

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**SIXTH DAY'S PROCEEDINGS**

**Forty-seventh Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Monday, October 5, 2020

The House of Representatives was called to order at 4:06 P.M., by the Honorable Clay Schexnayder, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Freiberg	McFarland
Adams	Frieman	McKnight
Amedee	Gadberry	McMahen
Bacala	Gaines	Miguez
Bagley	Garofalo	Miller, D.
Beaullieu	Goudeau	Miller, G.
Bishop	Harris	Mincey
Bourriague	Henry	Moore
Brass	Hilferty	Muscarello
Brown	Hodges	Newell
Bryant	Horton	Orgeron
Butler	Hughes	Owen, C.
Carrier	Huval	Owen, R.
Carter, G.	Illg	Phelps
Carter, R.	Ivey	Pierre
Cormier	James	Pressly
Coussan	Jefferson	Riser
Cox	Jenkins	Romero
Crews	Johnson, M.	Schamerhorn
Davis	Johnson, T.	Seabaugh
Deshotel	Jones	Selders
DeVillier	Jordan	St. Blanc
DuBuisson	Kerner	Stefanski
Duplessis	LaCombe	Tarver
Echols	Landry	Thomas
Edmonds	Larvadain	Thompson
Edmonston	Lyons	Turner
Emerson	Mack	Villio
Farnum	Magee	Wheat
Firment	Marcelle	White
Fontenot	Marino	Willard
Freeman	McCormick	Zeringue

Total - 96

The Speaker announced that there were 96 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Magee.

**Pledge of Allegiance**

Rep. Marino led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Zeringue, the reading of the Journal was dispensed with.

Rep. Stagni moved that the Journal of September 28, 2020, be corrected to reflect him as absent, which motion was agreed to.

On motion of Rep. Zeringue, the Journal of October 2, 2020, was adopted.

**Petitions, Memorials, and  
Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

October 5, 2020

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 3 and 7

Respectfully submitted,

YOLANDA J. DIXON  
Secretary of the Senate

**Senate Concurrent Resolutions  
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 3—**

BY SENATOR CATHEY

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the feasibility of making TOPS-Tech and GO Grant awards available to low-income students for use during the summer semester immediately following high school graduation.

Read by title.

On motion of Rep. Magee, and under a suspension of the rules, the above resolution was referred to the Committee on Education, under the rules.

**SENATE CONCURRENT RESOLUTION NO. 7—**

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the death of Sister Joan Martinette Rivers, OLS.

Read by title.

On motion of Rep. Bagley, and under a suspension of the rules, the resolution was concurred in.

### Suspension of the Rules

On motion of Rep. Magee, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

### Petitions, Memorials, and Communications

The following petitions, memorials, and communications were received and read:

### Message from the Senate

#### SENATE BILLS

October 5, 2020

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 11

Respectfully submitted,

YOLANDA J. DIXON  
Secretary of the Senate

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and, under a suspension of the rules, referred to committees, as follows:

#### SENATE BILL NO. 11— BY SENATOR CATHEY

AN ACT

To enact R.S. 17:176(G), relative to school interscholastic extracurricular athletic programs; to prohibit certain schools from being a member of, or participating in any competition sponsored by, organizations that do not have certain persons as members of their executive committees or governing boards; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

### Suspension of the Rules

On motion of Rep. Magee, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVE SCHEXNAYDER

A CONCURRENT RESOLUTION

To memorialize the United States Senate to take such actions as are necessary to confirm President Donald Trump's nomination of Judge Amy Coney Barrett to the United States Supreme Court to fill the seat of the late Justice Ruth Bader Ginsburg.

Read by title.

On motion of Rep. Magee, and under a suspension of the rules, the above resolution was referred to the Committee on Judiciary, under the rules.

### Introduction of House Bills and Joint Resolutions

The following named members introduced the following entitled House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

#### HOUSE BILL NO. 80—

BY REPRESENTATIVE CHARLES OWEN

AN ACT

To amend and reenact R.S. 17:24.4(F)(1)(g) and to repeal R.S. 17:24.4(F)(1)(h) and (2), relative to student assessments; to prohibit the use of assessment results for certain purposes for the 2020-2021 school year; to provide that the assignment of letter grades to schools and school districts pursuant to the school and district accountability system for the 2020-2021 school year shall be subject to legislative approval; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

#### HOUSE BILL NO. 81—

BY REPRESENTATIVE GAROFALO

AN ACT

To enact R.S. 17:3914(M), relative to student information; to prohibit a school employee from sharing a student's personally identifiable information relative to illness or disease with the Department of Health for any purpose without parental consent; to authorize the sharing of aggregate data relative to certain diseases and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

#### HOUSE BILL NO. 82—

BY REPRESENTATIVE AMEDEE

AN ACT

To enact R.S. 17:3914(M), relative to student information; to prohibit a school employee from sharing a student's personally identifiable information relative to illness or disease with the Department of Health for any purpose without parental consent; to authorize the sharing of aggregate data relative to certain diseases and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**HOUSE BILL NO. 83—**

BY REPRESENTATIVES ROMERO AND GAROFALO  
AN ACT

To amend and reenact R.S. 17:416(C)(4) and (5) and to enact R.S. 17:416(K) and (L), relative to student discipline; to provide for judicial review of certain discipline actions; to provide for discipline policies applicable during online instruction; to provide for awarding of damages and attorney fees; to provide for applicability; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**HOUSE BILL NO. 84—**

BY REPRESENTATIVE EDMONDS  
AN ACT

To amend and reenact R.S. 39:134(C), relative to the expenditure of federal funds; to modify requirements for Joint Legislative Committee on the Budget approval of the expenditure of federal funds received under certain circumstances; to provide for certain requirements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 85—**

BY REPRESENTATIVE MAGEE  
AN ACT

To amend and reenact R.S. 39:100.44(Q) and 100.45(A) and to enact R.S. 39:100.42(6.1) and 100.44.1, relative to the Louisiana Main Street Recovery Program; to provide with respect to program funds; to establish a dedicated subaccount for funding awards to certain eligible businesses; to provide for administration of grants to such eligible businesses; to provide with respect to the powers and duties of the Department of Revenue, the division of administration, and the office of alcohol and tobacco control; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 86—**

BY REPRESENTATIVE CORMIER  
AN ACT

To appropriate funds and to make certain reductions from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for Fiscal Year 2020-2021; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**Reports of Committees**

The following reports of committees were received and read:

Report of the Committee on

Appropriations

October 5, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 38, by Harris, Lance  
Reported with amendments. (13-6)

House Bill No. 67, by Crews  
Reported with amendments. (14-2)

JEROME "ZEE" ZERINGUE  
Chairman

**Suspension of the Rules**

On motion of Rep. Zeringue, the rules were suspended in order to take up House Bills contained in the committee report at this time.

**House Bills and Joint Resolutions on Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 38—**

BY REPRESENTATIVE HARRIS  
AN ACT

To enact Part VIII of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:291 through 293, relative to funding for parish, municipal, and postsecondary education agency police departments; to provide for budget submission requirements; to provide for the authority of the Joint Legislative Committee on the Budget; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 38 by Representative Harris

**AMENDMENT NO. 1**

On page 2, line 9, after "ineligible" and before "for" insert "to apply for or receive funding"

**AMENDMENT NO. 2**

On page 3, line 3, after "ineligible" and before "for" insert "to apply for or receive funding"

**AMENDMENT NO. 3**

On page 3, line 4, after "year and" insert "to receive"

On motion of Rep. Zeringue, the amendments were adopted.

On motion of Rep. Zeringue, the bill, as amended, was ordered engrossed and passed to its third reading.

**HOUSE BILL NO. 67—**

BY REPRESENTATIVE CREWS  
AN ACT

To provide for certain reductions to sales tax dedications under certain circumstances; for Fiscal Year 2020-2021; to provide for the powers, duty, and authority of the Joint Legislative

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Committee on the Budget; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 67 by Representative Crews

### AMENDMENT NO. 1

On page 1, line 2, after "circumstances" delete the semicolon ";"

### AMENDMENT NO. 2

On page 1, line 3, change "duty," to "duties,"

### AMENDMENT NO. 3

On page 1, delete lines 13 through 17 in their entirety and insert the following:

"been reduced, the committee may request the municipality to appear before the committee and provide a description of the proposed budget reductions and the effect of the reductions on the municipality's ability to provide for public safety. If the committee determines the proposed reductions will have a significant and harmful effect on public safety, the committee may recommend reconsideration of the funding appropriated herein to the municipality or the parish containing the municipality."

On motion of Rep. Zeringue, the amendments were adopted.

On motion of Rep. Zeringue, the bill, as amended, was ordered engrossed and passed to its third reading.

## Suspension of the Rules

On motion of Rep. Davis, the rules were suspended in order to take up and consider Reports of Committees at this time.

## Reports of Committees

The following reports of committees were received and read:

Report of the Committee on

Commerce

October 5, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Concurrent Resolution No. 13, by Miguez  
Reported favorably. (12-5)

House Concurrent Resolution No. 19, by Johnson, Mike  
Reported favorably. (16-0)

House Bill No. 54, by James  
Reported with amendments. (16-0)

House Bill No. 55, by Edmonds  
Reported without action, with recommendation that it be recommitted to the Committee on Civil Law and Procedure. (17-0)

House Bill No. 63, by Ivey  
Reported with amendments. (15-0)

House Bill No. 64, by Ivey  
Reported favorably. (15-0)

House Bill No. 74, by Deshotel  
Reported with amendments. (16-0)

House Bill No. 77, by Davis  
Reported with amendments. (16-0)

House Bill No. 79, by Harris, Lance  
Reported favorably. (15-0)

Senate Bill No. 17, by Hewitt  
Reported favorably. (15-0)

Senate Bill No. 33, by Foil  
Reported favorably. (15-0)

PAULA P. DAVIS  
Chairwoman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

## Suspension of the Rules

On motion of Rep. Davis, the rules were suspended in order to take up House and House Concurrent Resolutions reported by committee contained in the committee report at this time.

## House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

### HOUSE CONCURRENT RESOLUTION NO. 13—

BY REPRESENTATIVE MIGUEZ

#### A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the enforcement authority of the state fire marshal pursuant to R.S. 40:1591 and any powers delegated to the state fire marshal pursuant to R.S. 29:721 et seq. or 760 et seq. as they apply to violations of COVID-19-related restrictions.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Davis, the resolution was ordered engrossed and passed to its third reading.

### HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVE MIKE JOHNSON

#### A CONCURRENT RESOLUTION

To establish the Task Force on the 4.9 GHz Spectrum to study and make recommendations on how to close the digital divide and allocate the 4.9 GHz spectrum should it become available in Louisiana and to submit a written report of findings and recommendations to the legislature no later than February 1, 2021.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Davis, the resolution was ordered engrossed and passed to its third reading.

### Suspension of the Rules

On motion of Rep. Davis, the rules were suspended in order to take up House Bills contained in the committee report at this time.

### House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

#### HOUSE BILL NO. 54— BY REPRESENTATIVE JAMES

##### AN ACT

To enact Chapter 61 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3211 and 3212, relative to the use of digitized identification cards; to provide definitions; to provide for the acceptance of digitized identification cards at places of business; to limit liability; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 54 by Representative James

##### AMENDMENT NO. 1

On page 1, line 3, change "and 3212" to "through 3214"

##### AMENDMENT NO. 2

On page 1, delete line 5 and insert in lieu thereof "places of business; to provide for exceptions; to limit liability; to provide for certain powers and duties; to provide for applicability; and to provide for related matters."

##### AMENDMENT NO. 3

On page 1, line 8, change "and 3212" to "through 3214"

##### AMENDMENT NO. 4

On page 1, line 16, delete "an" and insert "a state-approved"

##### AMENDMENT NO. 5

On page 2, line 5, after "organization" delete the remainder of the line and insert a comma "," and "including but not limited to a bar, restaurant, casino, official gaming establishment, other establishment providing gaming operations, or a financial institution that"

##### AMENDMENT NO. 6

On page 2, line 8, after "services" insert a comma "," and "including educational services."

##### AMENDMENT NO. 7

On page 2, line 14, after "identification" and before the comma "," insert "or age"

##### AMENDMENT NO. 8

On page 2, line 15, after "accept a" insert "state-issued"

##### AMENDMENT NO. 9

On page 2, delete lines 16 through 20 in their entirety and insert in lieu thereof the following:

"(2) Notwithstanding any other provision of this Chapter to the contrary, a federally insured depository institution shall not be required to accept a digitized identification card as a valid form of identification. However, a federally insured depository institution may, at its option, accept a digitized identification card as a valid form of identification."

##### AMENDMENT NO. 10

On page 2, line 22, delete "the" and insert "a state-approved"

##### AMENDMENT NO. 11

On page 3, line 1, after "identity" insert "or age"

##### AMENDMENT NO. 12

On page 3, after line 5, add the following:

##### "§3213. Powers and duties

The Louisiana Gaming Control Board and the office of alcohol and tobacco control have authority to take actions, not inconsistent with law, as deemed necessary to ensure a respective licensee's compliance with the provisions of this Chapter.

##### §3214. Applicability

The provisions of this Chapter do not apply to a location of business in the state of Louisiana where a physical copy of an individual's current driver's license, valid passport, or visa issued by the federal government or another country or nation, or other card of identity is held in compliance with state or federal law.

On motion of Rep. Davis, the amendments were adopted.

On motion of Rep. Davis, the bill, as amended, was ordered engrossed and passed to its third reading.

#### HOUSE BILL NO. 55— BY REPRESENTATIVE EDMONDS AN ACT

To enact R.S. 9:2793.11, relative to civil liability; to provide for the immunity from civil liability for volunteers and charitable organizations; to provide for exceptions; to provide for limitation for recovery; to provide for definitions; to provide for applicability; and to provide for related matters.

Read by title.

Reported without action by the Committee on Commerce with recommendation that it be recommitted to the Committee on Civil Law and Procedure.

On motion of Rep. Davis, the above bill was ordered recommitted to the Committee on Civil Law and Procedure.

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## HOUSE BILL NO. 63—

BY REPRESENTATIVE IVEY

AN ACT

To enact R.S. 29:770.1, relative to the provision of information during a public health emergency; to mandate that the state fire marshal provide a mechanism for business owners and operators to post safety measures to the public; to describe the parameters and requirements of the mechanism; to exempt participants from liability; to provide for rule making; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 63 by Representative Ivey

#### AMENDMENT NO. 1

On page 2, line 10, after "options at" insert "any time"

On motion of Rep. Davis, the amendments were adopted.

On motion of Rep. Davis, the bill, as amended, was ordered engrossed and passed to its third reading.

## HOUSE BILL NO. 64—

BY REPRESENTATIVE IVEY

AN ACT

To enact R.S. 29:770.1, relative to the provision of information during a public health emergency; to mandate that the state fire marshal provide a mechanism for the operators of public buildings and utilities to post safety measures to the public; to describe the parameters and requirements of the mechanism; to exempt participants from liability; to provide for guidance from local government; to provide for rule making; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Davis, the bill was ordered engrossed and passed to its third reading.

## HOUSE BILL NO. 74—

BY REPRESENTATIVE DESHOTEL AND SENATORS JOHNS AND MIZELL

AN ACT

To enact R.S. 36:4(CC), R.S. 49:968(B)(21)(d), and Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1361 through 1364, relative to the office of broadband and connectivity; to place the office within the executive branch; to provide definitions; to provide for the appointment and termination of an executive director; to require reporting; to provide for functions, powers, and duties; to establish contract authority; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 74 by Representative Deshotel

#### AMENDMENT NO. 1

On page 2, line 28, delete "willful or gross" and insert in lieu thereof "gross negligence or willful"

#### AMENDMENT NO. 2

On page 4, delete line 9 in its entirety and insert in lieu thereof the following:

"(4) To research programs relating to broadband and connectivity services and receive notification from every person and government"

#### AMENDMENT NO. 3

On page 4, line 10, change "agencies" to "agency" and change "including" to "of"

On motion of Rep. Davis, the amendments were adopted.

On motion of Rep. Davis, the bill, as amended, was ordered engrossed and passed to its third reading.

## HOUSE BILL NO. 77—

BY REPRESENTATIVE DAVIS

AN ACT

To enact R.S. 12:1-709(C) and (D), relative to remote participation in meetings; to allow certain persons to participate in certain meetings by remote communications; to provide for guidelines and procedures; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 77 by Representative Davis

#### AMENDMENT NO. 1

On page 1, at the end of line 9, delete "15"

#### AMENDMENT NO. 2

On page 1, line 15, after "6:272," insert "647, 648,"

#### AMENDMENT NO. 3

On page 1, line 16, after "savings banks," and before "savings and loan" delete "and"

#### AMENDMENT NO. 4

On page 1, line 17, after "associations" insert a comma "," and "and credit unions"

On motion of Rep. Davis, the amendments were adopted.

On motion of Rep. Davis, the bill, as amended, was ordered engrossed and passed to its third reading.

## HOUSE BILL NO. 79—

BY REPRESENTATIVE HARRIS

AN ACT

To amend and reenact R.S. 23:1017.1(6) and R.S. 29:739(C) and to enact R.S. 29:723(20), relative to first responders; to expand the definition of first responders to include electrical lineman; to

provide for a definition of electrical linemen; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Davis, the bill was ordered engrossed and passed to its third reading.

### Suspension of the Rules

On motion of Rep. Bishop, the rules were suspended in order to take up and consider Reports of Committees at this time.

### Reports of Committees

The following reports of committees were received and read:

Report of the Committee on

Ways and Means

October 5, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Concurrent Resolution No. 11, by Schexnayder  
Reported favorably. (12-0)

House Bill No. 20, by Edmonds  
Reported with amendments. (14-0)

House Bill No. 25, by Farnum  
Reported favorably. (11-0)

House Bill No. 26, by Schexnayder  
Reported with amendments. (11-0)

House Bill No. 29, by DeVillier  
Reported with amendments. (14-2)

House Bill No. 37, by Beaulieu  
Reported with amendments. (11-0)

House Bill No. 78, by Beaulieu  
Reported favorably. (8-6)

Senate Bill No. 14, by Johns  
Reported favorably. (12-0)

STUART J. BISHOP  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

### Suspension of the Rules

On motion of Rep. Bishop, the rules were suspended in order to take up House and House Concurrent Resolutions reported by committee contained in the committee report at this time.

### House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

### HOUSE CONCURRENT RESOLUTION NO. 11—

BY REPRESENTATIVE SCHEXNAYDER

#### A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the Procurement Processing Company Rebate Program pursuant to the provisions of R.S. 47:6351.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Bishop, the resolution was ordered engrossed and passed to its third reading.

### Suspension of the Rules

On motion of Rep. Bishop, the rules were suspended in order to take up House Bills contained in the committee report at this time.

### House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

### HOUSE BILL NO. 20—

BY REPRESENTATIVE EDMONDS

#### AN ACT

To enact R.S. 47:297.15, relative to individual income tax deductions; to authorize a deduction for certain educational expenses incurred during the COVID-19 pandemic in 2020; to provide for the amount of the deduction; to provide for definitions; to provide for limitations and requirements; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 20 by Representative Edmonds

#### AMENDMENT NO. 1

On page 1, line 12, after "pandemic for" delete the remainder of the line in its entirety and delete lines 13 through 16 in their entirety and at the beginning of line 17, delete "(b) Expenses" and insert "expenses"

#### AMENDMENT NO. 2

On page 1, line 19, after "school" delete the remainder of the line and delete line 20 in its entirety and insert a period "."

#### AMENDMENT NO. 3

On page 2, line 2, after "eligible" and before "educational" delete "tuition, fees, or"

#### AMENDMENT NO. 4

On page 2, between lines 18 and 19, insert the following:

"(4) "In-person facilitator of virtual education" shall mean an individual providing in-person instruction or assistance to one or

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more elementary or secondary school students who is at least eighteen years of age at the time services are provided or, if not eighteen years of age at the time services are provided, who graduated from high school. The individual providing the in-person instruction or assistance shall not be an immediate family member of the taxpayer.

C. Expenses claimed by a taxpayer pursuant to the provisions of this Section shall not be eligible for the deductions provided for in R.S. 47:297.10, 297.11, or 297.12."

On motion of Rep. Bishop, the amendments were adopted.

On motion of Rep. Bishop, the bill, as amended, was ordered engrossed and passed to its third reading.

## HOUSE BILL NO. 25—

BY REPRESENTATIVE FARNUM

AN ACT

To amend and reenact R.S. 47:6016.1(B)(4) and (6) through (11) and to enact R.S. 47:6016.1(B)(12), relative to Louisiana New Markets Jobs Act tax incentives; to add businesses impacted by Hurricane Laura to eligible qualified active low-income community businesses; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Bishop, the bill was ordered engrossed and passed to its third reading.

## HOUSE BILL NO. 26—

BY REPRESENTATIVE SCHEXNAYDER

AN ACT

To enact R.S. 47:302(BB)(113), 305.74, 321(P)(114), 321.1(I)(114), and 331(V)(114), relative to sales and use tax; to establish a sales and use tax holiday for certain purchases; to provide for requirements and limitations; to provide for the effectiveness of the sales and use tax holiday; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 26 by Representative Schexnayder

#### AMENDMENT NO. 1

On page 2, at the beginning of line 3, delete "A.(1)(a)" and insert "A(1)"

#### AMENDMENT NO. 2

On page 2, delete lines 9 through 15 in their entirety

On motion of Rep. Bishop, the amendments were adopted.

On motion of Rep. Bishop, the bill, as amended, was ordered engrossed and passed to its third reading.

## HOUSE BILL NO. 29—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 47:631, relative to suspending certain severance taxes; to provide for a suspension on oil production from newly drilled wells; to provide for the amount of the suspension in the form of an exemption; to provide for applicability; to provide for definitions; to provide for effectiveness; to provide for certain requirements and limitations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 29 by Representative DeVillier

#### AMENDMENT NO. 1

On page 1, line 3, after "from" and before "wells" delete "newly drilled" and insert "certain"

#### AMENDMENT NO. 2

On page 1, delete lines 16 through 20 in their entirety and on page 2 delete lines 1 through 5 in their entirety and insert the following:

"B.(1) There shall be an exemption from the severance tax levied in this Section at the rates provided for in R.S. 47:633 on oil production from any newly drilled well or completed well that is undergoing or has undergone well enhancements that required a Department of Natural Resources permit, including but not limited to re-entries, workovers, or plugbacks, from which production commences on or after October 1, 2020, and on or before December 31, 2025. The exemption shall last for a period of twenty-four months or until payout of the well cost is achieved, whichever occurs first.

(2)(a) Payout of well cost occurs when gross revenue from the well, less royalties and operating costs directly attributable to the well, equals the well cost.

(b) For the purposes of this Section, well costs shall equal the cost of completing the well to the commencement of production or the cost of well enhancements, as determined by the Department of Natural Resources.

(c) For the purposes of this Section, operating costs shall be limited to those costs directly attributable to the operation of the exempt well, including but not limited to direct materials, supplies, fuel, direct labor, contract labor or services, repairs, maintenance, property taxes, insurance, depreciation, and any other costs that can be directly attributed to the operation of the well. Where applicable, the calculation of such costs shall begin from the date that the Department of Natural Resources permitted operation or enhancement is complete and production is established. Operating costs shall not include any costs that were included in the well cost approved by the Office of Conservation.

(3) Interest on a refund of severance tax to an operator whose well qualifies for the exemption provided in this Subsection shall be paid in accordance with R.S. 47:1624(A)(2)."

On motion of Rep. Bishop, the amendments were adopted.

On motion of Rep. Bishop, the bill, as amended, was ordered engrossed and passed to its third reading.



**HOUSE BILL NO. 37—**

BY REPRESENTATIVES BEAULLIEU AND CHARLES OWEN  
AN ACT

To enact R.S. 47:6041, relative to income tax credits; to authorize an income tax credit for certain businesses; to provide for the amount of the credit; to provide for requirements and limitations; to authorize the carryforward of unused amounts of the credit; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 37 by Representative Beaulieu

AMENDMENT NO. 1

On page 1, at the beginning of line 5, after "credit;" and before "to provide for an" insert the following:

"to provide for the claiming of credits; to provide for applicability;"

AMENDMENT NO. 2

On page 1, line 10, after "a" and before "credit" insert "one-time"

AMENDMENT NO. 3

On page 2, at the end of line 12, delete "five" and insert "three"

AMENDMENT NO. 4

On page 2, at the beginning of line 14, delete "Section 2." and insert the following:

"D. Credits may be claimed in accordance with the following:

(1) Any entity taxed as a corporation for Louisiana income tax purposes shall claim any credit authorized according to the provisions of this Section on its corporation income and franchise tax return.

(2) Any individual, estate, or trust shall claim any credit authorized according to the provisions of this Section on its income tax return.

(3) Any entity not taxed as a corporation shall claim any credit authorized according to the provisions of this Section on the returns of the partners or members as follows:

(a) Corporate partners or members shall claim their share of the credit on their corporation income tax or franchise tax returns.

(b) Individual partners or members shall claim their share of the credit on their individual income tax or franchise tax returns.

(c) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns.

Section 2. The provisions of this Act shall be applicable to income taxable periods beginning on or after January 1, 2020.

Section 3."

On motion of Rep. Bishop, the amendments were adopted.

On motion of Rep. Bishop, the bill, as amended, was ordered engrossed and passed to its third reading.

**HOUSE BILL NO. 78—**

BY REPRESENTATIVE BEAULLIEU  
AN ACT

To enact R.S. 33:2760, relative to payments in lieu of taxes; to provide for agreements for investments in political subdivisions authorizing payments in lieu of ad valorem taxes; to provide for agreements authorizing payments in lieu of ad valorem taxes that may allow for property tax exemptions; to provide for the authority of political subdivisions; to provide for ownership and title of property subject to certain agreements; to provide for certain conditions and limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Bishop, the bill was ordered engrossed and passed to its third reading.

### House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 22—**

BY REPRESENTATIVE STAGNI  
AN ACT

To enact R.S. 40:539(C)(8)(j), relative to employees of the Kenner Housing Authority; to provide that employees of the authority shall not be in the state civil service; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Huval, the bill was ordered engrossed and passed to its third reading.

### Privileged Report of the Legislative Bureau

October 5, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 14  
Reported without amendments.

Senate Bill No. 17  
Reported without amendments.

Senate Bill No. 33  
Reported without amendments.

Respectfully submitted,

DODIE HORTON  
Chair

**Senate Instruments on Second Reading Returned from the Legislative Bureau**

Rep. Horton asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

**SENATE BILL NO. 14—**  
BY SENATORS JOHNS, MCMATH, REESE, SMITH AND WARD  
AN ACT

To amend and reenact R.S. 47:6016.1(B)(4), (6), (7), (8), (9), (10), and (11) and to enact R.S. 47:6016.1(B)(12), relative to the Louisiana New Markets Jobs Act tax incentives; to add businesses impacted by Hurricane Laura to the eligible qualified active low-income community businesses; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Bishop, the bill was ordered passed to its third reading.

**SENATE BILL NO. 17—**  
BY SENATOR HEWITT  
AN ACT

To amend and reenact R.S. 37:682(4) through (15), 683(A), (B)(1), (2), and (3), and (C), 684, 686, 693(A) and (B), 695, 698(C), 700(C), and to enact R.S. 37:682(16), relative to the Louisiana Professional Engineering and Land Surveying Board; to provide for board membership and qualifications of members; to provide for licensure requirements of professional engineers; to provide for examinations; to remove provisions relative to professional naval architects and marine engineers; to provide for disciplinary and enforcement actions by the board; to provide for terms, conditions, and procedures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Davis, the bill was ordered passed to its third reading.

**SENATE BILL NO. 33—**  
BY SENATOR FOIL  
AN ACT

To amend and reenact R.S. 12:1-1005(5) and 1-1105(A) and (C) and to enact R.S. 12:1-709(C) and 1-1105(D), relative to corporations; to provide for the holding of annual and special shareholders' meetings solely by means of remote communication; to provide relative to articles of incorporation; to remove certain corporate name change requirements; to provide for additional provisions related to mergers between the parent and subsidiary, or between subsidiaries; to provide for certain terms, conditions, and procedures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Davis, the bill was ordered passed to its third reading.

**Privileged Report of the Committee on Enrollment**

October 5, 2020

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 3—**  
BY REPRESENTATIVE STAGNI  
A RESOLUTION

To designate October 2020 as National Chiropractic Health Month in Louisiana.

Respectfully submitted,  
STEPHANIE HILFERTY  
Chairwoman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.20(A), Rep. Landry gave notice of her intention to call House Concurrent Resolution No. 5 from the calendar on Tuesday, October 6, 2020.

**Suspension of the Rules**

On motion of Rep. Zeringue, the rules were suspended to permit the Committee on Appropriations to meet at 9:00 A.M. on Tuesday, October 6, 2020, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 27, 72, 75, 84 and 85

**Suspension of the Rules**

Rep. Garofalo moved to suspend the rules to permit the Committee on Education to submit a weekly committee schedule on a date other than required by House Rule 14.23, which motion was agreed to.

**Suspension of the Rules**

Rep. Gaines moved to suspend the rules to permit the Committee on Judiciary to submit a weekly committee schedule on a date other than required by House Rule 14.23, which motion was agreed to.

**Suspension of the Rules**

On motion of Rep. Pierre, the rules were suspended to permit the Committee on Transportation, Highways and Public Works to meet on Tuesday, October 6, 2020, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Concurrent Resolution No. 22

**Leave of Absence**

Rep. Dwight - 2 days

**Adjournment**

On motion of Rep. Thompson, at 4:56 P.M., the House agreed to adjourn until Tuesday, October 6, 2020, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, October 6, 2020.

MICHELLE D. FONTENOT  
Clerk of the House

