

**Subcommittee on Constitutional Revisions
of the House Committee on Civil Law and Procedure**

Minutes of Meeting
2023 Regular Session
February 16, 2023

I. CALL TO ORDER

Representative Gregory A. Miller, chairman of the Subcommittee on Constitutional Revisions of the House Committee on Civil Law and Procedure, called the meeting to order at 10:03 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Gregory A. Miller, chairman
Representative Beryl A. Amedée
Representative Chad Brown
Representative Lawrence "Larry" Frieman
Representative Raymond E. Garofalo, Jr.
Representative Michael T. Johnson

MEMBERS ABSENT:

Representative Robby Carter

STAFF MEMBERS PRESENT:

Amy Pirtle, attorney
Allison Shirey, attorney
Megan Sanders, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Michael McCain, clerk

III. BUSINESS

Amy Pirtle, attorney for the House Committee on Civil Law and Procedure, explained that the purpose of the subcommittee was to discuss and consider revisions to the provisions of the Constitution of Louisiana in response to House Resolution No. 254 of the 2022 Regular Session.

Chairman Miller thanked the secretary of state for sending the original Constitutions of Louisiana of 1879, of 1921, and of 1973 for the subcommittee to review.

Jake Yount, Louisiana State Archives, 3851 Essen Ln., Baton Rouge, LA 70809, (225) 922-1000, spoke for information only. Mr. Yount discussed the original Constitutions of Louisiana. Mr. Yount also answered questions from Representative Amedée.

Charles Weems, Louisiana State Law Institute, P.O. Box 6118, Alexandria, LA 71307, (318) 445-6471, spoke for information only. Mr. Weems discussed the "Report to the Legislature in Response to HCR No. 7 of the 2020 First Extraordinary Session" by the Constitutional Law Committee. Mr. Weems responded to questions from the subcommittee members regarding changes suggested by the Louisiana State Law Institute to the Constitution of Louisiana.

Article I, Section 1 (Origin and Purpose of Government)

The subcommittee members discussed Article I, Section 1 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes to Article I, Section 1 because it is fundamental law.

Article I, Section 2 (Due Process of Law)

The subcommittee members discussed Article I, Section 2 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 2 is fundamental law.

Article I, Section 3 (Right to Individual Dignity)

The subcommittee members discussed Article I, Section 3 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 3 is fundamental law.

Article I, Section 4 (Right to Property)

The subcommittee members discussed Article I, Section 4 of the Constitution of Louisiana. After discussions, the subcommittee made no recommendation. Chairman Miller asked staff to conduct additional research regarding Article I, Section 4.

Article I, Section 6 (Freedom from Intrusion)

The subcommittee members discussed Article I, Section 6 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 6 is fundamental law.

Article I, Section 7 (Freedom of Expression)

The subcommittee members discussed Article I, Section 7 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 7 is fundamental law.

Article I, Section 8 (Freedom of Religion)

The subcommittee members discussed Article I, Section 8 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 8 is fundamental law.

Article I, Section 9 (Right of Assembly and Petition)

The subcommittee members discussed Article I, Section 9 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 9 is fundamental law.

Article I, Section 12 (Freedom from Discrimination)

The subcommittee members discussed Article I, Section 12 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 12 is fundamental law.

Article I, Section 23 (Prohibited Laws)

The subcommittee members discussed Article I, Section 23 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 23 is fundamental law.

Article I, Section 24 (Unenumerated Rights)

The subcommittee members discussed Article I, Section 24 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 24 is fundamental law.

Article I, Section 26 (State Sovereignty)

The subcommittee members discussed Article I, Section 26 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article I, Section 26 is fundamental law.

Article VII, Section 25 (Quieting Tax Title)

The subcommittee discussed Article VII, Section 25 of the Constitution of Louisiana. Chairman Miller discussed the Tax Sale Committee of the Louisiana State Law Institute and the recommendations being made by the Tax Sale Committee. Ms. Pirtle, attorney, discussed the recommendations by the Tax Sale Committee. After discussions, the subcommittee made no recommendation on Article VII, Section 25.

Article XII, Section 5 (Successions; Forced Heirship and Trusts)

The subcommittee members discussed Article XII, Section 5 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article XII, Section 5 is fundamental law.

Article XII, Section 9 (Exemptions from Seizure and Sale)

The subcommittee members discussed Article XII, Section 9 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article XII, Section 9 is fundamental law.

Article XII, Section 10 (Suits Against the State)

The subcommittee members discussed Article XII, Section 10 of the Constitution of Louisiana. The subcommittee made no recommendation, and Chairman Miller asked staff to provide additional research on Article XII, Section 10.

Article XII, Section 12 (Corporations; Perpetual or Indefinite Duration; Dissolution; Perpetual Franchises or Privileges)

The subcommittee members discussed Article XII, Section 12 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article XII, Section 12 is fundamental law.

Article XII, Section 13 (Prescription Against State)

The subcommittee members discussed Article XII, Section 13 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article XII, Section 13 is fundamental law.

Article XII, Section 15 (Defense of Marriage)

The subcommittee members discussed Article XII, Section 15 of the Constitution of Louisiana. The subcommittee made no recommendation of any changes, but instead decided to defer to the voters of Louisiana on this Section.

Article XII, Section 16 (Patient's Compensation Fund)

The subcommittee members discussed Article XII, Section 16 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article XII, Section 16 is fundamental law.

Article XIV, Section 33 (Suits Against the State; Effective Date)

The subcommittee members discussed Article XIV, Section 33 of the Constitution of Louisiana. The subcommittee made a recommendation of no changes because Article XIV, Section 33 is fundamental law.

Article XIV, Section 34 (Exemption from Seizure and Sale)

The subcommittee members discussed Article XIV, Section 34 of the Constitution of Louisiana. The subcommittee made a recommendation to remove this Section as the provision was fulfilled and should be taken out of the Constitution.

IV. ANNOUNCEMENTS

Chairman Miller announced that the next meeting would be a meeting of the House Committee on Civil Law and Procedure to vote on the recommendations of the subcommittee and complete a report to the House of Representatives before March 15th.

V. ADJOURNMENT

The meeting was adjourned at 12:26 p.m.

Respectfully submitted,

Chairman Gregory A. Miller
Subcommittee on Constitutional Revisions
of the House Committee on Civil Law and Procedure

Date adopted: