

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

THIRD 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

Wednesday, February 21, 2024

The House of Representatives was called to order at 5:08 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	Edmonston	McMahan
Adams	Egan	McMakin
Amedee	Emerson	Melerine
Bacala	Farnum	Mena
Bagley	Firment	Miller
Bamburg	Fisher	Moore
Bayham	Fontenot	Muscarello
Beaulieu	Freeman	Myers
Berault	Freiberg	Newell
Billings	Gadberry	Orgeron
Bourriaque	Galle	Owen
Boyd	Geymann	Phelps
Boyer	Glorioso	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
Echols
Total - 104

McCormick
McFarland

Zeringue

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

Prayer

Prayer was offered by Rep. Carpenter.

Pledge of Allegiance

Rep. Stagni 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 20, 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 21, 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:

House Bill No. 1, by Bacala
Reported with amendments. (13-1)

House Bill No. 9, by Villio
Reported with amendments. (9-5)

House Bill No. 10, by Villio
Reported with amendments. (9-5)

House Bill No. 11, by Villio
Reported with amendments. (10-4)

DEBBIE VILLIO
Chairman

Report of the Committee on
Civil Law and Procedure

February 21, 2024

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 23, by Melerine
Reported with amendments. (10-3-1)

NICHOLAS MUSCARELLO, JR.
Chairman

Report of the Committee on
House and Governmental Affairs

February 21, 2024

To the Speaker and Members of the House of Representatives:

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I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 6, by Muscarello
Reported with amendments. (12-5)

House Bill No. 22, by Johnson, Mike
Reported favorably. (16-0)

GERALD "BEAU" BEAULLIEU, IV
Chairman

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. 2—

BY REPRESENTATIVES BACALA AND MIKE JOHNSON
AN ACT

To enact R.S. 9:2793.11, relative to immunity from liability for peace officers and certain public entities; to provide for immunity from civil liability for peace officers and certain public entities; to provide for definitions; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 2 by Representative Bacala

AMENDMENT NO. 1

On page 1, line 17, after "40:2402(3)" and before the period "." insert "and R.S. 14:112.4(B)(2)"

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

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

HOUSE BILL NO. 3—

BY REPRESENTATIVES BUTLER AND MIKE JOHNSON AND SENATOR REESE
AN ACT

To amend and reenact Code of Criminal Procedure Articles 320(D) and (E)(introductory paragraph) and (1) and 893(A)(1)(a), (B)(3), and (F) through (H), R.S. 13:5304(B)(3)(b), and R.S. 15:529.1(C)(3) and to enact Code of Criminal Procedure Articles 893(B)(2)(c) and (I) and 904, relative to mandatory drug testing and screening; to require drug testing and screening of persons arrested for certain offenses; to provide relative to assessment for participation in drug and specialty court programs for certain nonviolent offenders; to provide relative to confidentiality of drug testing and screening records; to provide relative to the funding for administration of drug and specialty courts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

Suspension of the Rules

Rep. McFarland moved to suspend the rules to permit House 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 rules were suspended.

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

HOUSE BILL NO. 4—

BY REPRESENTATIVES EMERSON AND MIKE JOHNSON
AN ACT

To amend and reenact Code of Criminal Procedure Articles 930.4(F) and (G) and 930.8(A)(1) and (D) and to enact Code of Criminal Procedure Article 930.8(E), relative to procedures utilized in post conviction proceedings; to provide relative to the timeliness of post conviction applications; to provide relative to the procedural requirements of post conviction applications; to provide relative to the exceptions to the time limitations of post conviction applications; 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 Original House Bill No. 4 by Representative Emerson

AMENDMENT NO. 1

On page 1, at the end of line 21, add the following:

"In addition to serving the district attorney for the jurisdiction where the underlying conviction was obtained, any application filed after the first application for post conviction relief shall be served on the district attorney and the attorney general at least sixty days in advance of the hearing on the application. Both the district attorney and the attorney general shall have a right to suspensively appeal any order granting relief."

AMENDMENT NO. 2

On page 2, line 4, after "shall be" and before "and shall" change "mandatory" to "jurisdictional"

AMENDMENT NO. 3

On page 3, line 7, after "shall be" and before "and shall" change "mandatory" to "jurisdictional"

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

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

HOUSE BILL NO. 5—

BY REPRESENTATIVE MIKE JOHNSON
AN ACT

To enact R.S. 14:2(B)(61), relative to crimes of violence; to designate the crime of illegal use of weapons or dangerous

instrumentalities as a crime of violence; 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 House 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 28 nays, the rules were suspended.

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

HOUSE BILL NO. 7—

BY REPRESENTATIVES SCHLEGEL, BACALA, COX, HILFERTY, AND MIKE JOHNSON AND SENATOR HODGES
AN ACT

To amend and reenact R.S. 14:64.2(B), relative to the crime of carjacking; to enhance the penalties for the crime of carjacking; 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 House Bill No. 7 to pass to its third reading without being recommitted to the House Committee on Appropriations.

Rep. Willard objected.

By a vote of 75 yeas and 26 nays, the rules were suspended.

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

HOUSE BILL NO. 8—

BY REPRESENTATIVES SCHLEGEL, BACALA, COX, HORTON, AND MIKE JOHNSON AND SENATOR MORRIS
AN ACT

To enact R.S. 40:967.1, relative to controlled dangerous substances; to provide for the unlawful distribution of fentanyl to minors; to provide for a penalty; to provide for definitions; 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.

HOUSE BILL NO. 17—

BY REPRESENTATIVE MCFARLAND
AN ACT

To amend and reenact R.S. 49:259(B)(1) and (C)(3), relative to state funds; to increase the allowable annual deposits into the Department of Justice Legal Support Fund; to increase the allowable balance of the fund; to provide for deposits into the

fund and the state general fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

HOUSE BILL NO. 19—

BY REPRESENTATIVE MCFARLAND AND SENATOR EDMONDS
AN ACT

To appropriate funds and to make certain reductions from certain sources to be allocated to the designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2023-2024; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Adjournment

On motion of Rep. Thompson, at 5:20 P.M., the House agreed to adjourn until Thursday, February 22, 2024, at 9:30 A.M.

The Speaker of the House declared the House adjourned until 9:30 A.M., Thursday, February 22, 2024.

MICHELLE D. FONTENOT
Clerk of the House

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

