

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

FIFTH DAY'S PROCEEDINGS

**Fifty-second Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, February 23, 2024

The House of Representatives was called to order at 9:38 A.M., by the Honorable Phillip DeVillier, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Edmonston	McMahan
Adams	Egan	McMakin
Amedee	Emerson	Melerine
Bacala	Farnum	Mena
Bagley	Firment	Miller
Bamburg	Fisher	Moore
Bayham	Fontenot	Muscarello
Beaullieu	Freeman	Myers
Berault	Freiberg	Newell
Billings	Gadberry	Orgeron
Bourriaque	Geymann	Owen
Boyd	Glorioso	Phelps
Boyer	Green	Riser
Brass	Hebert	Romero
Braud	Henry	Schamerhorn
Brown	Hilferty	Schlegel
Bryant	Horton	Selders
Butler	Hughes	St. Blanc
Carlson	Illg	Stagni
Carpenter	Jackson	Tarver
Carrier	Johnson, M.	Taylor
Carter, R.	Johnson, T.	Thomas
Carter, W.	Jordan	Thompson
Carver	Kerner	Turner
Chassion	Knox	Ventrella
Chenevert	LaCombe	Villio
Coates	LaFleur	Walters
Cox	Landry, J.	Wilder
Crews	Landry, M.	Wiley
Davis	Larvadain	Willard
Deshotel	Lyons	Wright
Dewitt	Mack	Wyble
Dickerson	Marcelle	Young

Domangue	McCormick	Zeringue
Echols	McFarland	
Total - 104		

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rep. Crews.

Pledge of Allegiance

Rep. Henry 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. Bacala, the reading of the Journal was dispensed with.

On motion of Rep. Bacala, the Journal of February 22, 2024, was adopted.

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 1—

BY SENATORS MIGUEZ, ABRAHAM, ALLAIN, BASS, CATHEY, CLOUD, CONNICK, COUSSAN, EDMONDS, FESI, HENRY, HENSGENS, HODGES, KLEINPETER, LAMBERT, MCMATH, MORRIS, OWEN, REESE, SEABAUGH, STINE, TALBOT, WHEAT AND WOMACK AND REPRESENTATIVES AMEDEE, HORTON AND MIKE JOHNSON
AN ACT

To amend and reenact R.S. 14:95(M) and R.S. 40:1379.3(B)(2)(a), (M), and (O) and to enact R.S. 14:95(N), relative to illegal carrying of weapons; to provide that law-abiding persons eighteen years of age and not otherwise prohibited may carry a concealed weapon lawfully without a permit; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 2—

BY SENATORS MIGUEZ, ALLAIN, BASS, CATHEY, CLOUD, EDMONDS, FESI, HENRY, HENSGENS, HODGES, KLEINPETER, MCMATH, MORRIS, OWEN, REESE, SEABAUGH, STINE, TALBOT AND WOMACK AND REPRESENTATIVES AMEDEE, BEAULLIEU AND MIKE JOHNSON
AN ACT

To enact R.S. 9:2793.12, relative to liability of persons authorized to carry a concealed handgun; to provide with respect to persons authorized to own, possess, use, or carry a concealed handgun; to provide relative to immunity from civil liability; to provide for definitions; to provide for exceptions; 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 Civil Law and Procedure.

SENATE BILL NO. 3—

BY SENATOR CLOUD AND REPRESENTATIVES CREWS AND MIKE JOHNSON
AN ACT

To amend and reenact Children's Code Art. 804(1), relative to delinquency proceedings and juvenile court jurisdiction; to amend the definition of "child" for purposes of delinquency proceedings; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 4—

BY SENATOR CLOUD AND REPRESENTATIVES CREWS AND MIKE JOHNSON

AN ACT

To amend and reenact Children's Code Art. 897.1(B), (C), (D), and (E), relative to the sentencing of a juvenile after adjudication for certain offenses; to provide relative to modification of sentences; to provide relative to crimes of violence; to provide for terms, conditions, and procedures; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 5—

BY SENATOR MCMATH AND REPRESENTATIVES FONTENOT AND MIKE JOHNSON

AN ACT

To amend and reenact R.S. 15:574.2(C) and (D)(8) and (9) and 574.4.1(A)(1) and (D)(1) and to enact R.S. 15:574.4.1(E), relative to parole; to provide relative to parole procedures; to provide relative to the votes required for parole decisions; to provide relative to victim and law enforcement notification; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 7—

BY SENATOR EDMONDS AND REPRESENTATIVES MIKE JOHNSON AND WRIGHT

AN ACT

To amend and reenact R.S. 14:98.1(A)(1)(d) and (3)(c) and 98.2(A)(3)(c) and R.S. 32:378.2(A), (B)(1)(a)(ii)(aa) and (bb), 414(A)(1)(c)(i) and (ii), and (D)(1)(b), 667(B)(1)(a) and (3)(b) and (c) and (I)(1)(a) and the introductory paragraph of 668(B)(1)(a) and to enact R.S. 32:378.2(P), relative to ignition interlock devices; to make technical changes; to change criminal offenses for driving while intoxicated; to provide for a change in time periods that a driver is required to have an ignition interlock device; to provide relative to restricted driver's licenses; to extend the amount of time that a driver is required to have an ignition interlock device upon notice of noncompliance; to provide relative to first and second offense penalties for operating a vehicle while intoxicated; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 8—

BY SENATOR REESE AND REPRESENTATIVES HORTON, MIKE JOHNSON AND VILLIO

AN ACT

To amend and reenact R.S. 15:142(C) and (F), 143, 146(A), (B)(1) and (C), 147(A), the introductory paragraph of (B), (B)(1), (3), (4), (5)(b)(iii), (6), (7), (15), (17), (19) and (20), (C), (D) and (E), 148(A), the introductory paragraph of (B)(1)(a), (B)(1)(b), (c), (d), (e) and (f), and (5) through (13) and (C), 149.1, 149.2, 150(A), (C) and (E), 152, 161(A), (E)(5) and (7) through (14), (F), (H), (I) and (J), 162, 163, 164(A), (C)(1), the introductory paragraph of (D), (E)(4) and (F)(2), 165(A), (B), (C), (D), (F) and (G), 166, 167(A), (D) and (E), 168(D) and (E), 169,

170(A)(1) and (3), (B)(2), (5), (6), (8) and (9), (C), (D)(1), (2) and (3), (G), (H), (I) and (J), 173(B), 174(A) and (B)(1), 175(A)(1)(f) and (i) and (2) and (C), 178, 180, 185.2(1) through (7), 185.3(A), the introductory paragraph of (B), (B)(6), (7), (11), (17), (18), and (19)(g), (C) and (D), 185.4(A), (B)(2), (10) and (12), 185.6(A), (B)(1) and the introductory paragraph of (B)(2), and (D), 185.7(B), 186.2(1) through (7), 186.3(A), the introductory paragraph of (B), (B)(5)(a), (6), (10), (13)(c), (16), (17) and (18)(c) and (C), 186.4(A) and 186.5(D) and (E), to enact R.S. 15:164(B)(4) and to repeal R.S. 15:146(D), 148(B)(14) and (15), 151, 153, 154, 155, 156, 157, 158, 159, 160, 162.1, 168(F), and 185.9, relative to indigent defender representation; to create the office of the state public defender; to transfer authority from the Louisiana Public Defender Board to the office; to provide for powers, duties, and responsibilities of the office; to provide for rulemaking; to provide for the domicile of the office; to provide for offices and meetings; to provide for qualifications of executive staff; to provide for qualifications, powers, duties, and salary of the state public defender; to provide for district public defenders; to provide for methods of delivery of services; to provide for the Louisiana Public Defender Fund; to provide for the Judicial District Indigent Defender Fund; to provide for representation of capital defendants; to provide for disciplinary actions; to prohibit certain rights of action; to provide for special reporting requirements; to provide for certain proceedings; to provide for appointment of counsel under certain circumstances; to provide for reports; to provide for the Indigent Parents' Representation Program; to provide for standards and guidelines; to provide for the Safe Return Representation Program; to provide for the Safe Return Representation Program Fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 9—

BY SENATOR MIZELL AND REPRESENTATIVES MIKE JOHNSON AND VENTRELLA

AN ACT

To amend and reenact Code of Criminal Procedure Art. 572(B)(1) and (2), relative to limitations upon institution of prosecutions; to provide relative to newly discovered photographic or video evidence of certain offenses; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 10—

BY SENATOR CATHEY

AN ACT

To amend and reenact R.S. 15:571.3(B)(1)(a), the introductory paragraph of (C), (D), and (F) and to enact R.S. 15:571.3(G), relative to diminution of a sentence for good behavior; to provide for reduction of good time credit for offenders convicted in the death of a peace officer or first responder; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 11—

BY SENATOR CATHEY

AN ACT

To amend and reenact Children's Code Art. 804(1), relative to delinquency proceedings and juvenile court jurisdiction; to

amend the definition of "child" for purposes of delinquency proceedings; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1—

BY REPRESENTATIVES BACALA, HORTON, AND MIKE JOHNSON
AN ACT

To enact Chapter 43 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5991 through 5993, and Children's Code Article 412(N), relative to access to criminal justice records; to establish the Truth and Transparency in the Louisiana Criminal Justice System Program; to provide relative to the identification of minute entries; to provide relative to access of minute entries; to require the transmission to the online portal maintained by the Louisiana Clerks' Remote Access Authority; to provide relative to duties and obligations; to provide relative to immunity from suit; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Horton, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Horton on behalf of the Legislative Bureau to Engrossed House Bill No. 1 by Representative Bacala

AMENDMENT NO. 1

On page 2, line 3, following "within" and before "criminal" change "our" to "the"

AMENDMENT NO. 2

On page 2, line 14, following "within" and before "criminal" change "our" to "the"

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

Rep. Bacala sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bacala to Engrossed House Bill No. 1 by Representative Bacala

AMENDMENT NO. 1

On page 3, line 8, after "R.S. 14:2(B)" delete the remainder of the line and delete line 9 in its entirety and at the beginning of line 10 delete "879(B)(1)"

AMENDMENT NO. 2

On page 4, line 13, after "effective" and before "on" delete "and enforceable"

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

Rep. Knox sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Knox to Reengrossed House Bill No. 1 by Representative Bacala

AMENDMENT NO. 1

On page 3, at the beginning of line 10, change "879(B)(1)" to "879(B)(1) and (2)"

On motion of Rep. Knox, the amendments were withdrawn.

Rep. Knox sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Knox to Engrossed House Bill No. 1 by Representative Bacala

AMENDMENT NO. 1

On page 1, at the beginning of line 6, after "entries;" insert "to require a court to notify the Louisiana Clerks' Remote Access Authority for certain convictions; to provide for the removal of minute entries in certain circumstances;"

AMENDMENT NO. 2

On page 3, between lines 15 and 16, insert the following:

"(3) When the offense forming the basis for arrest is reduced or dismissed and the person is not subsequently convicted of a crime of violence as defined in R.S. 14:2(B), the court shall notify the Louisiana Clerks' Remote Access Authority and all minute entries and records related to the case shall be removed from the Louisiana Clerks' Remote Access Authority's platform."

On motion of Rep. Knox, the amendments were withdrawn.

Rep. Jordan sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jordan to Engrossed House Bill No. 1 by Representative Bacala

AMENDMENT NO. 1

On page 1, line 6, after "entries;" and before "to require" insert "to provide for the automatic expungement of records under certain circumstances;"

AMENDMENT NO. 2

On page 4, between lines 9 and 10, insert the following:

"E. Upon completion of the case resulting in exoneration, acquittal, or dismissal of charges the court shall notify the Louisiana Clerks' Remote Access Authority and the person whose information has been collected pursuant to this Section shall be entitled to the automatic expungement of his record of arrest and conviction."

On motion of Rep. Jordan, the amendments were withdrawn.

Rep. Bacala moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Amedee, Bacala, Bagley, Bamberg, Bayham, Beaulieu, Berault, Billings, Bourriague, Boyer, Braud, Butler, Carlson, Carrier, Carver, Chenevert, Coates, Cox, Crews, Davis, Deshotel, Dewitt, Dickerson, Total - 72. Includes names like Domangue, Echols, Edmonston, Egan, Emerson, Farnum, Firment, Fontenot, Freiberg, Gadberry, Geymann, Glorioso, Hebert, Henry, Hilferty, Horton, Illg, Johnson, M., Kerner, LaCombe, Landry, J., Mack, McCormick, McFarland, McMahan, McMakin, Melerine, Muscarello, Myers, Orgeron, Owen, Riser, Romero, Schamerhorn, Schlegel, St. Blanc, Stagni, Tarver, Thomas, Thompson, Turner, Ventrella, Villio, Wilder, Wiley, Wright, Wyble, Zeringue.

NAYS

Table with 3 columns of names: Adams, Boyd, Brass, Bryant, Carpenter, Carter, W., Chassion, Fisher, Freeman, Green, Total - 30. Includes names like Hughes, Jackson, Johnson, T., Jordan, Knox, LaFleur, Landry, M., Larvadain, Lyons, Marcelle, Mena, Miller, Moore, Newell, Phelps, Selders, Taylor, Walters, Willard, Young.

ABSENT

Table with 3 columns of names: Brown, Total - 3. Includes name Carter, R., Galle.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bacala moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 6—

BY REPRESENTATIVES MUSCARELLO AND MIKE JOHNSON AN ACT

To amend and reenact R.S. 15:569(A) through (C) and 570(A)(4) and (F) through (H) and R.S. 44:4.1(B)(8) and to enact R.S. 15:569(E) and (F) and 570(I) and (J), relative to the execution of a death sentence; to provide for the methods of execution; to provide for the confidentiality of records or information relating to the execution of a death sentence; to provide for criminal penalties for the unauthorized disclosure of records or information relating to the execution of a death sentence; to provide for a civil cause of action relative to the unauthorized disclosure of information or records relating to the execution of a death sentence; to provide for an exception to the Public

Records Law; to provide for counseling services; and to provide for related matters.

Read by title.

Rep. Muscarello, Jr. sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Muscarello to Reengrossed House Bill No. 6 by Representative Muscarello

AMENDMENT NO. 1

On page 3, line 1, after "practitioner," and before "pharmacy" insert a comma ","

AMENDMENT NO. 2

On page 4, line 14, after "(2)" and before "or records" change "Information" to "Except as provided in Subsection F of this Section, information"

AMENDMENT NO. 3

On page 4, line 20, after "generated drugs," and before "device drugs" delete "or"

On motion of Rep. Muscarello, Jr., the amendments were adopted.

Rep. Muscarello, Jr. sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Muscarello to Engrossed House Bill No. 6 by Representative Muscarello

AMENDMENT NO. 1

On page 3, line 4, after "1950" and before "when" delete the comma "," and insert "and the reporting of prescription monitoring information required by the Prescription Monitoring Program Act as provided in Part X-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 2

On page 5, line 12, after "person" and before "involved" insert "identified in Subsections A and E of this Section who is"

On motion of Rep. Muscarello, Jr., the amendments were adopted.

Rep. Jordan sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jordan to Reengrossed House Bill No. 6 by Representative Muscarello

AMENDMENT NO. 1

On page 1, line 10, after "services;" and before "and" insert "to provide relative to severability;"

AMENDMENT NO. 2

On page 5, after line 26, add the following:

"Section 3. Notwithstanding R.S. 24:175 or any provision of law to the contrary, if any provision of this Act or the application thereof is held invalid, such invalidity shall affect all other provisions or applications of this Act and to this end the provisions of this Act are hereby declared non-severable."

Rep. Jordan moved the adoption of the amendments.

Rep. Muscarello, Jr. objected.

By a vote of 30 yeas and 72 nays, the amendments were rejected.

Rep. Marcelle sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marcelle to Reengrossed House Bill No. 6 by Representative Muscarello

AMENDMENT NO. 1

On page 1, line 3, after "enact" and before "and 570(I)" change "R.S. 15:569(E) and (F)" to "R.S. 15:569(E), (F), and (G)"

AMENDMENT NO. 2

On page 1, line 14, after "reenacted and" and before "and 570(I)" change "R.S. 15:569(E) and (F)" to "R.S. 15:569(E), (F), and (G)"

AMENDMENT NO. 3

On page 3, between lines 9 and 10, insert the following:

"G. No less than fourteen days before a scheduled execution, the Department of Public Safety and Corrections shall furnish legal counsel for the offender with the results of independent testing of the substance or method by which the execution is to be carried out."

Rep. Marcelle moved the adoption of the amendments.

Rep. Muscarello, Jr. objected.

By a vote of 31 yeas and 73 nays, the amendments were rejected.

Rep. Green sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Reengrossed House Bill No. 6 by Representative Muscarello

AMENDMENT NO. 1

On page 1, line 3, delete "and (J)" and insert ", (J) and (K),"

AMENDMENT NO. 2

On page 1, line 10, after "Law;" and before "to provide for counseling" insert "to provide for exceptions;"

AMENDMENT NO. 3

On page 5, between lines 13 and 14 insert the following:

K. (1) The Department of Public Safety and Corrections shall, upon written request by the person who has been sentenced to death and his legal counsel, provide the person and his legal counsel the identifying information of any person, business, organization, or

other entity directly or indirectly involved in the execution of a death sentence within this state.

(2) Communications with the person who has been sentenced to death and his legal counsel shall not be subject to the provisions of R.S. 15:570 (G) and (H) provided the parties do not reveal any sensitive or confidential underseal with the court in any legal proceedings.

Rep. Green moved the adoption of the amendments.

Rep. Muscarello, Jr. objected.

By a vote of 33 yeas and 71 nays, the amendments were rejected.

Rep. Mandie Landry sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mandie Landry to Reengrossed House Bill No. 6 by Representative Muscarello

AMENDMENT NO. 1

On page 1, line 10, after "Law;" insert "to require written notice be given to a person or business relative to the intended use of any drug that it provides;"

AMENDMENT NO. 2

On page 5, between lines 5 and 6, insert the following:

"(4) Before receiving any drugs, equivalent drug products, pharmacy generated drugs, device drugs, medical supplies, medical equipment, or other supplies or materials intended for use by the Department of Public Safety and Corrections in the administration of an execution from any person or business that delivers, dispenses, distributes, supplies, manufactures, or compounds the aforementioned products, the Department of Public Safety and Corrections shall give written notice to said person or business of the intended use of their products."

Rep. Mandie Landry moved the adoption of the amendments.

Rep. Muscarello, Jr. objected.

By a vote of 32 yeas and 70 nays, the amendments were rejected.

Rep. Mandie Landry sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mandie Landry to Reengrossed House Bill No. 6 by Representative Muscarello

AMENDMENT NO. 1

On page 1, line 10, after "Law" and before the semicolon ";" insert "and for family members of public officials"

AMENDMENT NO. 2

On page 2, at the beginning of line 27, after "E." insert "(1)"

AMENDMENT NO. 3

On page 2, after line 29, insert the following:

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"(2) A member of the legislature or the governor, or an immediate family member of a member of the legislature or the governor, or any business with which a member of the legislature or the governor or their immediate family member has a controlling interest as an owner, director, officer, or majority shareholder that has voting rights regarding the financial decisions of the business shall not offer or provide drugs, medical supplies, or medical equipment necessary to execute a death sentence."

On motion of Rep. Mandie Landry, the amendments were adopted.

Rep. Muscarello, Jr. moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Dickerson, McMahon, Amedee, Domangue, Melerine, Bacala, Echols, Moore, Bagley, Edmonston, Muscarello, Bamburg, Emerson, Orgeron, Bayham, Farnum, Owen, Beaulieu, Firment, Riser, Billings, Fontenot, Romero, Bourriaque, Gadberry, Schamerhorn, Boyer, Geymann, Schlegel, Braud, Glorioso, St. Blanc, Brown, Hebert, Stagni, Butler, Henry, Tarver, Carlson, Horton, Thomas, Carrier, Illg, Thompson, Carter, R., Johnson, M., Turner, Carver, Johnson, T., Ventrella, Chenevert, Kerner, Villio, Coates, LaCombe, Wilder, Cox, LaFleur, Wiley, Crews, Landry, J., Wright, Davis, Mack, Wyble, Deshotel, McCormick, Zeringue, Dewitt, McFarland.

NAYS

Table listing names of representatives who voted 'NAYS', including Boyd, Hilferty, Miller, Brass, Hughes, Myers, Bryant, Jackson, Newell, Carpenter, Jordan, Phelps, Carter, W., Knox, Selders, Chassion, Landry, M., Taylor, Fisher, Larvadain, Walters, Freeman, Lyons, Willard, Freiberg, Marcelle, Young, Green, Mena.

ABSENT

Table listing names of representatives who were absent: Adams, Egan, McMakin, Berault, Galle.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Muscarello, Jr. moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 9—

BY REPRESENTATIVE VILLIO AND SENATOR MORRIS AND REPRESENTATIVE MIKE JOHNSON AN ACT

To amend and reenact R.S. 15:574.4(A)(1)(a), (2) through (4), (5)(a), and (6)(a) and (B)(1) and (2)(introductory paragraph) and to enact R.S. 15:574.22, relative to parole; to provide relative to parole eligibility; to provide for the restriction of parole eligibility; and to provide for related matters.

Read by title.

Rep. Horton, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Horton on behalf of the Legislative Bureau to Engrossed House Bill No. 9 by Representative Villio

AMENDMENT NO. 1

On page 1, line 2, following "(2)" and before "and (B)(1)", change "through (4), (5)(a), and (6)(a)" to ", (3), (4)(introductory paragraph), (5)(a)(introductory paragraph), and (6)(a)(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 7, following "(2)" and before "and (B)(1)" change "through (4), (5)(a), and (6)(a)" to ", (3), (4)(introductory paragraph), (5)(a)(introductory paragraph), and (6)(a)(introductory paragraph)"

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

Rep. Villio moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Domangue, McMakin, Amedee, Echols, Melerine, Bacala, Edmonston, Muscarello, Bagley, Egan, Myers, Bamburg, Emerson, Orgeron, Bayham, Farnum, Owen, Beaulieu, Firment, Riser, Berault, Fontenot, Romero, Billings, Gadberry, Schamerhorn, Bourriaque, Geymann, Schlegel, Boyer, Glorioso, St. Blanc, Braud, Hebert, Stagni, Butler, Henry, Tarver, Carlson, Hilferty, Thomas, Carrier, Horton, Thompson, Carver, Illg, Turner, Chenevert, Johnson, M., Ventrella, Coates, Kerner, Villio, Cox, LaCombe, Wilder, Crews, Landry, J., Wiley, Davis, Mack, Wright, Deshotel, McCormick, Wyble, Dewitt, McFarland, Zeringue, Dickerson, McMahan.

NAYS

Table listing names of representatives who voted 'NAYS': Adams, Freiberg, Marcelle, Boyd, Green, Mena.

Brass	Hughes	Miller
Brown	Jackson	Moore
Bryant	Johnson, T.	Newell
Carpenter	Jordan	Phelps
Carter, R.	Knox	Selders
Carter, W.	LaFleur	Taylor
Chassion	Landry, M.	Walters
Fisher	Larvadain	Willard
Freeman	Lyons	Young

Total - 33

ABSENT

Galle
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Villio moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 10—

BY REPRESENTATIVES VILLIO, MIKE JOHNSON, AND WRIGHT AND SENATOR MORRIS

AN ACT

To amend and reenact R.S. 15:571.5(C), to enact R.S. 15:571.3(G) and 571.3.1, and to repeal R.S. 15:571.3(C) and (D) and 574.6.1 and Code of Criminal Procedure Article 895.6, relative to eligibility for good time credits; to provide relative to the automatic earning of good time credits by offenders for good behavior; to provide for the elimination of earned compliance credits while on probation or parole; to provide relative to the earning of additional good time credit through participation and completion of certain programs while incarcerated; and to provide for related matters.

Read by title.

Rep. Villio moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Domangue	McMakin
Amedee	Echols	Melerine
Bacala	Edmonston	Muscarello
Bagley	Egan	Myers
Bamburg	Emerson	Orgeron
Bayham	Farnum	Owen
Beaullieu	Firment	Riser
Berault	Fontenot	Romero
Billings	Gadberry	Schamerhorn
Bourriaque	Geymann	Schlegel
Boyer	Glorioso	St. Blanc
Braud	Hebert	Stagni
Butler	Henry	Tarver
Carlson	Hilferty	Thomas
Carrier	Horton	Thompson
Carver	Illg	Turner
Chenevert	Johnson, M.	Ventrella
Coates	Kerner	Villio
Cox	LaCombe	Wilder
Crews	Landry, J.	Wiley
Davis	Mack	Wright
Deshotel	McCormick	Wyble
Dewitt	McFarland	Zeringue
Dickerson	McMahen	

Total - 71

NAYS

Adams	Green	Mena
Brass	Hughes	Miller
Brown	Jackson	Moore
Bryant	Johnson, T.	Newell
Carpenter	Jordan	Phelps
Carter, R.	Knox	Selders
Carter, W.	LaFleur	Taylor
Chassion	Landry, M.	Walters
Fisher	Larvadain	Willard
Freeman	Lyons	Young
Freiberg	Marcelle	

Total - 32

ABSENT

Boyd
Total - 2

Galle

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Villio moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 11—

BY REPRESENTATIVES VILLIO, BACALA, BOYER, COX, FONTENOT, HORTON, MIKE JOHNSON, AND WILEY AND SENATOR MORRIS

AN ACT

To amend and reenact Code of Criminal Procedure Articles 893(A)(1)(a) and (4), (B)(3), (G), and (H)(1) through (3), 899.1(A), and 900(A)(6)(b) through (d) and R.S. 15:574.7(B)(1), (C), and (D) and 574.9(H), to enact Code of Criminal Procedure Article 900(A)(6)(e), and to repeal Code of Criminal Procedure Article 899.2 and R.S. 15:574.7(E), relative to violations and sanctions for probation and parole supervision; to provide relative to probation time periods; to provide relative to a technical violation of probation or parole; to provide relative to administrative sanctions for violation of probation or parole; to provide relative to revocation of probation or parole; and to provide for related matters.

Read by title.

Rep. Horton, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Horton on behalf of the Legislative Bureau to Engrossed House Bill No. 11 by Representative Villio

AMENDMENT NO. 1

On page 1, line 4, at the beginning of the line, change "15.574.7(B)(1)" to "15.574.7(B)(1)(introductory paragraph)"

AMENDMENT NO. 2

On page 5, line 22, following "Being" and before "or" change "arrested, charged," to "arrested for, charged with,"

AMENDMENT NO. 3

On page 6, line 23, following "2." and before the comma, change "R.S. 15:574.7(B)(1)" to "R.S. 15:574.7(B)(1)(introductory paragraph)"

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AMENDMENT NO. 4

On page 13, line 11, change "R.S. 15:547.7" to "R.S. 15:574.7"

AMENDMENT NO. 5

On page 13, line 15, following "Being" and before "or" change "arrested, charged," to "arrested for, charged with,"

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

Rep. Villio sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Villio to Engrossed House Bill No. 11 by Representative Villio

AMENDMENT NO. 1

On page 5, at the end of line 16, delete "Code" and at the beginning of line 17 delete "of Criminal Procedure"

AMENDMENT NO. 2

On page 10, delete line 15 in its entirety and insert the following:

* * *

(2) Upon receiving a summary of the preroconvocation proceeding, the committee may order the following:

(a) The parolee's return to the physical custody of the Department of Public Safety and Corrections, corrections services, to await a hearing to determine whether his parole should be revoked.

(b) As an alternative to revocation, that the parolee, as a condition of parole, be committed to a community rehabilitation center or a substance abuse treatment program operated by, or under contract with, the department, for a period of time not to exceed six months, without benefit of good time, provided that such commitment does not extend the period of parole beyond the full parole term. Upon written request of the department that the offender be removed for violations of the rules or regulations of the community rehabilitation center or substance abuse program, the committee shall order that the parole be revoked, with credit for time served in the community rehabilitation center."

AMENDMENT NO. 3

On page 10, delete line 24 in its entirety and insert the following:

"(2) A parolee who satisfies the conditions of Paragraph (1) of this Subsection may be placed on inactive status upon approval of the committee. A parolee on inactive status shall not be subject to the terms and conditions of parole under R.S. 15:574.4.2(A)(2).

(3) The committee shall maintain the authority to revoke parole as provided in this Section and R.S. 15:574.9.

(4) Nothing in this Subsection shall eliminate the committee's authority to reduce terms and conditions of parole prior to a parolee satisfying the requirements of Paragraph (1) of this Subsection."

AMENDMENT NO. 4

On page 12, line 15, after "this" and before "for" change "Subsection" to "Section"

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

Rep. Villio moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Domangue	McMahan
Amedee	Echols	McMakin
Bacala	Edmonston	Melerine
Bagley	Egan	Muscarello
Bamburg	Emerson	Myers
Bayham	Farnum	Orgeron
Beaullieu	Firment	Owen
Berault	Fontenet	Riser
Billings	Freiberg	Romero
Bourriaque	Gadberry	Schamerhorn
Boyer	Geymann	Schlegel
Braud	Glorioso	St. Blanc
Butler	Hebert	Stagni
Carlson	Henry	Tarver
Carrier	Hilferty	Thomas
Carver	Horton	Thompson
Chenevert	Illg	Turner
Coates	Johnson, M.	Ventrella
Cox	Kerner	Villio
Crews	LaCombe	Wilder
Davis	Landry, J.	Wiley
Deshotel	Mack	Wright
Dewitt	McCormick	Wyble
Dickerson	McFarland	Zeringue
Total - 72		

NAYS

Adams	Green	Mena
Boyd	Hughes	Miller
Brass	Jackson	Moore
Brown	Johnson, T.	Newell
Bryant	Jordan	Phelps
Carpenter	Knox	Selders
Carter, R.	LaFleur	Taylor
Carter, W.	Landry, M.	Walters
Chassion	Larvadain	Willard
Fisher	Lyons	Young
Freeman	Marcelle	
Total - 32		

ABSENT

Galle
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Villio moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 22—

BY REPRESENTATIVES MIKE JOHNSON, BILLINGS, BOYD, CARLSON, CARVER, DOMANGUE, GADBERRY, LARVADAIN, MACK, NEWELL, AND SCHAMERHORN AND SENATOR CARTER

AN ACT

To enact R.S. 13:101.2 and 101.3 and to repeal R.S. 13:101, 101.1, and 312.4, relative to the supreme court; to implement a settlement in the matter entitled Louisiana State Conference of the National Association for the Advancement of Colored People, et al. v. State of Louisiana, et al., in the United States District Court for the Middle District of Louisiana; to provide

for the redistricting of supreme court districts in accordance with the settlement; to provide for the filling of vacancies; to restructure the supreme court by eliminating provisions for a temporary additional judgeship for the Court of Appeal for the Fourth Circuit and such judge's appointment to the supreme court; and to provide for related matters.

Read by title.

Rep. Michael Johnson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Egan	McMahan
Adams	Emerson	McMakin
Amedee	Farnum	Mena
Bacala	Firment	Miller
Bayham	Fisher	Moore
Beaullieu	Fontenot	Muscarello
Berault	Freeman	Myers
Billings	Freiberg	Newell
Bourriague	Gadberry	Orgeron
Boyd	Geymann	Owen
Boyer	Glorioso	Phelps
Brass	Green	Riser
Braud	Hebert	Romero
Brown	Henry	Schamerhorn
Bryant	Hilferty	Selders
Butler	Horton	St. Blanc
Carlson	Hughes	Stagni
Carpenter	Illg	Tarver
Carrier	Jackson	Taylor
Carter, R.	Johnson, M.	Thomas
Carter, W.	Johnson, T.	Thompson
Carver	Jordan	Turner
Chassion	Kerner	Ventrella
Chenevert	Knox	Villio
Coates	LaCombe	Walters
Cox	LaFleur	Wilder
Crews	Landry, J.	Wiley
Deshotel	Landry, M.	Willard
Dewitt	Larvadain	Wright
Dickerson	Lyons	Wyble
Domangue	Mack	Young
Echols	Marcelle	
Edmonston	McFarland	
Total - 97		

NAYS

Bagley	Davis	Melerine
Bamburg	McCormick	Zeringue
Total - 6		

ABSENT

Galle	Schlegel
Total - 2	

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Michael Johnson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 23—

BY REPRESENTATIVE MELERINE
AN ACT

To amend and reenact R.S. 49:257(C) and Code of Civil Procedure Article 1880 and to enact Code of Civil Procedure Articles 855.1 and 1845 and Code of Criminal Procedure Article 62(D), relative to procedures challenging the constitutionality of state law; to provide for procedures for actions alleging unconstitutionality of laws; and to provide for related matters.

Read by title.

Rep. Melerine sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Melerine to Engrossed House Bill No. 23 by Representative Melerine

AMENDMENT NO. 1

On page 1, line 18, after "is" and before "null" insert "absolutely"

AMENDMENT NO. 2

On page 3, at the end of line 4, change "Civil Code of" to "Code of Civil"

AMENDMENT NO. 3

On page 3, line 6, after "unconstitutionality" and before "be" change "must" to "shall"

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

Rep. Wilford Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilford Carter to Engrossed House Bill No. 23 by Representative Melerine

AMENDMENT NO. 1

On page 1, line 11, after "all" and before "actions" insert "civil"

AMENDMENT NO. 2

On page 2, line 16, after "statute" delete the remainder of the line and at the beginning of line 17, delete "and 1845 and"

AMENDMENT NO. 3

On page 2, line 17, after "be" and before "served" insert "in writing and"

AMENDMENT NO. 4

On page 3, at the end of line 4, change "Civil Code of" to "Code of Civil"

AMENDMENT NO. 5

On page 3, line 5, after "1845" and before the period "." insert "and Code of Criminal Procedure Article 62(D)"

AMENDMENT NO. 6

On page 3, line 6, after "unconstitutionality" and before "be" change "must" to "shall"

On motion of Rep. Wilford Carter, the amendments were adopted.

Rep. Melerine moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Domangue	McMahan
Amedee	Echols	McMakin
Bacala	Edmonston	Melerine
Bagley	Egan	Muscarello
Bamburg	Emerson	Myers
Bayham	Farnum	Orgeron
Beaullieu	Firment	Owen
Berault	Fontenot	Riser
Billings	Freiberg	Romero
Bourriaque	Gadberry	Schamerhorn
Boyer	Geymann	Schlegel
Braud	Glorioso	St. Blanc
Butler	Hebert	Stagni
Carlson	Henry	Tarver
Carrier	Hilferty	Thomas
Carver	Horton	Thompson
Chenevert	Illg	Turner
Coates	Johnson, M.	Ventrella
Cox	Kerner	Villio
Crews	LaCombe	Wilder
Davis	Landry, J.	Wiley
Deshotel	Mack	Wright
Dewitt	McCormick	Wyble
Dickerson	McFarland	Zeringue
Total - 72		

NAYS

Adams	Hughes	Miller
Boyd	Jackson	Moore
Brass	Johnson, T.	Newell
Brown	Jordan	Phelps
Bryant	Knox	Selders
Carpenter	LaFleur	Taylor
Carter, R.	Landry, M.	Walters
Carter, W.	Larvadain	Willard
Chassion	Lyons	Young
Freeman	Marcelle	
Green	Mena	
Total - 31		

ABSENT

Fisher	Galle
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Melerine moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Villio, the rules were suspended to permit the Committee on Administration of Criminal Justice to meet on Monday, February 26, 2024, at 10:00 a.m., without giving the notice required by House Rule 14.24(A) 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. 12, 15 and 21

Senate Bill Nos. 1, 3, 4, 5, 7, 8, 9, 10 and 11

Suspension of the Rules

On motion of Rep. Muscarello, Jr., the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Monday, February 26, 2024, at 10:30 a.m., without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 2

Suspension of the Rules

On motion of Rep. Geymann, the rules were suspended to permit the Committee on Natural Resources and Environment to meet on Monday, February 26, 2024, in Committee Room 3 instead of Committee Room 4.

Leave of Absence

Rep. Galle - 1 day

Adjournment

On motion of Rep. Thompson, at 3:35 P.M., the House agreed to adjourn until Monday, February 26, 2024, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, February 26, 2024.

MICHELLE D. FONTENOT
Clerk of the House

ANGELA S. SMITH
Assistant Clerk of the House / Journal Clerk