

## **House Committee on Judiciary**

Minutes of Meeting  
2019 Regular Session  
May 16, 2019

### **I. CALL TO ORDER**

Representative Katrina R. Jackson, chairman of the House Committee on Judiciary, called the meeting to order at 9:52 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Katrina R. Jackson, chairman  
Representative John H. Bagneris  
Representative Gary M. Carter, Jr.  
Representative Jean-Paul P. Coussan  
Representative Jimmy Harris  
Representative Valarie Hodges  
Representative Randal L. Gaines  
Representative Michael T. Johnson  
Representative Robert A. Johnson  
Representative Edmond Jordan  
Representative Tanner D. Magee  
Representative Joseph A. Marino, III  
Representative John C. "Jay" Morris, III, vice chairman  
Representative Stuart Alan Moss  
Representative Jerome "Zee" Zeringue

#### **MEMBERS ABSENT:**

Representative Chad Brown  
Representative Robby Carter  
Representative Christopher J. Leopold  
Representative Nicholas Muscarello, Jr.

#### **STAFF MEMBERS PRESENT:**

Danielle Barringer, attorney  
Diane Merritt, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Sadie Becnel, attorney  
Robert Singletary, attorney  
Madison Ramsey, clerk  
Beverly Vincent, sergeant at arms

**III. DISCUSSION OF LEGISLATION****Senate Concurrent Resolution No. 37 by Senator Long**

Senator Long presented Senate Concurrent Resolution No. 37, which requests the Louisiana Supreme Court and the Louisiana State Bar Association to review rules governing solicitation advertising by attorneys.

Representative Bagneris offered a motion to report Senate Concurrent Resolution No. 37 favorably. Without objection, Senate Concurrent Resolution No. 37 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Jackson, Bagneris, Coussan, Mike Johnson, Jordan, Magee, Marino, Jay Morris, Moss, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

**Senate Bill No. 25 by Senator Ward**

On behalf of Senator Ward, Shannon Dirmann, Legislative Liaison Attorney, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, presented Senate Bill No. 25, which provides for insurance benefits for retirees of the Pointe Coupee Parish Sheriff's Office.

Representative Magee offered a motion to report Senate Bill No. 25 favorably. Without objection, Senate Bill No. 25 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Jackson, Bagneris, Coussan, Mike Johnson, Jordan, Magee, Marino, Jay Morris, Moss, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

*Representative Morris in chair.*

**Senate Bill No. 111 by Senator Claitor**

On behalf of Senator Claitor, Representative Jackson presented Senate Bill No. 111, which provides relative to court costs in suits involving the state and state agencies in the Nineteenth Judicial District Court.

Angelique Freel, Director, Civil Division, Louisiana Department of Justice, P.O. Box 94005, Baton Rouge, LA 70804, (225) 326-6000, testified for information only on Senate Bill No. 111.

Representative Jackson offered a motion to report Senate Bill No. 111 favorably. Without objection, Senate Bill No. 111 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Mike Johnson, Jordan, Magee, Marino, Jay Morris, Moss, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

**Senate Bill No. 199 by Senator John Smith**

On behalf of Senator John Smith, Representative Jackson presented Senate Bill No. 199, which extends the insurance fraud investigation unit within the Department of Public Safety and Corrections and the insurance fraud prevention act.

Representative Jackson offered amendments as follows:

- (1) Changes the Sledge Jeanson Louisiana Insurance Fraud Prevention Act's proposed law termination date from July 1, 2021, to July 1, 2020.
- (2) Changes the proposed law termination date of the insurance fraud investigation unit in the Department of Public Safety and Corrections from July 1, 2021, to July 1, 2020.

Representative Jackson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Mike Johnson, Jordan, Magee, Marino, Jay Morris, Moss, and Zeringue voted yea.

Representative Jackson offered a motion to report Senate Bill No. 199 with amendments. Without objection, Senate Bill No. 199 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Mike Johnson, Jordan, Magee, Marino, Jay Morris, Moss, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 3 for information only. Witness cards are included in the committee records.

*Representative Jackson in chair.*

**Senate Bill No. 130 by Senator Peacock**

Senator Peacock presented Senate Bill No. 130, which provides for an exception to certification for court reporters in the Juvenile Court for Caddo Parish.

Ted Cox, Judicial Administrator, Caddo Parish Juvenile Court, 1835 Spring St., Shreveport, LA 71101, (318) 226-6500, testified for information only on Senate Bill No. 130.

On behalf of Senate Peacock, Representative Jackson offered a motion to voluntarily defer action on Senate Bill No. 130. Without objection, action on Senate Bill No. 130 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Hodges, Mike Johnson, Robert Johnson, Jordan, Magee, Marino, Jay Morris, Moss, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in opposition and 2 for information only. Witness cards are included in the committee records.

**Senate Bill No. 86 by Senator Erdey**

On behalf of Senator Erdey, Representative Jackson offered a motion to voluntarily defer action on Senate Bill No. 86, which authorizes the City Court of Denham Springs to transfer surplus filing fees. Without objection, action on Senate Bill No. 86 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Hodges, Mike Johnson, Robert Johnson, Jordan, Magee, Marino, Jay Morris, Moss, and Zeringue voted yea.

**Senate Bill No. 102 by Senator Erdey**

Senator Erdey presented Senate Bill No. 102, which authorizes an increase in court costs in the mayor's court of the town of Livingston.

Representative Jackson offered a motion to report Senate Bill No. 102 favorably. Without objection, Senate Bill No. 102 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Jackson, Gary Carter, Coussan, Hodges, Robert Johnson, Jordan, Marino, Jay Morris, Moss, and Zeringue voted yea.

**Senate Bill No. 94 by Senator Morrell**

On behalf of Senator Morrell, Representative Jackson offered a motion to voluntarily defer action on Senate Bill No. 94, which provides an exception for certain applicants for employee permits seeking to work in locations permitted by ATC as a restaurant. Without objection, action on Senate Bill No. 94 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Jackson, Gary

Carter, Coussan, Hodges, Robert Johnson, Jordan, Marino, Jay Morris, Moss, and Zeringue voted yea.

### **House Bill No. 519 by Representative James**

Representative James presented House Bill No. 519, which provides relative to judgeships of the Court of Appeals for the First Circuit.

Judge Donald R. Johnson, 19<sup>th</sup> Judicial District Court, 300 N. Blvd., Baton Rouge, LA 70802, (225) 278-5952, testified for information only on House Bill No. 519.

Representative Jordan offered a motion to report House Bill No. 519 favorably. Without objection, House Bill No. 519 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Mike Johnson, Jordan, Magee, Marino, Jay Morris, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

### **House Bill No. 564 by Representative Jordan**

Representative Jordan and Representative James, a co-author, presented House Bill No. 564, which provides relative to the regulation of cannabis.

Representative Jordan offered amendments to make technical changes, exclude marijuana charges for individuals who are wanting to be cultivators, and allow home growers to purchase mature plants only from production facilities or cultivators. Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Representative Jordan offered amendments to make technical changes and allow for the decriminalization of marijuana. Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Representative Jordan offered amendments to provide for proposition elections for each parish to permit cannabis retailers to operate in the parish and to provide for retailer permits and fees. Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Matthew P. Moreau, representing Louisiana Cannabis Association, 3610 Hwy. 19, Zachary, LA 70791, (225) 202-3319, testified in support of House Bill No. 564.

Representative Jackson offered a motion to reconsider the vote on the amendments previously adopted to make technical changes, exclude marijuana charges for individuals who are wanting to be cultivators, and allow home growers to purchase mature plants only from production facilities or cultivators. Without objection, the motion to reconsider the vote passed by a vote of 12 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Hodges, Gaines, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Representative Jackson offered a motion to reconsider the vote on the amendments previously adopted to make technical changes and allow for the decriminalization of marijuana. Without objection, the motion to reconsider the vote passed by a vote of 12 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Hodges, Gaines, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Representative Jackson offered a motion to reconsider the vote on amendments previously adopted to provide for proposition elections for each parish to permit cannabis retailers to operate in the parish and to provide for retailer permits and fees. Without objection, the motion to reconsider the vote passed by a vote of 12 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Hodges, Gaines, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Representative Coussan offered an amendment to strip all previously adopted amendments to House Bill No. 564. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Hodges, Gaines, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Representative Gary Carter offered a motion to report House Bill No. 564 without action with recommendation that it be recommitted to the House Committee on Criminal Justice. Without objection, House Bill No. 564 was reported without action with recommendation that it be recommitted to the House Committee on Criminal Justice by a vote of 12 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Coussan, Jimmy Harris, Hodges, Gaines, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 6 in opposition. Witness cards are included in the committee records.

#### **House Bill No. 506 by Representative Duplessis**

Representative Duplessis presented House Bill No. 506, which provides for the collection and reporting of data.

On behalf of Representative Duplessis, Representative Jackson offered amendments as follows:

- (1) Creates the Law Enforcement Data Task Force.
- (2) Makes technical amendments.
- (3) Removes the requirement of the collection of information from peace officers by certain law enforcement agencies on outlined topics.
- (4) Removes the requirement that peace officers must report information on individuals involved in specific incidences.
- (5) Removes the submission phases for law enforcement agencies depending on their size.
- (6) Removes actions against law enforcement agencies for failure to comply.
- (7) Removes the requirement that law enforcement agencies submit all data required by the FBI to the Louisiana Uniform Crime Reporting System.

Representative Jackson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Jimmy Harris, Hodges, Gaines, Mike Johnson, Jordan, Marino, Jay Morris, and Zeringue voted yea.

Terry C. Landry, Jr., representing Southern Poverty Law Center Action Fund, 1055 St. Charles Ave., New Orleans, LA, (225) 772-4583, testified in support of House Bill No. 506.

Bob Wertz, Law Enforcement Training Manager, Louisiana Commission on Law Enforcement, P.O. Box 3133, Baton Rouge, LA 70821, (225) 342-1667, testified for information only on House Bill No. 506.

Representative Jackson offered an amendment to add the P.O.S.T. Council to the task force and to have the written report also be sent to P.O.S.T. Council. Representative Jackson offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Jimmy Harris, Hodges, Gaines, Mike Johnson, Marino, Jay Morris, and Zeringue voted yea.

Loren Lampert, representing Louisiana District Attorneys Association, 1645 Nicholson Drive, Baton Rouge, LA 70802, testified that with the adoption of amendments, the Louisiana District Attorneys Association had removed its opposition to House Bill No. 506.

Fabian Blache, representing Chiefs of Police Association, 700 N. 10<sup>th</sup> St., Baton Rouge, LA 70802, (225) 907-5880, testified that with the adoption of amendments, the Louisiana Chiefs of Police Association had removed its opposition to House Bill No. 506.

Representative Jackson offered a motion to report House Bill No. 506 with amendments. Without objection, House Bill No. 506 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Jackson, Bagneris, Gary Carter, Jimmy Harris, Hodges, Gaines, Mike Johnson, Marino, Jay Morris, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 2 in opposition. Witness cards are included in the committee records.

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 12:36 p.m.

Respectfully submitted,

Chairman Katrina R. Jackson  
House Committee on Judiciary

Date adopted: