical activities at nonpublic use airports.

B. Except for willful or malicious failure to warn against a dangerous condition, use, structure, or activity, an owner of a nonpublic use airport shall not be liable for any loss or damage to any person on the owner's property when the loss or damage is related to an emergency landing of an aircraft, except an owner of commercial recreational developments or facilities, who permits with or without charge any person to use his land for recreational purposes as defined in this Subsection.

C. Unless otherwise agreed in writing, the provisions of Subsection B of this Section shall be deemed applicable to the duties and liability of an owner of land leased for recreational purposes to the federal government, including any state or political subdivision thereof, or private persons.

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D. Nothing in this Section shall be construed to relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this Section to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failing to employ such care.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 845

HOUSE BILL NO. 816

BY REPRESENTATIVES GALLE, AMEDEE, BAYHAM, CARRIER, CREWS, DICKERSON, ECHOLS, EGAN, FIRMENT, HORTON, KNOX, LAFLEUR, MELERINE, OWEN, SAWYER, SCHAMERHORN, STAGNI, WILDER, AND WYBLE AND SENATORS ALLAIN, BASS, BOUDREAUX, CATHEY, CONNICK, FESI, FOIL, HENRY, HENSGENS, HODGES, MIGUEZ, MIZELL, PRESSLY, AND TALBOT

AN ACT

To amend and reenact R.S. 9:2717.1(F)(introductory paragraph) and (G) and to enact Part I of Chapter 1-B of Title 9 of Code Title II of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2717.1.2 through 2717.1.8, relative to immovable property; to provide relative to foreign adversaries or persons connected with foreign adversaries; to prohibit the acquisition of certain immovable property; to provide for definitions; to provide with respect to agents of foreign adversaries or mandataries of foreign adversaries; to provide for exceptions; to provide for civil actions; to provide for civil penalties; to provide relative to the protection of ownership interests; to provide for the duties of the attorney general; to provide for a limitation of liability; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2717.1(F)(introductory paragraph) and (G) are hereby amended and reenacted and Part I of Chapter 1-B of Title 9 of Code Title II of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2717.1.2 through 2717.1.8, is hereby enacted to read as follows:

§2717.1. Prohibition of acquisition of immovable property by a foreign adversary or a person connected with a foreign adversary

* * *

F. ~~The~~ Unless the person is an agent of a foreign adversary or a mandatary of a foreign adversary, the provisions of this Section shall not apply to any of the following:

* * *

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G. For the purposes of this Section:

(1) "Agent of a foreign adversary" or "mandatary of a foreign adversary" means a juridical person or a natural person that serves as a mandatary, as provided in Louisiana Civil Code Article 2989, for a principal that is a foreign adversary and meets one or more of the following criteria:

(a) Is under direction of a foreign adversary that has the power to direct or cause the direction of the management or policies of the juridical person whether through ownership of securities, by contract, or otherwise.

(b) Directly or indirectly has the right to vote fifty percent or more of the voting interests of an entity that is owned or controlled by a foreign adversary or is entitled to fifty percent or more of its profits and is, therefore, presumed to have the power to direct or cause the direction of the management or policies of the juridical person.

(c) Is a juridical person that meets any of the following:

(i) Is headquartered in a country identified as a foreign adversary.

(ii) Is held or controlled, either directly or indirectly, by a government of a foreign adversary.

(iii) Is owned by, or the majority of stock or other ownership interest is held or controlled by, any person who is a citizen of a foreign adversary, unless that person is a legal permanent resident of the United States.

(d) Is a juridical person or a subsidiary that is owned by, or the majority of stock or other ownership interest of which is held or controlled by, a corporation or entity described in Subparagraph (c) of this Paragraph.

(e) Any individual person who is a citizen of a foreign adversary, unless that person is a legal permanent resident of the United States and does not otherwise meet any of the criteria provided in Subparagraphs (a) through (d) of this Paragraph.

~~(1)~~(2) "Foreign adversary" means an individual or a government identified as a foreign adversary in 15 CFR 7.4(a) and identified in the database maintained by the United States Department of the Treasury, Office of Foreign Assets Control.

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~~(2)~~(3) "Person connected with a foreign adversary" means either of the following:

(a) An agent of a foreign adversary or mandatary of a foreign adversary.

(b) ~~the~~ A juridical person, as defined in Civil Code Article 24, in which the foreign adversary has the power to direct or cause the direction of the management or policies of the juridical person whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote fifty percent or more of the voting interests of an entity or is entitled to fifty percent or more of its profits is presumed to have the power to direct or cause the direction of the management or policies of the juridical person.

* * *

PART I. PROHIBITED OWNERSHIP BY FOREIGN ADVERSARIES

§ 2717.1.2. Ownership of military-installation-adjacent lands by foreign adversaries restricted

A. No foreign adversary or prohibited foreign actor shall directly or indirectly own, acquire, lease, or otherwise obtain any interest in military-installation-adjacent land.

B. A prohibited foreign actor may sell or convey an ownership interest in military-installation-adjacent land in this state.

C. A person may conclusively rely upon an affidavit made by a person intending to acquire or holding an interest in immovable property to the effect that the person is not a foreign adversary or a prohibited foreign actor, and the correctness of those facts may not be controverted against any person relying on the affidavit, unless actual fraud by such person is proven. A person who gives a false affidavit shall be responsible for any loss or damage suffered by any person whose rights are adversely affected.

§ 2717.1.3. Definitions

For purposes of this Part, the following terms have the following meanings:

(1) "Controlling interest" means possession of the power to direct or cause the direction of the management or policies of a company, whether through

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ownership of securities, by contract or otherwise. A person or entity that directly or indirectly has the right to vote fifty percent or more of the voting interests of an entity or is entitled to fifty percent or more of its profits is presumed to possess a controlling interest.

(2) "Foreign adversary" means a foreign nongovernmental person or foreign government identified as a foreign adversary pursuant to 15 CFR 791.4 and identified in the database maintained by the United States Department of the Treasury, Office of Foreign Assets Control. This term does not include a person who is a legal permanent resident with lawful presence in the United States.

(3) "Military installation" means any site that meets any of the following descriptions:

(a) Active Air Force ballistic missile fields.

(b) Air Force bases administering active Air Force ballistic missile fields.

(c) Air Force bases and major annexes of those bases containing a unit from the Air Force Air Combat Command.

(d) Air Force bases and major annexes of those bases containing an Air Force research laboratory or test unit and associated sites.

(e) Air Force bases and major annexes of those bases, and Space Force bases and major annexes of those bases containing a unit of the North American Aerospace Defense Command and its regions.

(f) Air Force bases, Air Force stations, Space Force bases, Space Force stations, and major annexes of those stations and bases that contain satellite, telemetry, tracking, or commanding systems.

(g) Army bases, ammunition plants, centers of excellence, major depots and arsenals, military terminals, research laboratories, and any related major annexes.

(h) Army combat training centers located in the continental United States.

(i) Headquarters of the Office of the Secretary of Defense, the Defense Advanced Research Projects Agency, and major offices and any related annexes.

(j) Long range radar sites and major annexes of sites described in this Paragraph.

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(k) Major range and test facility base activities as defined in 10 U.S.C. 196.

(l) Marine Corps bases, air stations, and major annexes of these bases and stations, excluding detachments and recruit depots.

(m) Military ranges as defined in 10 U.S.C. 101(f)(1) or joint forces training centers.

(n) Naval bases and air stations including major support activities and annexes.

(o) Naval surface, air, and undersea warfare centers and research laboratories and major annexes of these centers and laboratories.

(p) Navy off-shore range complexes and off-shore operating areas.

(q) Any structure or enclosure that the presentation of a military identification issued by the Department of Defense to active duty service members is required to enter or access.

(4) "Military-installation-adjacent land" means immovable property within twenty-five miles of a military installation.

(5) "Prohibited foreign actor" means any of following:

(a) An agent of a foreign adversary or mandatary of a foreign adversary.

(b) A corporation, limited liability company, pension or investment fund, trust, or limited partnership where a foreign adversary or an agent or mandatary of a foreign adversary has a controlling interest.

(6) "Agent of a foreign adversary" or "mandatary of a foreign adversary" means a juridical person or a natural person that serves as a mandatary, as provided in Louisiana Civil Code Article 2989, for a principal that is a foreign adversary and meets one or more of the following criteria:

(a) Is under direction of a foreign adversary that has the power to direct or cause the direction of the management or policies of the juridical person whether through ownership of securities, by contract, or otherwise.

(b) Directly or indirectly has the right to vote fifty percent or more of the voting interests of an entity that is owned or controlled by a foreign adversary or is entitled to fifty percent or more of its profits and is, therefore, presumed to have the

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power to direct or cause the direction of the management or policies of the juridical person.

(c) Is a juridical person that meets any of the following:

(i) Is headquartered in a country identified as a foreign adversary.

(ii) Is held or controlled, either directly or indirectly, by a government of a foreign adversary.

(iii) Is owned by, or the majority of stock or other ownership interest is held or controlled by, any person who is a citizen of a foreign adversary, unless that person is a legal permanent resident of the United States.

(d) Is a juridical person or a subsidiary that is owned by, or the majority of stock or other ownership interest of which is held or controlled by, a corporation or entity described in Subparagraph (c) of this Paragraph.

(e) Any individual person who is a citizen of a foreign adversary, unless that person is a legal permanent resident of the United States and does not otherwise meet any of the criteria provided in Subparagraphs (a) through (d) of this Paragraph.

§2717.1.4. Exceptions

The provisions of this Part do not apply to a person who might otherwise qualify as a prohibited foreign actor owning military-installation-adjacent lands under any of the following circumstances:

(1) The person is a natural person who is a United States citizen, regardless of whether the United States citizenship was acquired by birth or the United States citizenship was granted to a person after meeting the requirements established by the United States Congress in the Immigration and Nationality Act, 8 U.S.C. 1101 et seq.

(2) The person is a natural person who is not a United States citizen but is a permanent legal resident or is lawfully present in the United States by virtue of authorization by the United States Department of Homeland Security.

(3) The person is a juridical person, as defined in Civil Code Article 24, that is wholly owned by persons who qualify under Paragraphs (1) or (2) of this Subsection.

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(4) The military-installation-adjacent land is immovable property purchased, leased, or otherwise acquired by a natural person that is used as a one-to-four family residential property.

§2717.1.5. Civil penalties; actions

A.(1) A prohibited foreign actor that violates the provisions of this Part is subject to a civil penalty of fifty thousand dollars and forfeiture if such entity does not divest itself of military-installation-adjacent land that is acquired in violation of this Part within one year after a judgment is entered in a civil action.

(2) Any civil penalty collected pursuant to this Section shall be paid to the attorney general to offset costs associated with enforcement of provisions contained in this Section.

B. A party to the contract to purchase, lease, or otherwise acquire immovable property may rescind the contract prior to the transfer of the immovable property if the party determines that a foreign adversary has an ownership interest that violates the provisions of this Part.

C. The attorney general may bring an action for injunctive relief in the name of the state against the foreign adversary or prohibited foreign actor to restrain and enjoin the sale or lease prior to the transfer of the immovable property or to restrain or enjoin the lease. The attorney general shall serve the petition for injunctive relief upon the parties to the transaction. Upon receipt of the petition, a party may rescind the contract to purchase, lease, or otherwise acquire immovable property pursuant to Subsection B of this Section. The attorney general shall file a notice of lis pendens in the mortgage records of the parish where the property is located no later than three business days after instituting the proceeding. The institution of the action and the filing of the notice of lis pendens shall have no effect on persons obtaining rights in the immovable property prior to the filing of the notice of the pending action.

D.(1) The attorney general may serve an investigative demand or subpoena for deposition testimony to any person who is believed to have information, documentary material, or physical evidence relevant to the alleged or suspected

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attempt to enter into, conspiracy to enter into, or entering into a contract to purchase, lease, or otherwise acquire immovable property in this state if all of the following circumstances exist:

(a) The attorney general has evidence that a foreign adversary or a prohibited foreign actor is attempting to enter into, conspiring to enter into, or has entered into a contract to purchase, lease, or otherwise acquire immovable property in this state.

(b) The attorney general believes it to be in the public interest that an investigation should be made to ascertain whether a foreign adversary or a prohibited foreign actor in fact is attempting to enter into, conspiring to enter into, or has entered into a contract to purchase, lease, or otherwise acquire immovable property in this state.

(2)(a) Such investigative demand or subpoena for deposition testimony shall contain a description of the attempt to enter into, conspiracy to enter into, or entering into a contract to purchase, lease, or otherwise acquire immovable property in this state under investigation and shall require such person to furnish, under oath or otherwise, a report in writing setting forth the relevant facts and circumstances of which the person has knowledge, or to produce relevant documentary material or physical evidence for examination, at such reasonable time and place as may be stated in the investigative demand that is the subject matter of the investigation. Nonpublic personal information may be excluded from the report, deposition, or other testimony.

(b) Any subpoena for deposition testimony issued pursuant to this Section shall include a notice informing the prospective deponent of the deponent's right to counsel at the deposition with an opportunity for cross examination, and the deposition shall be conducted at the principal place of business, place of residence, domicile, or, if agreeable to the deponent, at some other place convenient to the attorney general and the deponent's attorney.

(c) Any deposition conducted pursuant to this Section shall be held at a reasonable time as may be stated in the investigative subpoena. At any time before the return date specified in the investigative demand or before the noticed deposition,

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or within twenty days after the demand or deposition notice has been served, whichever is shorter, a petition stating good cause for a protective order to extend the return date or to modify or set aside the demand or deposition notice may be filed in the district court that has civil jurisdiction in the parish where the person served with the demand resides, is domiciled, or where his principal place of business is located.

(d) If no protective order from the court is secured and the written request by the attorney general is not complied with by the return date of the written request, the attorney general may apply to the court for an order compelling compliance with the investigative demand or deposition notice.

(e) If any person fails or refuses to file any statement, report, documentary material, or physical evidence or obey any investigative subpoena or demand issued by the attorney general, except as permitted by a protective order issued by an appropriate court, the attorney general may apply to the district court with civil jurisdiction in the parish where the person served with the demand or subpoena resides, is domiciled, or where his principal place of business is located for a rule to show cause regarding why an order compelling compliance should not be issued.

(f) Any disobedience of an order compelling compliance pursuant to this Section by a court shall be punished as a contempt of court.

E. Service of any demand, subpoena, or petition shall be made in the manner provided by law.

F. Any immovable property acquired by a foreign adversary or a prohibited foreign actor is subject to divestiture or civil forfeiture to the state.

G. The attorney general may use all other procedures and authority for investigation, supervision, and conduct of actions on behalf of the state as provided by law to enforce the provisions of this Part.

H. A court that the attorney general has petitioned may issue any additional orders or render judgments against the foreign adversary or the prohibited foreign actor as may be necessary to protect the public. Such orders shall include but not be limited to any of the following:

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(1) Revocation, forfeiture, or suspension of any license, charter, franchise, certificate, or other evidence of authority of any person to do business in the state.

(2) Appointment of a receiver.

(3) Dissolution of domestic corporations or associations.

(4) Suspension or termination of the right of foreign corporations or associations to do business in this state.

(5) Restitution to compensate any person who did not knowingly enter into a transaction with the foreign adversary or a prohibited foreign actor for any loss, expenses, court costs, or attorney fees which may have been incurred because of the sale being void or enjoined.

(6) Civil forfeiture of any immovable property acquired by the foreign adversary or the prohibited foreign actor in accordance with this Section.

I.(1) If, after examining the evidence, the attorney general concludes that a violation of this Part has occurred, the attorney general may order the foreign adversary or prohibited foreign actor to divest himself of all interests in the land within ninety days after service of the order upon the foreign adversary or prohibited foreign actor.

(2) The order of divestiture described in Paragraph (1) of this Subsection shall be served personally or by certified mail.

J.(1) If the holder of the interest that is ordered to be divested disputes the determination of the attorney general that a violation of this Part occurred, the holder may submit a written request to the attorney general for a judicial determination.

(2) The written request described in Paragraph (1) of this Subsection shall be delivered to the attorney general within sixty days after service of the order of divestiture. If no written request is received within this time, the determination of the attorney general shall become final.

(3) A foreign adversary, prohibited foreign actor, or any holder of interest may seek judicial review after the final determination of the attorney general.

(4) Any appeal from the final determination of the attorney general shall be in accordance with the Administrative Procedure Act.

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K.(1) If the foreign adversary or prohibited foreign actor fails to divest himself of all interests pursuant to Paragraph (I)(1) of this Section or if a holder of the interest submits a written request pursuant to Subsection J of this Section, the attorney general may bring an action to divest the interest.

(2) The attorney general may initiate a civil action pursuant to this Section in either the parish of East Baton Rouge or a parish where a portion of the immovable property is located.

(3) The attorney general shall record in the public mortgage records of the parish clerk of court of each parish where any portion of the immovable property is located a notice of pendency of the action pursuant to Chapter 4 of Code Title II of Book VII of the Code of Civil Procedure.

L. If the holder of the interest in immovable property has submitted a written request pursuant to Subsection J of this Section, the court shall conduct an evidentiary hearing to determine, by a preponderance of the evidence, if a violation of this Part occurred prior to taking any other action. If the court determines that there has been no violation, the court shall dismiss the action and expunge the notice of pending action.

M.(1) If a court of competent jurisdiction determines that a violation of this Part has occurred, the court shall order the sheriff in the parish where the immovable property is located to sell the immovable property in the same manner as a judicial sale in accordance with the requirements of Chapter 3 of Code Title VII of Book III of the Code of Civil Procedure.

(2) The court shall order that the price of the sale is no less than the sum of all of the following:

(a) Ad valorem taxes and other liens payable to a political subdivision of the state that are due or past due and attributable to the property.

(b) Indebtedness, including interests, penalties, attorney fees, court costs, and other expenses, secured by a conventional mortgage on the property or any portion of the property.

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(c) Indebtedness, including interest, penalties, attorney fees, and court costs, secured by a judicial or legal mortgage on the property.

(d) Indebtedness, including interest, penalties, attorney fees, and court costs, secured by a lien or privilege on the property.

(e) Commissions due to a real estate broker or real estate agent.

(f) Costs related to the perfection of the sale.

(2) After satisfaction of all mortgages, liens, privileges, and other encumbrances of the property and payment of all persons providing services in connection with the transfer of the property, sheriff's fees, and credits to the purchaser relating to tax and other customary prorations, the remaining proceeds of the sale shall be considered a civil asset forfeiture and the money shall be paid to the Department of Justice.

§2717.1.6. Protection of ownership interests

A. All forfeitures or dispositions under this Part shall be made with due provisions for the rights of any person who did not knowingly enter into a transaction with the foreign adversary or the prohibited foreign actor.

B. No mortgage, lien, privilege, or other security interest recognized under the laws of this state and no ownership interest in indivision, lease, servitude, usufruct, right of use, bond for deed, or other real right shall be affected by the forfeiture, seizure, or divestiture provisions of this Part.

C. No forfeiture or disposition pursuant to this Part shall affect the rights of any person who did not knowingly enter into a transaction with the foreign adversary or a prohibited foreign actor.

D. The attorney general shall, within three business days of instituting any action pursuant to this Part, file a copy of the petition or other pleading instituting the action in the mortgage records of the parish where any related immovable property is situated.

E. The attorney general shall provide notice of pending forfeiture, seizure, or divestiture to the holder of each mortgage, lien, or security interest in the same manner as provided in R.S. 14:90.1 or R.S. 40:2608.

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F. The attorney general shall provide notice of pending forfeiture, seizure, or divestiture to the holder of any interest in the immovable property being seized.

G. The attorney general may cause the cancellation of the petition or other pleading from the mortgage records no later than three business days after judgment is rendered or after a request for cancellation is made by any interested party seeking to transfer the property to a person other than a foreign adversary or a prohibited foreign actor. If the petition or other pleading relates to a property interest vested in a foreign adversary or a prohibited foreign actor, the attorney general may petition the court for an order requiring that the proceeds of the sale attributable to the property interest of the foreign adversary or a prohibited foreign actor be deposited in the registry of the court where the proceeding is pending after the deduction of payments to mortgagees, lienholders, person providing services in connection with the transfer of the property, and credits to the purchaser relating to tax and other customary prorations.

§2717.1.7. Limitation of liability for failure to identify a foreign adversary or prohibited foreign actor

No attorney, title insurer, title insurance producer, title insurance agency producer, lender, mortgage servicer, notary public, real estate agent, real estate broker, seller, or lessor, or any of their directors, officers, or employees, are required to make any investigation as to whether a party to a transaction involving immovable property is a foreign adversary or prohibited foreign actor, nor is any such person liable for failing to identify that a party to a transaction involving immovable property is a foreign adversary or prohibited foreign actor.

§2717.1.8. Applicability

Except as otherwise provided in this Part, the provisions contained in this Part apply only to immovable property acquired by a foreign adversary or prohibited foreign actor on or after August 1, 2026. If a foreign adversary or prohibited foreign actor acquires immovable property despite the prohibitions contained in this Part, the property shall be subject to forfeiture only during the period in which the foreign adversary or prohibited foreign actor owns the property. Rights in immovable

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property shall not be void or voidable because the property or right in that property was previously held by a foreign adversary or prohibited foreign actor.

Section 2. The Louisiana State Law Institute is hereby directed, pursuant to its statutory authority, to make the following technical changes:

(1) Renumber the definitions in R.S. 9:2717.1.2 in order to place the definitions in alphabetical order.

(2) Change the Section numbers in Part I of Chapter 1-B of Title 9 of Code Title II of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2717.1.1 through 2717.1.7, and renumber the Section numbers in Chapter 1-B of Title 9 of Code Title II of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 9:2717.1.2 through 2717.1.8.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 862

HOUSE BILL NO. 1005

BY REPRESENTATIVE MUSCARELLO

AN ACT

To amend and reenact R.S. 9:2800.16, R.S. 11:1902(introductory paragraph) and (12)(c) and 1903(A)(2), R.S. 13:996.43(C), 1381.5(B)(2)(d), 2081.3, and 5951(E)(1)(b), R.S. 15:146, 148(B)(introductory paragraph) and (1)(c), 161(Section heading) and (E)(introductory paragraph) and (12), 162(D), 165(B)(1)(b) and (2) and (E), 169(B), 174(C), 176(C)(1), 185.2(introductory paragraph), (5), (7), and (8), 185.3(A)(2) and (B)(introductory paragraph), (11), (14)(b)(introductory paragraph) and (iii), and (19)(introductory paragraph) and (g), 185.4(A) and (B)(introductory paragraph), (2)(b), (8), and (10), 186.2(6), 186.3(A)(2), (B)(introductory paragraph), (10), (13)(introductory paragraph) and (c), and (18)(introductory paragraph) and (c), 186.4(A), 186.6, 571.11(L)(introductory paragraph), (1)(a)(iv), (b)(iv), and (c)(iv), and (3)(d) and (M)(3), 1202(A)(14), and 1442(C)(introductory paragraph) and (7), R.S. 22:822(B)(1)(d) and (2)(introductory paragraph) and (d), R.S. 36:4(B)(introductory paragraph) and (21), R.S. 42:1121(I), R.S. 46:2168(B)(1) and 2605.4(C)(1)(h), Code of Criminal Procedure Articles 895.1(B)(introductory paragraph) and (1) and 953, Children's Code Articles 574, 575(A) and (B), 581(A)(introductory paragraph) and (7), and 608(B), to enact R.S. 15:145 and 161(J), and to repeal R.S. 15:161(H), relative to the office of the state public defender; to provide consistent terminology; to provide for the correction of cross-references; to provide relative to district public defenders; and to provide for related matters.

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Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2800.16 is hereby amended and reenacted to read as follows:

§2800.16. Limitation of liability; Louisiana Public Defender Oversight Board members

No individual member of the Louisiana Public Defender Oversight Board ~~member shall be~~ is personally liable for any act or omission resulting in damage, injury, or loss arising out of the exercise of his official functions and duties. ~~However, this~~ This limitation of liability ~~shall not be applicable~~ does not apply if the gross negligence or willful or wanton misconduct of a member is the cause of the damage, injury, or loss ~~was caused by the gross negligence or willful or wanton misconduct of a member~~.

Section 2. R.S. 11:1902(introductory paragraph) and (12)(c) and 1903(A)(2) are hereby amended and reenacted to read as follows:

§1902. Definitions

As used in this Chapter, the following words and phrases ~~shall~~ have the following meanings, unless a different meaning is plainly required by context:

* * *

(12)

* * *

(c) "Employee" ~~shall~~ also ~~mean~~ means a person employed by a district ~~indigent~~ public defender program in this state, without regard to the source of funds for such districts or programs, provided the employee works at least twenty-eight hours a week and the program is an employer as defined in this Section. No person employed by an ~~indigent~~ office of a district public defender ~~program shall be~~ is entitled to receive credit for service rendered prior to becoming eligible for membership in the system.

* * *

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§1903. Admission of certain entities as employers

A. The following entities may submit, for approval by the board of trustees, a plan for extending the benefits of this Chapter to employees of the entity:

* * *

(2) A district ~~indigent~~ public defender ~~program~~ office in this state.

* * *

Section 3. R.S. 13:996.43(C), 1381.5(B)(2)(d), 2081.3, and 5951(E)(1)(b) are hereby amended and reenacted to read as follows:

§996.43. Judicial expense fund for Fifth Judicial District

* * *

C. The judges, en banc, may appoint such law clerks and secretarial, clerical, research, administrative, and other personnel as they deem necessary to expedite the business and function of the court and fix and pay all or any part of the salaries of such personnel out of the monies in the judicial expense fund. In ~~like~~ a similar manner, the judges, en banc, may utilize the monies in the judicial expense fund to pay all or any part of the cost of establishing or maintaining a law library for the court, to support the ~~Indigent Defender Board~~ office of the district public defender, or for buying or maintaining any type of equipment, supplies, or other items consistent with or germane to the efficient operation of the court. In general, the judicial expense fund is established and may be used for any purpose or purposes connected with, incidental to, or related to the proper administration or function of the court, or the offices of the individual judges, and is in addition to any and all other funds, salaries, expenses, or other monies that are provided, authorized, or established by law for any of these purposes.

* * *

§1381.5. The Orleans Parish administration of criminal justice fund

* * *

B.

* * *

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(2) Each quarterly distribution shall be calculated and allocated as follows:

* * *

(d) Twenty percent of all funds received to the Orleans Parish ~~indigent defender's program~~ office of the district public defender.

* * *

§2081.3. Monroe; transfer of funds

The City Court of Monroe may transfer unused or surplus funds from the money collected and deposited into the account for the pretrial diversion program into the general operational account of the court to be used for the operational expenses of the court. The expenditure of these funds shall be at the sole discretion of the judges of the court except that a portion of that amount, not to exceed twenty percent, shall be used to fund the ~~indigent defender program~~ office of the district public defender. Any funds so transferred shall be included in the court's annual audit.

* * *

§5951. Orleans Parish Juvenile Services Financing District

* * *

E. Appropriation of funds. (1) The district may fund any of the following:

* * *

(b) Supplemental funding for the Orleans Parish ~~indigent defender program's~~ juvenile division within the office of the district public defender in Orleans Parish to provide for up to six full-time public defenders, assigned on the basis of one per section of court, and six full-time paralegals, assigned on the basis of one paired with each public defender.

* * *

Section 4. R.S. 15:146, 148(B)(introductory paragraph) and (1)(c), 161(Section heading) and (E)(introductory paragraph) and (12), 162(D), 165(B)(1)(b) and (2) and (E), 169(B), 174(C), 176(C)(1), 185.2(introductory paragraph), (5), (7), and (8), 185.3(A)(2) and (B)(introductory paragraph), (11), (14)(b)(introductory paragraph) and (iii), and (19)(introductory paragraph) and (g), 185.4(A) and (B)(introductory paragraph), (2)(b), (8),

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and (10), 186.2(6), 186.3(A)(2), (B)(introductory paragraph), (10), (13)(introductory paragraph) and (c), and (18)(introductory paragraph) and (c), 186.4(A), 186.6, 571.11(L)(introductory paragraph), (1)(a)(iv), (b)(iv), and (c)(iv), and (3)(d) and (M)(3), 1202(A)(14), and 1442(C)(introductory paragraph) and (7) are hereby amended and reenacted and R.S. 15:145 and 161(J) are hereby enacted to read as follows:

§145. Office of the state public defender

A. The office of the state public defender is created as a state agency within the office of the governor to provide for the supervision, administration, and delivery of a statewide public defender system, which shall deliver uniform public defender services in all courts in this state.

B. The governor shall appoint the state public defender, subject to Senate confirmation, for a term of two years.

§146. ~~Office of the state public defender~~ Louisiana Public Defender Oversight Board

~~A.(1) There is hereby created and established as a state agency within the office of the governor the office of the state public defender to provide for the supervision, administration, and delivery of a statewide public defender system, which shall deliver uniform public defender services in all courts in this state.~~

~~(2) The state public defender shall be appointed by the governor, subject to approval of a majority of the board and Senate confirmation, for a term of two years.~~

~~B.~~A.(1) The Louisiana Public Defender Oversight Board is hereby created and established to provide supervision and oversight to the office of the state public defender and to approve contracts in an amount of two hundred fifty thousand dollars or more. The board shall consist of nine members.

(2) Persons appointed to the board shall have been admitted to the practice of law in this state for at least eight years or have been a judge in this state.

(3) The members shall be selected as follows:

(a) The governor shall appoint four members and shall designate the chairman.

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(b) The governor shall appoint one member from a list of three nominees submitted to the governor by a joint resolution of the Public Defenders Association of Louisiana and the Louisiana Association of Criminal Defense Lawyers.

(c) The ~~Supreme Court of~~ Louisiana Supreme Court shall by majority vote appoint two members. One member shall be a juvenile justice advocate, and one member shall be a retired judge.

(d) The president of the Senate and the speaker of the House of Representatives shall each appoint one member.

(4) All appointments to the board shall be subject to confirmation by the Senate.

(5) A vacancy on the board shall be filled in the same manner as the original appointment.

(6) Members of the board shall serve terms concurrent with that of the governor.

~~C.~~B. The board shall notify the appropriate appointing authority of any board vacancy ~~which~~ that occurs for any reason.

* * *

§148. Rulemaking; considerations in developing rules

* * *

B. The rules shall include but not be limited to the following:

(1) Creating mandatory statewide public defender standards and guidelines that require public defender services to be provided in a manner that is uniformly fair and consistent throughout the state. Those standards and guidelines shall take into consideration all of the following:

* * *

(c) Documentation of communication. The office shall adopt standards and guidelines to ensure that defense attorneys providing public defender services provide documentation of communications with clients regarding the frequency of attorney-client communications as required by rules adopted by the ~~board~~ office.

* * *

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

* * *

E. Each district public defender shall do all of the following:

* * *

(12) Make recommendations regarding the method of delivery of public defender services for the district for submission to the ~~board~~ office for ~~board~~ office approval. The ~~board~~ office shall consider any delivery model in existence prior to August 15, 2007, as acceptable until that delivery model is proven to not meet the uniform standards and guidelines for the delivery of public defender services in accordance with applicable rules adopted by the ~~board~~ office and as required by statute.

* * *

J. For the purposes of this Part, a district public defender who contracts with the office of the state public defender for the delivery of legal services is an independent contractor and is not an employee of the office.

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

* * *

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

* * *

§165. Methods of delivery of public defender services; selection of methods; emergency circumstances

* * *

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B. The office shall approve the method of delivery of public defender services for each district from the following service delivery methods or any combination thereof:

(1)

* * *

(b) All appointments shall be on a successive, rotational basis by case-type certification. ~~Deviations from the board's list shall be permitted only to comply with Code of Criminal Procedure Article 512 and in exceptional circumstances upon approval of the office upon recommendation of the district public defender.~~

(2) An independent public defender organization qualified with the United States Internal Revenue Service for an exemption from federal income tax under Section 501(c) of the Internal Revenue Code to provide counsel for indigent defendants. The office shall fix the compensation of the district public defender and all assistants and supporting personnel ~~shall be fixed by the board~~ in compliance with compensation standards adopted pursuant to rule by the ~~board~~ office.

* * *

E. An independent public defender organization qualified with the United States Internal Revenue Service for an exemption from federal income tax under Section 501(c) of the Internal Revenue Code existing as of August 15, 2007, may~~,~~ do all of the following with the approval of ~~current local indigent defender boards of other judicial districts in its region, provide~~ the office of the state public defender:

(1) Provide administration, management, and supervision of services and budgets ~~for those districts~~ in each judicial district within its purview, with due consideration for local variances from judicial district to judicial district within the region~~, and establish, where~~.

(2) Establish, where necessary, satellite offices or part-time satellite offices to maintain easy access to clients in each judicial district within ~~their~~ its purview.

* * *

§169. Representation of capital defendants

* * *

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B. Staff counsel, or other counsel, who represented convicted capital defendants in state court proceedings may~~, if authorized by the office,~~ accept appointments from a federal court to represent those defendants~~, but only~~ if authorized by the office and if compensation is provided by funds as directed by the appointing federal court. ~~Such funds shall remain~~ Funds obtained pursuant to this Subsection are subject to the use of the ~~board~~ office and may be used for paying the costs of such representation. No state-appropriated funds shall be expended for the representation of capital defendants in federal court.

* * *

§174. Special reporting requirements; penalties

* * *

C. For purposes of this Section, a "case" is defined as a charge or set of charges contained in a charging instrument or petition against a single accused arising out of one or more events, transactions, or occurrences, which are joined, or which may be joined pursuant to Code of Criminal Procedure Articles 490 through 495.1. Cases that involve multiple persons accused are counted as a separate case for each person accused. Cases that involve multiple charges or counts are recorded with the highest charge, based on the severity of sentence for the crime charged, as the case type. Multiple charges against a single person for the issuing of worthless checks shall be counted as a single case. Each appeal, after conviction, shall be counted as a separate case. ~~In the event that~~ If a charging instrument contains a charge or set of charges arising out of multiple events, transactions, or occurrences, ~~indigent defender boards~~ each office of the district public defender shall track, record, and report the number of such instances per charging instrument.

* * *

§176. Partial reimbursement by indigents

* * *

C.(1) When an accused is initially determined to be indigent and appointed counsel but subsequently hires private counsel, the court shall conduct a contradictory hearing to determine the expenses ~~of representing the accused~~ incurred

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by the office of the district public defender or the service region for representation of the accused, where applicable. ~~Upon determining the expenses incurred, the accused shall, within the discretion of the court, be liable to reimburse the office of the district public defender or service region, where applicable, those expenses, upon a determination that the accused was in fact not initially indigent.~~ The accused, within the discretion of the court and where applicable, is liable to reimburse the office of the district public defender or service region for the incurred expenses after a determination from the court that expenses were incurred and the accused was not initially indigent. A judgment for the amount owed may be recorded in the mortgage records in favor of the ~~board~~ office of the district public defender for the payment of money against the accused and may be enforced as provided by law.

* * *

§185.2. Definitions

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

* * *

(5) "Indigent Parents' Program" or "the program" means the Indigent Parents' Representation Program required by the Louisiana Children's Code and administered in accordance with the provisions of R.S. 15:185.1 through ~~185.9~~ 185.8.

* * *

(7) "Office" means the office of the state public defender ~~as created by R.S. 15:146~~.

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

* * *

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§185.3. Indigent Parents' Representation Program; duties of the office; subject to appropriation

A.

* * *

(2) Except for the inherent regulatory authority of the Louisiana Supreme Court provided ~~for~~ in Article V, Section 5 of the Constitution of Louisiana regarding the regulation of the practice of law, ~~the board and~~ the office ~~shall have~~ has all regulatory authority, control, supervision, and jurisdiction, including auditing and enforcement, and all power incidental or necessary ~~thereto~~ to administer a program to provide for the delivery of indigent or absent parent representation throughout the courts of ~~the~~ this state ~~of Louisiana~~.

B. In the administration of the Indigent Parents' Representation Program, the office shall do all of the following:

* * *

(11) Provide for the employing or contracting with and training of attorneys and other professional and nonprofessional staff that may be necessary to carry out the functions of the program. All attorneys representing indigent or absent parents through this program shall be licensed to practice law in ~~Louisiana~~ this state and qualified in accordance with standards and guidelines adopted by rule of the ~~board~~ office.

* * *

(14)

* * *

(b) The plan of organization shall provide for the capacity to do all of the following:

* * *

(iii) Provide for enforcement of ~~board~~ office rules as ~~is~~ necessary for the efficient and thorough regulation and governance of representation of indigent or absent parent services under its jurisdiction.

* * *

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(19) Assign appropriate staff to do all of the following:

* * *

(g) Assist the district public defenders in the compliance with standards and guidelines adopted by the ~~board~~ office pursuant to this Section. The office staff shall assist the district public defenders with implementation of standards, ~~and~~ guidelines, and supervision policy and procedures to verify compliance.

* * *

§185.4. Standards and guidelines for representation of indigent parents; rulemaking

A. The ~~board~~ office shall adopt all rules necessary to implement the provisions of this Part.

B. The rules shall include but not be limited to the following:

* * *

(2) Ensuring the standards and guidelines shall take into consideration all of the following:

* * *

(b) Continuity of representation. The ~~board~~ office shall adopt standards and guidelines ~~which~~ that ensure ~~that~~ each district devises a plan to provide that to the extent feasible and practicable the same attorney handles a case from appointment contact through completion in all cases.

* * *

(8) Establishing a policy of selecting a proportionate number of minority and women attorneys in accordance with the makeup of the general population of the state, to the extent that minority and women attorneys are available and otherwise eligible for selection within each district in accordance with law. Any citizen of majority age shall have a cause of action to enjoin the activities of the ~~board~~ office for failure to comply with this provision.

* * *

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(10) Establishing policies and procedures for handling conflict of interest cases and overflow cases when workload standards ~~which~~ that are established by rules of the ~~board~~ office are breached.

* * *

§186.2. Definitions

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

* * *

(6) "Office" means the office of the state public defender ~~as created by R.S. 15:146~~.

* * *

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

A.

* * *

(2) Except for the regulatory authority of the Louisiana Supreme Court provided for in Article V, Section 5 of the Constitution of Louisiana, ~~the board and~~ the office ~~shall have~~ has all regulatory authority, control, supervision, and jurisdiction, including auditing and enforcement, and all power necessary to administer the program throughout the state.

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

* * *

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

* * *

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(13) Establish and modify a plan of organization to conduct the business of regulating and controlling the delivery of program services. The plan of organization shall provide for all of the following:

* * *

(c) The enforcement of ~~board~~ office rules.

* * *

(18) Assign appropriate staff to do all of the following:

* * *

(c) Assist district public defenders in maintaining compliance with standards and guidelines adopted by the ~~board~~ office pursuant to this Section. The ~~board~~ office staff shall assist the district public defenders with implementation of standards, guidelines, supervision, policy, and procedures to maintain compliance.

* * *

§186.4. Standards and guidelines for representation of indigent children in custody; rulemaking

A. The ~~board~~ office shall adopt all rules necessary to implement the provisions of this Part.

* * *

§186.6. Implementation of Safe Return Representation Fund

A. Subject to appropriation, or the availability of other monies to the program, the ~~board~~ office shall develop a program to establish a flexible delivery system that is responsive to jurisdictional variances and local community needs. ~~The board may implement the program incrementally, but full statewide implementation shall be completed not later than July 1, 2017.~~

B. The ~~board~~ office shall choose a method of implementation of the Safe Return Representation Program that is efficient, feasible, practicable, and appropriate to provide the best delivery of indigent parent representation.

* * *

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§571.11. Dispositions of fines and forfeitures

* * *

L. All judgments of bond forfeiture rendered after August 1, 2016, ~~resulting~~ that result from the posting of a bond in a criminal proceeding in ~~the~~ this state ~~of Louisiana upon collection by the prosecuting attorney for the jurisdiction in which the bond was posted~~ shall, upon collection by the prosecuting attorney for the jurisdiction where the bond was posted, be paid to the prosecuting attorney. ~~who shall,~~ The prosecuting attorney, as the attorney of record in the proceeding, shall distribute the funds as follows:

(1) District courts. (a) In all judicial district courts of the state of Louisiana, except in the parishes of Orleans, Iberia, and St. Martin, where the district attorney collects on a judgment of bond forfeiture, the proceeds shall be distributed as follows:

* * *

(iv) Twenty percent of all funds collected by the district attorney shall be paid to the ~~Indigent Defenders Program~~ office of the district public defender for the parish where the bond was posted.

(b) In the district court for the parish of St. Martin, where the district attorney collects on a judgment of bond forfeiture, the proceeds shall be distributed as follows:

* * *

(iv) Eighteen percent of all funds collected by the district attorney shall be paid to the ~~Indigent Defenders Program~~ office of the district public defender for the parish where the bond was posted.

* * *

(c) In the district court for the parish of Iberia, where the district attorney collects on a judgment of bond forfeiture, the proceeds shall be distributed as follows:

* * *

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(iv) Eighteen percent of all funds collected by the district attorney shall be paid to the ~~Indigent Defenders Program~~ office of the district public defender for the parish where the bond was posted.

* * *

(3) City and municipal courts. In all city and municipal courts throughout ~~the~~ this state ~~of Louisiana~~, except in municipal and traffic courts in the city of New Orleans, where the prosecuting attorney collects on a judgment of bond forfeiture, the proceeds shall be distributed as follows:

* * *

(d) Twenty-five percent of all funds collected by the prosecuting attorney shall be paid to the ~~Indigent Defenders Program~~ office of the district public defender of the court where the judgment was rendered. ~~In the event the political subdivision does not have an Indigent Defenders Program, the funds shall be paid to the Indigent Defenders Program of the parish in which the bond was posted.~~

* * *

M. In all cases where the attorney general collects on judgments of bond forfeiture, fifty percent of the funds collected shall be turned over to the attorney general for deposit in his operating account, and the remaining fifty percent of the funds collected shall be distributed as follows:

* * *

(3) Thirty percent of all funds collected by the attorney general shall be paid to the ~~Indigent Defenders Program~~ office of the district public defender for the parish where the bond was posted.

* * *

§1202. Composition of commission

A. The commission shall consist of fifty-nine members as follows:

* * *

(14) The state public defender ~~employed by the Louisiana Public Defender Board~~.

* * *

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§1442. Louisiana Juvenile Jurisdiction Planning Implementation Committee; composition; authority; responsibilities

* * *

C. The committee shall be composed of the following members:

* * *

(7) ~~An attorney~~ One representative appointed by the ~~Louisiana Public Defender Board~~ state public defender that is an expert in juvenile defense.

* * *

Section 5. R.S. 22:822(B)(1)(d) and (2)(introductory paragraph) and (d) are hereby amended and reenacted to read as follows:

§822. Criminal bail bond annual license fee

* * *

B.(1) Except as otherwise provided in this Subsection, all premium fees collected by the sheriff shall be remitted within sixty days after receipt as follows:

* * *

(d) Twenty-five percent to the ~~Indigent Defenders Program~~ office of the district public defender.

(2) In the Twenty-Second Judicial District, the sheriff shall remit all collected premium fees ~~collected by the sheriff shall be remitted~~ within sixty days ~~after~~ of receipt as follows:

* * *

(d) Twenty-two percent to the ~~Indigent Defenders Program~~ office of the district public defender.

* * *

Section 6. R.S. 36:4(B)(introductory paragraph) and (21) are hereby amended and reenacted to read as follows:

§4. Structure of executive branch of state government

* * *

B. The office of the governor ~~shall be~~ is in the executive branch of state government. The governor may allocate within his office the powers, duties, funds,

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functions, appropriations, responsibilities, and personnel of the agencies within his office and provide for the administration thereof and for the organization of his office. The following agencies and their powers, duties, functions, and responsibilities are ~~hereby~~ transferred to the office of the governor:

* * *

(21) The ~~Louisiana Public Defender Oversight Board~~ office of the state public defender (R.S. 15:141 et seq.) ~~shall be~~ is placed within the office of the governor as an independent agency and shall exercise its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:801.1.

* * *

Section 7. R.S. 42:1121(I) is hereby amended and reenacted to read as follows:

§1121. Assistance to certain persons after termination of public service

* * *

I. The provisions of this Section ~~shall~~ do not prohibit a former chief indigent defender ~~as provided in R.S. 15:161(H)~~, or a legal entity in which the former chief indigent defender owns an interest, from donating office space, leasing office space at a fair market value, or selling office space at fair market value following an appraisal to the office of the district public defender ~~defender's office~~ if the transaction is deemed necessary for the continuity of the provision of public defender services within a judicial district at the same location and the transaction is approved by the ~~Louisiana Public Defender Board~~ office of the state public defender or its successor.

* * *

Section 8. R.S. 46:2168(B)(1) and 2605.4(C)(1)(h) are hereby amended and reenacted to read as follows:

§2168. Human Trafficking Prevention Commission Advisory Board

* * *

B. The advisory board shall be composed of the following members appointed by the governor:

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(1) A public defender nominated by the ~~Louisiana Public Defender Board~~ state public defender or ~~its~~ his designee.

* * *

§2605.4. Council on the Children of Incarcerated Parents

* * *

C.(1) The CIP Council shall be composed of the following members:

* * *

(h) One representative ~~of the Louisiana Public Defender Board~~ appointed by the state public defender or the representative's designee.

* * *

Section 9. Code of Criminal Procedure Articles 895.1(B)(introductory paragraph) and (1) and 953 are hereby amended and reenacted to read as follows:

Art. 895.1. Probation; restitution; judgment for restitution; fees

* * *

B. When a court suspends the imposition or the execution of a sentence and places the defendant on probation, it may ~~in its discretion, order placed~~, as a condition of probation, order the defendant to pay an amount of money ~~to be paid by the defendant to~~ toward any or all of the following:

(1) To the ~~indigent defender program~~ office of the district public defender for that court.

* * *

Art. 953. Authority of ~~indigent~~ office of the district public defender ~~board~~ in emergency sessions of court

The district public defender~~, or regional director, where applicable,~~ of the affected court conducting emergency sessions of court outside of its parish or territorial jurisdiction pursuant to Article 944 ~~shall retain~~ retains the authority for the appointment of attorneys residing in either the parish or territorial jurisdiction of the affected court or in the host jurisdiction to represent indigent defendants in the host jurisdiction that would otherwise have been exercised in the affected court.

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Section 10. Children's Code Articles 574, 575(A) and (B), 581(A)(introductory paragraph) and (7), and 608(B) are hereby amended and reenacted to read as follows:

Art. 574. Indigent Parents' Representation Program; establishment

An Indigent Parents' Representation Program is ~~hereby~~ established by this Section within the ~~Louisiana Public Defender Board,~~ office of the state public defender or its successor in accordance with the provisions of R.S. 15:185.1 through ~~185.9~~ 185.8.

Art. 575. Duties of the program; qualifications of counsel

A. The program shall provide qualified legal counsel, ~~which shall include~~ including curator ad hoc appointments, to indigent or absent parents in child abuse and neglect cases in accordance with ~~the provisions of~~ Articles 608 and 1016 and R.S. 15:141 through 183 and 185.1 through ~~185.9~~ 185.8.

B. Legal representation, ~~which shall include~~ including curator ad hoc appointments, of indigent or absent parents in child abuse and neglect cases shall comply with standards promulgated by the ~~Louisiana Public Defender Board,~~ office of the state public defender or any successor to that board in accordance with R.S. 15:141 through 183 and 185.1 through ~~185.9~~ 185.8 to ensure competent and fair representation.

* * *

Art. 581. Child Protection Representation Commission; establishment; purpose and functions

A. The Child Protection Representation Commission, referred to ~~hereinafter~~ in this Section as the "commission", is ~~hereby~~ established for the purpose of reviewing the system of representation of children and indigent parents in child protection cases as provided in Chapters 5 and 6 of this Title. The commission shall be composed of the following members:

* * *

(7) The state public defender or his designee ~~of the Louisiana Public Defender Board~~.

* * *

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Art. 608. Parents' right to counsel; payment

* * *

B. If a parent of a child is financially unable to afford counsel or is presumed indigent in accordance with Paragraph A of this Article, the office of the district public defender ~~office~~ shall provide for representation, unless the ~~Louisiana Public Defender Board~~ office of the state public defender has contracted to provide for representation in accordance with R.S. 15:185.3(B)(12) or any other provision of law.

* * *

Section 11. R.S. 15:161(H) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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2026 Regular Session

ACT No. 874

HOUSE BILL NO. 1098

BY REPRESENTATIVES MCFARLAND AND CHASSION

AN ACT

To enact R.S. 9:2800.31, relative to limitation of liability for aerospace flight entities and aerospace activities; to provide for exceptions; to provide for definitions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2800.31 is hereby enacted to read as follows:

§2800.31. Aerospace flight entities and activities; limitation of liability

A. For purposes of this Section, the following definitions apply:

(1) "Aerospace flight activities" mean any act or activity related to the research, development, testing, manufacture, preparation, launch, operation, reentry, descent, landing, or post-landing recovery of an aeronautic or astronautic launch vehicle, craft, payload, or related equipment, including but not limited to fueling, integration, conditioning, and transporting, including but not limited to the transport of goods and persons, and any associated ground support operations, whether conducted on-site or involving overflight.

(2) "Aerospace flight entity" means any person, corporation, partnership, limited liability company, or any other entity that conducts aerospace flight activities and, to the extent required by federal law, holds or operates anywhere under a valid Federal Aviation Administration license, experimental permit, or other authorization for the relevant activities requiring such a license. This also includes any employee, officer, director, agent, contractor, manufacturer, supplier, or vendor of such entity, any owner or lessor of immovable property used for aerospace flight activities, and

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any political subdivision or public entity with a contractual or operational relationship facilitating such activities.

B. Notwithstanding any other provision of law to the contrary, no aerospace flight entity that owns and occupies a minimum of twenty thousand contiguous acres in this state shall be liable for any cause of action arising from nuisance, trespass, inverse condemnation, strict liability, or any other claim based upon noise, sonic booms, overflight, vibration, light, heat, exhaust, smoke, odor, visual intrusion, temporary access restrictions, or any other disturbance resulting from aerospace flight activities.

C. An aerospace flight entity shall not be liable to any aerospace flight participant for any injury or damages resulting from aerospace flight activities if the aerospace flight participant has signed an agreement and given written consent as required by 51 U.S.C. 50905.

D. The limitations provided in this Section do not apply to any of the following:

(1) The gross negligence or willful or wanton misconduct of the aerospace flight entity.

(2) Intentional injury caused by the aerospace flight entity to the aerospace flight participant.

(3) A violation of a condition of a Federal Aviation Administration license, experimental permit, or federal authorization,

(4) Injury to persons or property caused by falling debris that exceeds the normal risk associated with aerospace flight activities.

E. A reciprocal waiver of claims between parties engaged in aerospace flight activities under Federal Aviation Administration Regulations (14 CFR 440.17) is effective and enforceable in this state, including waiver by a contractor, subcontractor, or customer of any party participating in an aerospace flight activity.

F. An aerospace flight entity is presumed to be acting lawfully if the aerospace activity is conducted in substantial compliance with applicable federal, state, and local licenses, permits, or authorizations.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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2026 Regular Session

ACT No. 891

HOUSE BILL NO. 1256 (Substitute for House Bill No. 947 by Representative Mena)

BY REPRESENTATIVE MENA

AN ACT

To amend and reenact R.S. 9:154(A)(19) and (E), 159(E), and 160(D), and to enact R.S. 9:153(13)(j) and (17) through (22), 154(A)(20) and (F), 160.1 through 160.5, and 164(F), relative to digital assets; to provide for definitions; to establish standards for the custody of unclaimed digital assets presumed abandoned; to provide for a presumption for digital assets; to provide for the delivery of abandoned digital assets to the administrator's custody; to provide for the maintenance of abandoned digital assets by the holder; to provide for the sale or liquidation of abandoned digital assets by the holder, administrator, or third-party contracted by the administrator; to require annual reports by the administrator; to provide for the discontinuance of reports by the administrator; and to provide for an effective date; to authorize the law institute to make changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:154(A)(19) and (E), 159(E), and 160(D) are hereby amended and reenacted and R.S. 9:153(13)(j) and (17) through (22), 154(A)(20) and (F), 160.1 through 160.5, and 164(F) are hereby enacted to read as follows:

§153. Definitions

As used in this Chapter:

* * *

(13) "Property" means a fixed and certain interest in intangible property that is held, issued, or owed in the course of a holder's business, or by a government or governmental entity, and all income or increments therefrom. The term includes property that is referred to as or evidenced by the following:

* * *

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(j) Digital assets.

* * *

(17) "Designated custodian" means a banking organization or a business association that, on behalf of the administrator, receives and maintains securities or digital assets from holders pending transfer to claimants or liquidation.

(18)(a) "Digital asset" means any of the following that are held in a digital asset account:

(i) Virtual currency.

(ii) Cryptocurrency.

(iii) Natively electronic assets, including stablecoins or non-fungible tokens.

(iv) Any other digital-only asset that confers economic, proprietary, or access rights or powers.

(b) "Digital asset" does not include any of the following:

(i) A security.

(ii) Game-related digital content.

(iii) A gift card.

(iv) A loyalty card.

(19) "Digital asset account" means a customer account, a digital asset wallet, or other repository device maintained by an owner with a digital asset holder that may contain one or more types of digital assets, money, or other property.

(20) "Digital asset holder" means a holder that establishes or maintains a digital asset account for an owner.

(21) "Private key" means a unique element of cryptographic data used to sign and authorize a transfer of a digital asset.

(22) "Private key" means a unique element of cryptographic data used to sign and authorize a transfer of a digital asset.

§154. Presumptions of abandonment

A. Property is presumed abandoned if it is unclaimed by the apparent owner during the time set forth below for the particular property for the following:

* * *

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(19) A digital asset account, after three years if the owner has not shown any activity or interest. If the digital asset holder sends first class mail through the United States Postal Service to the owner and the mail is returned as undeliverable, the account is presumed abandoned three years after the mail is returned.

(20) All other property, five years after the obligation to pay or distribute the property arises.

* * *

E.(1) Notwithstanding Subsection D of this Section, an indication of an owner's interest in a digital asset or digital asset account includes any of the following actions by the owner:

(a) Conducting a transaction involving the digital asset account, including buying or selling digital assets, or depositing into or withdrawing from the account fiat currency or other property, whether by a one-time transaction or a recurring transaction previously authorized by the owner.

(b) Accessing the digital asset account electronically.

(c) Conducting any activity with respect to another digital asset account or any other property owned by that owner and held by that same digital asset holder.

(d) Any other action taken by an owner that reasonably demonstrates to the digital asset holder that the owner is aware of the existence of the property.

(2) Failure of an owner to respond to a communication from a digital asset holder does not constitute an indication of the interest of an owner.

F. Property shall be payable or distributable for purposes of this Chapter notwithstanding the owner's failure to make demand or present an instrument or document otherwise required to obtain payment.

* * *

§159. Report of abandoned property

* * *

E.(1) The holder of property presumed abandoned shall send written notice to the apparent owner not more than one hundred twenty days nor less than sixty

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days before filing the report required by this Section, stating that the holder is in possession of property subject to this Chapter if each of the following applies:

~~(1)~~(a) The holder has in its records an address for the apparent owner that the holder's records do not disclose to be inaccurate.

~~(2)~~(b) The claim of the apparent owner is not barred by the statute of limitations.

~~(3)~~(c) The value of the property is fifty dollars or more.

(2) If the property is a digital asset, the notice required by Paragraph (1) of this Subsection shall inform the apparent owner that the property may be liquidated if the apparent owner does not provide a timely response to the holder.

* * *

§160. Payment or delivery of abandoned property

* * *

D. An issuer, the holder, and any transfer agent or other person acting on behalf of the issuer or holder pursuant to them in accordance with this Section, R.S. 9:160.1, 160.2, 160.3, or 160.4 is not liable to the apparent owner and shall be indemnified against claims of any person in accordance with R.S. 9:162.

§160.1. Digital assets; liquidation order or directive; before report required by R.S. 9:159

A.(1) Notwithstanding the provisions of R.S. 9:160, the administrator may direct or order a digital asset holder to liquidate a digital asset before the date on which the filing of a report required by R.S. 9:159 for the digital asset is due.

(2) Any order or directive issued pursuant to this Subsection shall be accompanied by the summary required pursuant to R.S. 9:160.4.

B. If a digital asset holder receives an order or directive pursuant to Subsection A of this Section and reasonably believes the digital asset cannot be liquidated, or the digital asset holder cannot cause the digital asset to be liquidated, the digital asset holder shall promptly provide the administrator with written notice stating the reasons why.

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C. Upon receiving notice pursuant to Subsection B of this Section, the administrator shall direct the digital asset holder concerning an alternative disposition of the digital asset.

§160.2. Payment or delivery of abandoned digital asset; after receipt of report required by R.S. 9:159

A.(1) If property reported to the administrator is a digital asset, and the digital asset holder has the ability to transfer the digital asset, the digital asset holder shall transfer that digital asset, or the control necessary to transfer that digital asset, to the administrator within thirty days from the date on which that digital asset is reported.

(2) A digital asset holder who delivers a digital asset pursuant to Paragraph (1) of this Subsection shall provide the administrator, upon request, with a record evidencing delivery to the administrator's designated custodian.

(3) Within thirty days after the date on which the digital asset holder delivers a digital asset pursuant to Paragraph (1) of this Subsection, the digital asset holder shall provide the administrator with a reconciliation of the delivered digital asset with respect to the report filed regarding the digital asset.

B. Notwithstanding Paragraph (A)(1) of this Section, if the administrator determines a reported digital asset cannot be accepted due to any factor or factors in R.S. 9:160.4, it may direct or order the digital asset holder to sell or otherwise liquidate the digital asset and deliver the net proceeds to the administrator.

C. A digital asset holder is not required to deliver a digital asset in accordance with Paragraph (A)(1) of this Section if the digital asset holder does not have the private key or other authority that is necessary to transfer the digital asset. Instead, the digital asset holder described in this Paragraph shall do all the following:

(1) Report the digital asset in accordance with R.S. 9:159.

(2) Maintain the digital asset until the digital asset holder obtains the ability to transfer the digital asset.

(3) Determine no less than annually as to whether the digital asset holder has obtained the ability to transfer the digital asset.

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(4) After obtaining the ability to transfer the digital asset, deliver the digital asset to the administrator at the next reporting cycle.

D. Between receipt of a digital asset in its native form and when R.S. 9:160.3(A) is applicable, no digital asset delivered to the administrator in its native form shall be liquidated except when either of the following occurs:

(1) A request is received by a claimant pursuant to R.S. 9:160.3(B).

(2)(a) The digital asset cannot reasonably be maintained in custody by the administrator due to technological, security, or regulatory limitations.

(b) The cost of custody, administration, or security of the digital asset exceeds the value of the digital asset.

§160.3. Disposal of digital assets; liquidation; recovery of value

A. The administrator shall not sell or liquidate a digital asset until three years after the digital asset is received by the administrator.

B. Upon approval of a claim, the claimant may request the administrator to dispose of a digital asset by sale or liquidation and remit the net proceeds to the claimant.

§160.4. Administrator to provide an order or directive to liquidate digital assets

A. Any order or directive issued by the administrator to require a holder of a digital asset to sell or liquidate shall be based upon at least one of the following:

(1) The ability of the administrator to manage digital assets in their native form at the time the report is received.

(2) Whether the reporting file format supports the receipt of digital assets in their native form.

(3) Whether the database management system of the administrator supports digital assets in their native form.

(4) Whether the costs of custody and administration of the reported digital assets in native form would exceed the value of the reported digital assets.

B. Any order or directive issued by the administrator to a digital asset holder to liquidate or sell a digital asset shall include a summary of the factor or factors in Subsection A of this Section that led to the order or directive.

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C. The administrator shall not order or direct a holder to deliver the liquidated value of a digital asset presumed abandoned solely on the basis that the administrator does not have a designated custodian in place or a designated custodian is not yet operational.

§160.5. General provisions applying to digital assets

Notwithstanding any law to the contrary, all of the following shall apply:

(1) The delivery of a digital asset or its liquidated value to the administrator's designated custodian constitutes payment or delivery for purposes of this Chapter.

(2) A digital asset listed on an established exchange may not be sold or liquidated pursuant to any authority in this Chapter for less than the price prevailing on the exchange at the time of sale.

(3) The sale or liquidation of a digital asset not listed on an established exchange that is sold or liquidated pursuant to any authority in this Chapter may be by any commercially reasonable method, and the price received shall be considered the prevailing price for valuation purposes.

(4) Notwithstanding any provision to the contrary, the administrator, designated custodian of the administrator, or digital asset holder shall not be held liable for any loss or gain that may or would have been obtained had a digital asset been held and transferred in its native form or sold or liquidated pursuant to any authority in this Chapter.

(5) The administrator may decline to offer a digital asset for sale if the administrator considers that the probable cost of sale will exceed the proceeds of that sale.

(6) A purchaser of a digital asset at a sale conducted by the administrator pursuant to this Chapter takes that digital asset free of any claim of the owner or previous holder and of any person claiming through or under the owner or previous holder.

(7) The administrator shall execute all documents and take all actions necessary to complete the transfer of ownership of a digital asset.

* * *

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§164. Public sale of abandoned property

* * *

F. The provisions of this Section do not apply to digital assets.

Section 2. The treasurer shall include information regarding the implementation of this Act in his annual report required by Article IV, Section 9 of the Constitution of Louisiana.

Section 3. If the treasurer contracts with a designated custodian to carry out the provisions of this Act, then the treasurer shall notify the legislature in writing within thirty days of the execution of that contract.

Section 4. The Louisiana State Law Institute is hereby authorized and directed to correct any cross-references to any renumbered paragraphs, if necessary, consistent with the provisions of this Act.

Section 5. (A) This Act shall become effective on January 1, 2027.

(B) Section 2 of this Act shall become null and void and cease to be effective when the treasurer makes the report required by Section 3 of this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 965

HOUSE BILL NO. 410

BY REPRESENTATIVES SCHLEGEL AND EDMONSTON

AN ACT

To enact Chapter 7 of Code Title IV of Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2790.1 through 2790.4, relative to in-person communication; to provide for legislative intent; to provide for definitions; to require individuals to be informed they are being recorded; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 7 of Code Title IV of Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2790.1 through 2790.4, is hereby enacted to read as follows:

CHAPTER 7. ~~UNIFORM FRAUDULENT TRANSFER ACT~~

ALL PARTY NOTIFICATION FOR IN-PERSON CONVERSATION

§2790.1. Legislative findings; declaration of purpose

A. The legislature finds that an individual who engages in a direct conversation has a reasonable expectation that the conversation is not videoed and recorded or transcribed unless notice is given, and that the undisclosed preservation and dissemination of the videos and recordings of these direct conversations undermines trust, autonomy, dignity, privacy, and fairness in human interactions.

B. Recent incidents have highlighted the misuse of wearable recording devices such as smart glasses for covertly filming individuals without their knowledge. These recordings are often disseminated on social media platforms, leading to harassment and violations of personal privacy.

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C. The purpose of this Chapter is to protect individuals from the technological preservation and harmful dissemination of direct conversations while preserving the lawful videoing and recording of public events, legitimate law enforcement activity, public officials, and videos and recordings made to document criminal, tortious, or threatening conduct.

D. This Chapter shall not be interpreted to restrict lawful videoing and recording protected by the Constitution of the United States of America or the Constitution of Louisiana.

§2790.2. Definitions

For purposes of this Chapter, the following definitions apply:

(1) "Direct conversation" means any in-person oral communication directed to a specific individual or individuals under circumstances in which a reasonable person would not expect the communication to be videoed and recorded or transcribed.

(2) "First responder activity" means videos and recordings or transcriptions made by a first responder, as defined by R.S. 40:978.1, in the performance of official duties.

(3) "Law enforcement activity" means videos and recordings or transcriptions made by a peace officer or other person acting under color of law in the lawful performance of official duties including but not limited to the following:

(a) Undercover operations that produce videos and recordings made by undercover officers, confidential informants, and cooperating individuals.

(b) One-party consent videos and recordings conducted as part of an investigation or intelligence-gathering function.

(c) Body camera recordings or any videoing and recording conducted by or at the discretion of law enforcement.

(4) "Public or semi-public meetings" mean governmental hearings, press conferences, public speeches, rallies, or other similar circumstances.

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§2790.3. Notification of videoing and recording direct conversation

A. No participant in a direct conversation shall intentionally use a wearable eyeglass recording device to video and record or transcribe a direct conversation with any other participant unless all participants are specifically notified that the conversation is being videoed and recorded or transcribed.

B. The provisions of this Section do not apply to any of the following:

(1) Public or semi-public meetings.

(2) Law enforcement activity.

(3) Emergencies or first responder activities.

(4) Videos and recordings or transcriptions of a public official made in any of the following manners:

(a) Of a public official performing an official duty in a public place where there is no reasonable expectation of privacy.

(b) For the purpose of preserving evidence related to a public corruption crime as defined in R.S. 11:293.

(c) For the purpose of preserving evidence related to malfeasance in office as provided in R.S. 14:134.

(5)(a) A person who videos and records a law enforcement officer in the performance of his official duties while the officer is in a public place or a place where the private person has a legal right to be.

(b) The exception provided in this Paragraph does not extend to an individual who physically interferes or materially obstructs lawful law enforcement activity.

(6) Videos and recordings or transcriptions of a direct conversation made for the purpose of preserving evidence related to an actual or anticipated civil or administrative proceeding.

(7) Videos and recordings or transcriptions of a direct conversation made for the purpose of preserving evidence related to a criminal act or proceeding.

(8) Videos and recordings or transcriptions of a direct conversation made by a participant in his own residence.

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(9) Recordings or transcriptions made by a participant in his own place of business or employment.

(10) Recordings or transcriptions made by a participant in his own vehicle or his employer's vehicle.

(11) Videos and recordings or transcriptions of a conversation if the person recording or transcribing the conversation is not a participant.

C. Nothing in this Section shall be construed to limit, modify, expand, or supersede the provisions of the Electronic Surveillance Act, R.S. 15:1301 et seq.

D. This Chapter shall not apply to incidental, unintended, or background capture of individuals or conversations occurring in public places where the videoing and recording are not specifically directed at the individuals.

§2790.4. Penalties

A. Any person who is found to have violated the provisions of this Chapter shall be liable to an individual for any damages including court costs and reasonable attorney fees as ordered by the court.

B. A claimant shall demonstrate actual damages resulting from intentional unlawful videoing and recording and dissemination.

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
PRESIDENT OF THE SENATE

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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ENROLLED

2026 Regular Session

ACT No. 968

HOUSE BILL NO. 1017

BY REPRESENTATIVE KERNER

AN ACT

To enact R.S. 9:2801(A)(4)(g), relative to retirement benefits received from the Firefighters' Retirement System; to provide with respect to the calculation of the community portion of such benefits; to provide for effectiveness; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2801(A)(4)(g) is hereby enacted to read as follows:

§2801. Partition of community property and settlement of claims arising from matrimonial regimes and co-ownership of former community property

A. When the spouses are unable to agree on a partition of community property or on the settlement of the claims between the spouses arising either from the matrimonial regime, or from the co-ownership of former community property following termination of the matrimonial regime, either spouse, as an incident of the action that would result in a termination of the matrimonial regime or upon termination of the matrimonial regime or thereafter, may institute a proceeding, which shall be conducted in accordance with the following rules:

* * *

(4) The court shall then partition the community in accordance with the following rules:

* * *

(g) Notwithstanding any provision of law to the contrary, any increase in a full-time firefighter's earnable compensation that occurs following termination of a community of acquets and gains and that was conditioned on the firefighter's passage

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of both a written examination and a working test shall not be included in the calculation of a former spouse's portion of community property.

* * *

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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