

House Committee on Commerce

Minutes of Meeting
2022 Regular Session
May 16, 2022

I. CALL TO ORDER

Representative Paula P. Davis, chairman of the House Committee on Commerce, called the meeting to order at 9:46 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Paula P. Davis, chairman
Representative Royce Duplessis
Representative Bryan Fontenot
Representative Jonathan Goudeau, I
Representative Stephanie Hilferty, vice chairman
Representative Paul Hollis
Representative Vanessa Caston LaFleur
Representative Scott McKnight
Representative Candace N. Newell
Representative Thomas A. Pressly
Representative Vincent "Vinney" J. St. Blanc, III
Representative Phillip Eric Tarver
Representative Polly Thomas

MEMBERS ABSENT:

Representative Kenny R. Cox
Representative Adrian Fisher
Representative Kyle M. Green, Jr.
Representative Edmond Jordan

STAFF MEMBERS PRESENT:

Felicie Jackson, executive assistant
Rashida Keith, attorney
Nevonda Reed-Dobard, division director

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 760 by Representative Schexnayder**

Representative Schexnayder presented House Bill No. 760, which provides relative to certain fees charged by the secretary of state.

Seth Halpern, 23238 Mango Dr., Denham Springs, LA 70726, (337) 308-0360, spoke in support of House Bill No. 760.

Joe R. Salter, Secretary of State, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-2880, spoke for information only on House Bill No. 760.

Laura Sanders, Secretary of State, 8585 Archives Ave., Baton Rouge, LA 70809, (225) 922-2880, spoke for information only on House Bill No. 760.

Representative Davis offered a motion to voluntarily defer action on House Bill No. 760. Without objection, action on House Bill No. 760 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, LaFleur, McKnight, Newell, St. Blanc, and Thomas voted yea.

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

Senate Bill No. 272 by Senator Cortez

On behalf of Senator Cortez, Representative Stefanski presented Senate Bill No. 272, which provides relative to wagering on horse races in a sports book lounge.

Representative Davis offered amendments to:

- (1) Remove the authority to deduct direct costs in determining net audited profits.
- (2) Add definition for "offtrack wagering facility licensee".

- (3) Add authority for Louisiana State Racing Commission (LSRC) to terminate the license of an offtrack wagering facility (OTB) located in a sports book lounge for actions contrary to its agreement with a host entity or a plan of operation.
- (4) Add specific authority for LGCB to reconsider and withdraw its approval of an agreement or plan of operation for an OTB located in a sports book lounge.
- (5) Make technical corrections.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, LaFleur, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Representative Davis offered a motion to report Senate Bill No. 272 with amendments. Without objection, Senate Bill No. 272 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, LaFleur, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

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

Senate Bill No. 314 by Senator Cortez

Representative Davis announced that action on Senate Bill No. 314, which provides relative to historic horse racing, was voluntarily deferred.

Senate Bill No. 291 by Senator Lambert

Senator Lambert presented Senate Bill No. 291, which authorizes the Louisiana Real Estate Appraisers Board to access certain criminal history record information of applicants.

Representative Davis offered amendments to make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, LaFleur, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Thomas Devillier, Real Estate Appraisers Board, 9071 Interline Ave., Baton Rouge, LA 70809, (225) 252-1905, spoke for information only on Senate Bill No. 291.

Representative Thomas offered a motion to report Senate Bill No. 291 with amendments. Without objection, Senate Bill No. 291 was reported with amendments by a vote of 10 yeas and 0 nays.

Representatives Davis, Fontenot, Goudeau, Hilferty, LaFleur, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

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

Senate Bill No. 222 by Senator Lambert

Senator Lambert presented Senate Bill No. 222, which provides relative to the Louisiana Appraisal Management Company Licensing and Regulation Act.

Representative Davis offered amendments to make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, LaFleur, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Thomas Devillier, Real Estate Appraisers Board, 9071 Interline Ave., Baton Rouge, LA 70809, (225) 252-1905, spoke for information only on Senate Bill No. 291.

Representative Thomas offered a motion to report Senate Bill No. 222 with amendments. Without objection, Senate Bill No. 222 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas 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. 106 by Senator Luneau

Senator Luneau presented Senate Bill No. 106, which provides relative to disciplinary proceedings by a professional or occupational board or commission.

Representative Pressly offered a motion to report Senate Bill No. 106 favorably. Without objection, Senate Bill No. 106 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Senate Bill No. 286 by Senator Luneau

Senator Luneau presented Senate Bill No. 286, which provides for licensure and qualifications of massage therapists.

Representative Davis offered amendments to make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Amber Sukhbaatar, The Sunray Companies/Massage Envy, 1012 Madison Ave., Ste. A, Madison, MS 39110, (601) 942-0787, spoke in support of Senate Bill No. 286.

Representative Davis offered amendments to delete the words "as approved" and specify that hours above the required 500 minimum be earned in accordance with the policies prescribed by the Board of Regents. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Hilferty offered a motion to report Senate Bill No. 286 with amendments. Without objection, Senate Bill No. 286 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas 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. 446 by Senator Fred Mills

Senator Fred Mills presented Senate Bill No. 446, which provides relative to banking provisions regarding damage to mortgaged residential property.

Joe Gendron, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, (225) 788-8748, spoke in support of Senate Bill No. 446.

Representative Tarver offered amendments to:

- (1) Make technical changes and specify that present and proposed law provisions relative to insurance settlement proceeds apply to properties in this state containing one to four residential dwellings. Further require settlement proceeds to be distributed to the borrower-payee via traceable delivery or electronic transfer.
- (2) Change the timeframe from within 20 days to within 10 business days relative to a mortgagee's or mortgage servicer's required notice to the borrower-payee of the requirements for the release of proceeds. Further require the release of all or part of

the proceeds to the borrower-payee if the mortgagee or mortgage servicer receives sufficient evidence of the borrower-payee's compliance.

- (3) Add provisions relative to property inspections to be conducted within the 15th business day under certain conditions. Authorize property inspections to be conducted in person, through photographic or video evidence submitted by the borrower-payee, servicer-directed video calls, or by other means to document the progress or completion of repairs. Further add that photographic or video evidence may not be accepted if it does not allow determination of the repairs or authenticity of the time taken, or is believed to have been altered.
- (4) Authorize the commissioner to impose and enforce monetary penalties, not in excess of \$500 per day nor \$5,000 per violation, on a mortgagee or servicer that fails to comply with the process for distributing proceeds. Provide that penalties are due and payable upon notice, unless the penalties are set aside after an administrative hearing. Further provide that penalties are final and definitive.
- (5) Change the timeframe from 30 days to 15 business days relative to the time in which a mortgagee or mortgage servicer presented with a jointly payable check is required to return excess funds to a borrower-payee. Further provide that the 15th-business day timeframe does not apply when the proceeds instrument requires the endorsement of multiple mortgagees or lien holders.
- (6) Add that present and proposed law do not apply to a mortgagee or servicer when the borrower-payee is in default, past due, or in foreclosure on his mortgage.

Representative Tarver offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Hollis, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Tarver offered a motion to report Senate Bill No. 446 with amendments. Without objection, Senate Bill No. 446 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Hollis, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 1048 by Representative McKnight

Representative McKnight presented House Bill No. 1048, which provides relative to economic development.

Makesha Judson, Louisiana Economic Development, 617 North 3rd St., Baton Rouge, LA 70802, (225) 773-2445, spoke to provide information only on House Bill No. 1048.

Representative McKnight offered a motion to report House Bill No. 1048 favorably. Without objection, House Bill No. 1048 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Hollis, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

House Bill No. 985 by Representative Wright

Representative Wright presented House Bill No. 985, which provides relative to virtual currency.

Jennifer Miranda, We the People, 37176 Goodwood St., Prairieville, LA 70769, (225) 278-4563, spoke in opposition to House Bill No. 985.

Representative Hilferty in the chair.

Joe Gendron, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, (225) 788-8748, spoke in opposition to House Bill No. 985.

Representative Davis in the chair.

Representative Davis offered a motion to voluntarily defer action on House Bill No. 985. Without objection, action on House Bill No. 985 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Hollis, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas 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.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Thomas offered a motion to adjourn. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Hollis, LaFleur, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

The meeting was adjourned at 10:45 a.m.

Respectfully submitted,

Chairman Paula P. Davis
House Committee on Commerce

Date adopted: