

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

EIGHTH 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

Tuesday, February 27, 2024

The House of Representatives was called to order at 4:07 P.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	Emerson	McMakin
Adams	Farnum	Melerine
Amedee	Firment	Mena
Bacala	Fisher	Miller
Bagley	Fontenot	Moore
Bamburg	Freeman	Muscarello
Bayham	Freiberg	Myers
Beaullieu	Gadberry	Newell
Berault	Galle	Orgeron
Billings	Geymann	Owen
Bourriague	Glorioso	Phelps
Boyd	Green	Riser
Boyer	Hebert	Romero
Brass	Henry	Schamerhorn
Braud	Hilferty	Schlegel
Brown	Horton	Selders
Bryant	Hughes	St. Blanc
Butler	Illg	Stagni
Carlson	Jackson	Tarver
Carrier	Johnson, M.	Taylor
Carter, R.	Johnson, T.	Thomas
Carver	Jordan	Thompson
Chassion	Kerner	Turner
Chenevert	Knox	Ventrella
Coates	LaCombe	Villio
Cox	LaFleur	Walters
Crews	Landry, J.	Wilder
Davis	Landry, M.	Wiley
Deshotel	Larvadin	Willard
Dewitt	Lyons	Wright
Dickerson	Mack	Wyble
Domangue	Marcelle	Young
Echols	McCormick	Zeringue

Edmonston
Egan
Total - 103

McFarland
McMahan

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rep. Lyons.

Pledge of Allegiance

Rep. Miller 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 26, 2024, was adopted.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on
Administration of Criminal Justice

February 27, 2024

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

Senate Bill No. 8, by Reese
Reported with amendments. (9-4)

DEBBIE VILLIO
Chairman

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

**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. 15—
BY REPRESENTATIVES BOYD, ADAMS, BACALA, COX, HORTON,
KNOX, LAFLEUR, MOORE, VENTRELLA, AND WALTERS
AN ACT

To enact Code of Criminal Procedure Article 573.4, relative to time limitations for initiating prosecutions; to provide relative to time limitations in which to institute prosecution for the crime of third degree rape when committed under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

**Senate Bills on Second Reading
Reported by Committee**

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

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.

Reported favorably by the Committee on Administration of Criminal Justice.

Suspension of the Rules

Rep. McFarland moved to suspend the rules to permit Senate Bill No. 3 to pass to its third reading without being recommitted to the House Committee on Appropriations.

Rep. Willard objected.

By a vote of 73 yeas and 28 nays, the motion was adopted.

On motion of Rep. Villio, the bill was referred to the Legislative Bureau.

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.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 4 by Senator Cloud

AMENDMENT NO. 1

On page 2, delete line 4 in its entirety and on line 5 delete "violence, as defined in R.S. 14:2(B)," and insert the following:

"a violation of R.S. 14:64, armed robbery, or R.S. 14:64.2, carjacking, or for a second time offender of all other crimes of violence, as defined in R.S. 14:2(B)."

AMENDMENT NO. 2

On page 2, line 7, after "Corrections" and before "to" insert a comma "," and insert "or to the custody of a secure public or private institution,"

AMENDMENT NO. 3

On page 2, line 15, change "a minimum of one-half" to "twenty-four months"

AMENDMENT NO. 4

On page 2, line 16, after "disposition" and before the period "." insert "or if the disposition is less than thirty-six months, one-half of the disposition"

AMENDMENT NO. 5

On page 2, delete lines 22 and 23 in their entirety, and insert the following:

"(1) The child shall have a favorable progress report from the placement facility."

Suspension of the Rules

Rep. McFarland moved to suspend the rules to permit Senate Bill No. 4 to pass to its third reading without being recommitted to the House Committee on Appropriations.

Rep. Willard objected.

By a vote of 71 yeas and 28 nays, the motion was adopted.

On motion of Rep. Villio, the bill, as amended, was referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Administration of Criminal Justice.

Suspension of the Rules

Rep. McFarland moved to suspend the rules to permit Senate Bill No. 5 to pass to its third reading without being recommitted to the House Committee on Appropriations.

Rep. Willard objected.

By a vote of 73 yeas and 27 nays, the motion was adopted.

On motion of Rep. Villio, the bill was referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

February 27, 2024

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. 1
Reported without amendments.

Senate Bill No. 2
Reported without amendments.

Senate Bill No. 3
Reported without amendments.

Senate Bill No. 4
Reported without amendments.

Senate Bill No. 5
Reported without amendments.

Senate Bill No. 7
Reported without amendments.

Senate Bill No. 8
Reported with amendments.

Senate Bill No. 9
Reported without amendments.

Senate Bill No. 10
Reported without amendments.

Respectfully submitted,

DODIE HORTON
Chair

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Villio 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. 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.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

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.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

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.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

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.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 4 by Senator Cloud

AMENDMENT NO. 1

On page 2, line 3, delete "a violation of R.S. 1" and delete line 4 in its entirety and on line 5 delete "violence, as defined in R.S. 14:2(B)," and insert the following:

"a violation of R.S. 14:64, armed robbery, or R.S. 14:64.2, carjacking, or for a second time offender of all other crimes of violence, as defined in R.S. 14:2(B)."

AMENDMENT NO. 2

On page 2, line 7, after "Corrections" and before "to" insert a comma "," and insert "or to the custody of a secure public or private institution."

AMENDMENT NO. 3

On page 2, line 15, change "a minimum of one-half" to "twenty-four months"

AMENDMENT NO. 4

On page 2, line 16, after "disposition" and before the period "." insert "or if the disposition is less than thirty-six months, one-half of the disposition"

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AMENDMENT NO. 5

On page 2, delete lines 22 and 23 in their entirety, and insert the following:

"(1) The child shall have a favorable progress report from the placement facility."

Reported without amendments by the Legislative Bureau.

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

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

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.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

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.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 7 by Senator Edmonds

AMENDMENT NO. 1

On page 4, line 2, after "Section" and before "shall" delete "or any other law"

AMENDMENT NO. 2

On page 4, line 3, after "vendor" and before "for" insert "who meets the requirements set forth in R.S. 15:307"

Reported without amendments by the Legislative Bureau.

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

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

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, 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), and (I), 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), (4), (7), (8), and (9), 185.3(A), the introductory paragraph of (B), (B)(6), (7), (11), (17), (18), and (19)(g), and (C), 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), (6), (7), and (8), 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), 186.5(D) and (E), and R.S. 36:4(B)(21), to enact R.S. 15:164(B)(4), 185.2(10), and 186.2(9), and to repeal R.S. 15:148(B)(14) and (15), 151, 153, 154, 155, 156, 157, 158, 159, 160, 161(J), 162.1, 168(F), 185.3(D), 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 the creation of the Louisiana Public Defender Oversight Board; to provide for duties and responsibilities of the board; 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.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 8 by Senator Reese

AMENDMENT NO. 1

On page 1, line 6, after "(H)," delete "(I) and (J)" and insert "and (I)"

AMENDMENT NO. 2

On page 1, line 17, after "160," and before "162.1" insert "161(J),"

AMENDMENT NO. 3

On page 2, line 23, after "(H)," delete "(I) and (J)" and insert "and (I)"

AMENDMENT NO. 4

On page 4, line 25, after "the" delete the remainder of the line and insert the following:

"board, the office, or a district public defender, regional"

AMENDMENT NO. 5

On page 6, line 15, after "subject to" and before "senate" insert "approval of a majority of the board and"

AMENDMENT NO. 6

On page 6, delete line 18 in its entirety and insert the following:

"public defender and to approve contracts in an amount of two hundred fifty thousand dollars or more. The board shall consist of ~~eleven~~ nine members."

AMENDMENT NO. 7

On page 7, line 9, after "a" delete the remainder of the line and delete line 10 in its entirety and insert the following:

"joint resolution of the Public Defenders Association of Louisiana and the Louisiana Association of Criminal Defense Lawyers."

AMENDMENT NO. 8

On page 18, line 29, after "contract" and before "with" insert a comma "," and insert "for a period of up to five years."

AMENDMENT NO. 9

On page 20, delete lines 21 through 23 in their entirety and insert the following:

"defender and shall not be decreased."

AMENDMENT NO. 10

On page 20, line 24 after "I." delete the remainder of the line and delete lines 25 through 29 in their entirety, and on page 21, delete lines 1 through 4 in their entirety

AMENDMENT NO. 11

On page 21, at the beginning of line 5, delete "J."

AMENDMENT NO. 12

On page 22, line 16, after "Public" and before "Oversight" insert "Defender"

AMENDMENT NO. 13

On page 30, line 3, after "least" and before "percent" delete "sixty-five" and insert "seventy-five"

AMENDMENT NO. 14

On page 33, line 3, after "five" and before "members" insert "board"

AMENDMENT NO. 15

On page 42, line 27, after "attorney" insert "employed by or" and on line 28, delete "or"

AMENDMENT NO. 16

On page 45, line 28, after "160," and before "162.1" insert "161(J),"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 8 by Senator Reese

AMENDMENT NO. 1

On page 3, line 2, after "186.4(A)," insert "and" and after "(E)" delete ", and R.S. 36:4(B)(21)"

AMENDMENT NO. 2

On page 6, line 15, change "senate" to "Senate"

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

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

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.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

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.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Adjournment

On motion of Rep. Zeringue, at 4:33 P.M., the House agreed to adjourn until Wednesday, February 28, 2024, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Wednesday, February 28, 2024.

MICHELLE D. FONTENOT
Clerk of the House

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