

Louisiana Legislative Black Caucus



**2006
Legislative
Packet
Updated**

The Louisiana Legislative Black Caucus included 54 bills in our 2006 Legislative Packet. Of those 54 bills, eighteen bills passed, eight bills failed and twenty-eight bills did not make it through the legislative process.

Packet Bills that Passed

HB 60	HB 90 (Act 248)	HB 234	HB 318
HB 777 (Act 278)	HB 979	HB 1071 (Act 355)	HB 1370 (Act 439)
HB 1393 (Act 505)	HB 1399	SB 95 (Act 510)	SB 86 (Act 569)
SB 126 (Act 45)	SB 180 (Act 113)	SB 228 (Act 581)	SB 401 (Act 120)
SB 445	SB 471 (Act 601)		

Packet Bills that Failed

HB 144	HB 194	HB 482	HB 641
HB 992	HB 999	SB 187	SB 533

Packet Bills that did not make it through the legislative process

HB 95	HB 143	HB 283	HB 385
HB 592	HB 600	HB 638	HB 745
HB 755	HB 818	HB 822	HB 831
HB 955	HB 956	HB 972	HB 997
HB 1019	HB 1065	HB 1088	HB 1376
SB 166	SB 200	SB 298	SB 434
SB 437	SB 438	SB 484	SB 577

Housing

These bills provide affordable housing options particularly for residents of gubernatorially declared disaster areas.

HOUSE BILL NO. 385
BY REPRESENTATIVE GRAY

Abstract: Provides that unreasonable rent increases to residential property in hurricane devastated areas is an unfair trade practice.

Status: *Involuntarily Deferred in House Commerce Committee*

HOUSE BILL NO. 974
BY REPRESENTATIVE GRAY

Status: **Substitute Adopted on the House Floor and became – House Bill 1399**

House Bill NO. 1399

Abstract: Provides for local zoning ordinances to include provisions for inclusionary zoning for affordable housing.

Status: **Sent to Governor as of June 20, 2006**

HOUSE BILL NO. 1071
BY REPRESENTATIVE HUNTER, ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON,
RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOIE, HINES, MOUNT, AND NEVERS

Abstract: Enacts the Louisiana Housing Preservation Act. Provides relative to the identification and rehabilitation of blighted housing property and procedures therefore and for the powers, duties, functions, and responsibilities of parishes, municipalities, and courts relative thereto.

Status: **Signed by the Governor – Act 355**

HOUSE BILL NO. 999
BY REPRESENTATIVE HUNTER

Abstract: Provides relative to the Louisiana Housing Trust Fund. Present law provides for the creation and administration of the Louisiana Housing Trust Fund by the Louisiana Housing Finance Agency. Monies in the Louisiana Housing Trust Fund are to be used for loans and investments to assist the development, rehabilitation, and preservation of affordable housing for low-income individuals and families and to address homelessness. Proposed law authorizes the Louisiana Housing Finance Agency to levy a two percent fee on the allocation of low income housing tax credits. Proposed law provides that the proceeds of the two percent fee is to be deposited into the Louisiana Housing Trust Fund.

Status: **House Rejected Conference Committee Report**

SENATE BILL NO. 95
BY SENATOR BROOME

Abstract: Proposed law provides for the establishment of the Louisiana Habitat for Humanity Loan Purchase Program Act within LHFA. Provides for LHFA to partner with Louisiana Habitat for Humanity affiliates through the purchase of homeowner loans from the habitat affiliates.

Status: **Signed by the Governor Act 510**

SENATE BILL NO. 445
BY SENATOR JACKSON

Abstract: Proposed law provides that the Louisiana Housing Finance Agency shall give priority to assisting municipalities and displaced citizens, of a declared disaster area, with developing, rehabilitating, and preserving affordable housing.

Status: **Sent to the Governor as of June 20, 2006**

Criminal Justice

These bills save valuable tax resources by developing alternate strategies to mandatory minimums and sentencing guidelines. These bills also provide for post conviction relief, education and rehabilitation options for the incarcerated.

HOUSE BILL NO. 956 & 1065

BY REPRESENTATIVE RICHMOND & REPRESENTATIVE GLOVER

Abstract: Provides for post-conviction relief period within which to file an application for DNA testing and for evidence preservation in such cases.

Status: **Assigned to House Criminal Justice Committee**

HOUSE BILL NO. 600

BY REPRESENTATIVE RICHMOND

Abstract: Authorizes offenders convicted of possession with intent to distribute certain amounts of cocaine or marijuana to participate in work release programs.

Status: **Assigned to House Criminal Justice Committee**

HOUSE BILL NO. 955

BY REPRESENTATIVE RICHMOND

Abstract: Provides for education programs in private prison facilities. Proposed law requires private prison facilities and parish prison facilities who house more than 100 state inmates to provide educational programs. Proposed law allows inmates with college degrees to serve as voluntary instructors. Proposed law authorizes the Dept. of Public Safety and Corrections to provide for "good time" for those inmates who serve as instructors or successfully complete the educational program.

Status: **Assigned to House Criminal Justice Committee**

HOUSE BILL NO. 997
BY REPRESENTATIVE CRAVINS

Abstract: Provides that regional indigent defense centers are authorized to receive state funding.

Status: **Pending House Committee**

HOUSE BILL NO. 1019
BY REPRESENTATIVE GLOVER

Abstract: Clarifies the calculation of compensation for persons wrongfully incarcerated.

Status: **Assigned to House Appropriations Committee**

SENATE BILL NO. 126
BY SENATOR JONES

Abstract: Proposed law provides that in the interest of fairness in sentencing the more lenient penalty provisions provided in Act 403 of the 2001 R.S. and Act 45 of the 2002 1st E.S. shall apply to those persons who committed crimes, who were convicted, or who were sentenced prior to June 15, 2001.

Status: **Signed By the Governor Act 45**

SENATE BILL NO. 180
BY SENATOR JONES

Abstract: Proposed law retains present law but provides that any offender who was convicted of a crime other than a crime of violence or a sex offense who has his probation revoked due to a technical violation of the conditions of probation shall not be incarcerated for more than 90 days due to such revocation.

Status: **Signed By the Governor Act 113**

SENATE BILL BO. 187
BY SENATOR JONES

Abstract: Proposed law creates an exception for any person convicted of distribution or possession with intent to distribute cocaine where the offense of conviction involves less than 28 grams of cocaine or any person convicted of distribution or possession with intent to distribute marijuana where the offense of conviction involves less than one pound of marijuana by allowing them to participate in the work release program and otherwise retains the provisions of present law.

Status: **Failed Senate Final Passage**

SENATE BILL NO. 228
BY SENATOR JONES

Abstract: Proposed law provides that the court, after third conviction of certain non-capital felonies, or violations of the Uniform Controlled Dangerous Substances Law, may suspend, in whole or in part, the imposition or execution of the sentence, provided the defendant enters and completes a drug program approved by the Louisiana Supreme Court. Upon completion of the approved drug program, the defendant shall be placed on probation under the supervision of the division of probation and parole.

Status: **Signed By the Governor – Act 581**

SENATE BILL NO. 401
BY SENATOR JONES

Abstract: Present law provides for the rules for post-conviction relief and generally requires all applications to be filed within 2 years after the judgment of conviction and sentence has become final. Present law creates an exception to the time period for filing an application for post-conviction relief by allowing inmates until August 31, 2007, to seek post-conviction DNA testing.

Status: **Signed By the Governor – Act 120**

SENATE BILL NO. 533 & SENATE BILL NO. 577
BY SENATOR JONES and SENATOR DUPLESSIS

Abstract: Present law provides that any person who violates certain heroin related crimes shall be sentenced to imprisonment for not less than five nor more than 50 years at hard labor at least five years of which shall be served without benefit of probation, or suspension of sentence, and may, in addition, be required to pay a fine of not more than \$50,000. Proposed law provides that any person currently committed to the DPS&C and serving a sentence for certain heroin related crimes shall be credited for time served regarding the satisfaction of sentence and included in the calculation of years required for the Louisiana Risk Review Panel.

Status: **SB 533 Failed Senate Final Passage**
SB 577 Assigned to Senate Commerce, Consumer Protection, & International Affairs Committee

Emergency Preparedness

These bills refine the state of Louisiana's role in emergency preparedness.

HOUSE BILL NO. 745
BY REPRESENTATIVE RICHMOND

Abstract: Requires the Governor's Office of Homeland Security and Emergency Preparedness and the DHH to notify the administration of healthcare facilities in the projected area 60 hours before landfall that they are required to evacuate their facilities if a mandatory evacuation is ordered and requires the notification to include specified information.

Status: **Assigned to House Judiciary Committee**

SENATE BILL NO. 437
BY SENATOR FIELDS

Abstract: Present law provides for the development and implementation of an emergency plan by the secretary of state in the event of a gubernatorially declared emergency or disaster occurring before or during a regularly scheduled or special election, subject to the approval of the governor and a majority of the members of each committee of the Senate Committee on Senate and Governmental Affairs, and the House Committee on House and Governmental Affairs and the members of each house by mail ballot. Limits such written emergency plan to proposing a resolution to technical, mechanical or logistical problems impairing the holding of the election with respect to the relocation or consolidation of polling places within the parish, potential shortages of commissioners and absentee commissioners, or shortages of voting machines.

Proposed law retains present law but adds access to polling places for voters displaced outside the state addressed in such emergency plans.

Status: ***Assigned to Senate & Governmental Affairs Committee***

Voting

These bills protect and promote the right of citizens to participate in the electoral process.

HOUSE BILL NO. 489

BY REPRESENTATIVE JEFFERSON

Status: **Substitute Adopted on the House Floor Became HB 1393**

HOUSE BILL NO. 1393

Abstract: Requires the secretary of state to examine the feasibility of changing the voter registration deadline and authorizes the secretary of state to create a plan to do so subject to approval by the legislature and governor.

Status: **Signed By the Governor – Act 505**

HOUSE BILL NO. 482

BY REPRESENTATIVE GRAY

Abstract: Requires the State Board of Election Supervisors to provide for an annual job performance evaluation for registrars of voters and provides that a registrar of voters who receives a rating of poor shall be subject to removal from office pending a hearing.

Status: **Failed House Final Passage**

HOUSE BILL NO. 1088

BY REPRESENTATIVE MARCHAND

Abstract: Requires the secretary of state to include temporary addresses for certain registered voters in the statewide voter registration database for purposes of mailing information regarding elections or voting.

Status: **Assigned to House & Governmental Affairs Committee**

HOUSE BILL NO. 818

BY REPRESENTATIVE JEFFERSON

Abstract: Provides that a person who has been involuntarily displaced by a gubernatorially declared state of emergency shall be considered a resident of the state and parish in which he is registered to vote, so long as such person has the intent to return.

Status: *Assigned to House & Governmental Affairs Committee*

HOUSE BILL NO. 641
BY REPRESENTATIVES JEFFERSON, K. CARTER, AND GRAY

Abstract: For an election in an area affected by an emergency for which the legislature has approved the secretary of state's emergency plan, authorizes the registered voters of the affected area to vote during the early voting period at temporary satellite voting locations. Requires the secretary of state to conduct early voting and provides for the secretary of state to establish temporary satellite voting locations in certain locations outside the state.

Status: **Subject Call – House Final Passage**

SENATE BILL NO. 86
BY SENATOR JONES

Abstract: Present law provides for the early voting period to be twelve to six days prior to any scheduled election from 8:30 a.m. to 4:30 p.m. Monday through Friday, and from 8:30 a.m. to 12:00 noon on Saturday. Proposed law retains present law but also includes an additional day for early voting to be determined by the secretary of state for elections in the affected area for which the secretary of state has submitted an emergency plan to the legislature and the plan was approved by the legislature.

Status: **Signed By the Governor – Act 569**

SENATE BILL NO. 166
BY SENATOR JONES

Abstract: Proposed law provides for certain displaced persons who have registered by mail on or after October 5, 2004, but prior to Sept. 25, 2005, to vote absentee by mail without first voting in person at the polls or appearing or voting at the office of the registrar during or following a gubernatorially declared state of emergency. Proposed law also provides that 45 days prior to an election, the secretary of state shall deliver absentee ballots to the registrar's office for displaced voters residing outside of their voting district due to the disaster. Requires that each registrar shall mail the necessary instructions, certificates, ballots and envelopes to each displaced voter without a request at the address provided by the secretary of state.

Status: *Assigned to Senate & Governmental Affairs Committee*

Commerce

Bills in this section are designed to regulate pay day loans; amend the laws governing the state's TIMED program to encourage contractors to hire more residents of Louisiana; to establish safeguards for predatory lending practices for home loans and to provide for certain property or income exemption from seizure by certain creditors; tax amnesty and encourage minority participation in the recovery efforts.

HOUSE BILL NO. 979
BY REPRESENTATIVE E. GUILLORY

Abstract: Provides for the use of minority-owned appraisal and related real estate businesses in the state's recovery efforts.

Status: **Sent to Governor as of June 20, 2006**

HOUSE BILL NO. 407
BY REPRESENTATIVE RICHMOND

Status: **Substitute Adopted on the House Floor Became HB 1376**

House Bill NO. 1376

Abstract: Enacts the Tax Delinquency Amnesty Act of 2006

Status: **Assigned to Senate Revenue and Fiscal Affairs Committee**

HOUSE BILL NO. 822
BY REPRESENTATIVE QUEZAIRE

Abstract: Requires contractors to make a good faith effort to assure that at least 80% of the employees employed on a TIMED project are Louisiana residents. Removes requirement that contractors meet this standard.

Status: **Withdrawn from the files of the House Prior to Introductions**

SENATE BILL NO. 200

BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU

Abstract: Proposed law prohibits any extender of credit to refuse to extend credit to any major or emancipated minor solely because of any foreclosure or giving in payment, or dation en paiement, resulting from damages caused by Hurricane Katrina or Hurricane Rita.

Proposed law prohibits an extender of credit, when determining whether to extend credit to a person, from relying upon a credit report which considers any foreclosure or giving in payment, or dation en paiement, resulting from damages caused by Hurricane Katrina or Hurricane Rita in determining the person's credit score, credit worthiness, or credit standing.

Status: **Assigned to Senate Commerce, Consumer Protection, & International Affairs Committee**

SENATE BILL NO. 298
BY SENATOR DUPLESSIS

Abstract: Present law provides that a consumer's credit report may be used for insurance underwriting for personal insurance policies, such as auto and homeowners insurance. A consumer's credit report may be used by the insurance company, under certain circumstances to deny, cancel or non renew a policy or to charge the policyholder a higher premium. Federal law (15 U.S.C.A. 1681t) provides that states may regulate the use of credit reports to the extent that such laws are not in conflict with federal law.

Status: **Assigned to Senate Insurance Committee**

SENATE BILL NO. 434
BY SENATOR FIELDS

Abstract: Proposed law creates the Louisiana Pay Day Loan Act, to regulate "pay day loans" and requires the law to be liberally construed in order to protect consumers.

Status: ***Assigned to Senate Commerce, Consumer Protection, & International Affairs Committee***

SENATE BILL NO. 438
BY SENATOR FIELDS

Abstract: Proposed law creates the "Predatory Lending Prevention Act" to regulate high-cost home loans for "borrowers" - defined as any individual obligated to repay a loan, including co-borrowers, cosigners, or guarantors. "Home loan" is defined as a loan where the principal amount of the loan does not exceed the conforming loan size limit for a single-family dwelling, and the loan is secured by a mortgage or deed of trust on real estate upon which a home is built or will be built. Excludes home loans, which are open-end lines of credit as defined in Part 226 of Title 12 of the Code of Federal Regulations.

Status: *Assigned to Senate Commerce, Consumer Protection, & International Affairs Committee*

SENATE BILL NO. 471
BY SENATOR DUPLESSIS

Abstract: Present law declares certain property or income exempt from seizure by certain creditors.

Status: **Signed By the Governor – Act 601**

Land Use

These bills are designed to protect landowner's ownership rights with respect to their property.

HOUSE BILL NO. 992 & 95

BY REPRESENTATIVE MARCHAND & REPRESENTATIVES RICHMOND & HONEY

Abstract: Prohibits the expropriation of private property for retail, office, commercial, industrial, or residential development; or primarily for enhancement of tax revenue; or for transfer to a person, nongovernmental entity, public-private partnership, corporation, or other business entity.

Status: **HB 992- Senate Rejected Conference Committee Report**
HB 95 – Assigned to House Civil Law & Procedure Committee

Family Law

These bills are designed to protect the rights of families, parents and children either in parental or state custody.

HOUSE BILL NO. 90
BY REPRESENTATIVE GRAY

Abstract: Requires a diligent search for parents of children in state custody.

Status: **Signed By the Governor – Act 248**

HOUSE BILL NO. 777
BY REPRESENTATIVE GRAY

Abstract: Provides for taking children into state custody.

Status: **Signed By the Governor – Act 278**

HOUSE BILL NO. 60
BY REPRESENTATIVE GRAY

Abstract: Enacts the Uniform Child Custody Jurisdiction and Enforcement Act. Present law provides the Uniform Child Custody Jurisdiction Act (UCCJA) which was enacted in Louisiana in 1978 to help avoid jurisdictional competition and conflict with courts of other states in child custody matters and to deter abductions of children to obtain a favorable custody award.

Status: **Sent to Governor as of June 20, 2006**

HOUSE BILL NO. 1099
BY REPRESENTATIVE GRAY

Abstract: To provide for the rights of foster parents in Louisiana. Proposed law gives foster parents such rights as that prescribed in rules and regulations promulgated by DSS.

Status: **Substitute Adopted on the House Floor Became HB 1370**

House Bill No. 1370

Abstract: Provides for the Foster Parents' Bill of Rights

Status: **Signed By the Governor Act 439**

Education

These bills further refine Louisiana's educational policy.

HOUSE BILL NO. 234
BY REPRESENTATIVE RICHMOND

Abstract: Requires local public school boards to adopt policies prohibiting teachers from recommending that a student be administered a psychotropic drug, suggesting a mental health diagnosis for a student, or using a parent's refusal to consent to the administration of such drug to a student or to a psychiatric evaluation, screening, or examination as grounds to prohibit the student from participating in any class or school-related activity or as the basis of accusations of child abuse or neglect by the parent.

Status: **Sent to the Governor as of June 20, 2006**

HOUSE BILL NO. 143
BY REPRESENTATIVE GRAY

Abstract: Requires parents and legal guardians be informed of the option to take leave from their employment for school-related activities.

Status: ***Assigned to House Labor & Industrial Relations Committee***

SENATE BILL NO. 484
BY SENATOR MURRAY

Abstract: Present law provides that the recovery district shall be considered an intermediate education unit and have the authority to seek, expend, manage and retain federal funding and grant funding. Proposed law retains present law but subjects the recovery district to any expenditures and/or liabilities corresponding with the securing of federal or grant funding.

Status: ***Assigned Senate Education Committee***

Healthcare

These bills further refine Louisiana's healthcare policy.

HOUSE BILL NO. 972
BY REPRESENTATIVE JACKSON

Abstract: Creates the Sterile Syringe Access Pilot Program in East Baton Rouge Parish to provide, at no cost to consumers 18 years of age or older, sterile syringes and needles to prevent the spread of HIV, hepatitis C, and other blood borne pathogens.

Status: **Assigned to House Health & Welfare Committee**

HOUSE BILL NO. 831
BY REPRESENTATIVE JACKSON

Abstract: Creates the "Health Care Consumer's Right to Know Act" to provide for public disclosure of price and performance data that is already collected on Louisiana's hospitals and outpatient facilities.

Status: ***Assigned to House Health & Welfare Committee***

HOUSE BILL NO. 638
BY REPRESENTATIVE JACKSON

Abstract: Creates an office of behavioral health within DHH to be responsible for the providing services and continuity of care for the prevention, detection, treatment, rehabilitation, and follow-up care of mental and emotional illness and addictive disorders. Administers residential and outpatient care facilities of the state for persons who are mentally ill and persons suffering from addictive disorders or co-occurring mental illness and addictive disorders.

Status: **Assigned to House Health & Welfare Committee**

Insurance

These bills protect consumer's rights with regard to the regulation of insurance.

HOUSE BILL NO. 592
BY REPRESENTATIVE K. CARTER

Abstract: Provides that an insurer's failure to take action within set time periods under certain circumstances shall constitute an unfair claims settlement practice.

Status: **Assigned to Senate Insurance Committee**

HOUSE BILL NO. 318
BY REPRESENTATIVE RICHMOND

Abstract: Prohibits insurers from using 2005 credit information to underwrite or rate risks for persons who resided in declared disaster areas in 2005.

Status: **Sent to Governor as of June 20, 2006**

Labor

These bills provide for equal pay without regard to gender.

HOUSE BILL NO. 194 & 283
BY REPRESENTATIVE HUNTER & REPRESENTATIVE RICHMOND

Abstract: Provides for a gradual increase in minimum wage from October 1, 2006, through July 1, 2007.

Proposed Law provides for an increase in minimum wage from \$5.15 to \$5.40 beginning October 1, 2006.

Proposed Law provides for an increase in minimum wage from \$5.40 to \$5.65 beginning January 1, 2007.

Proposed Law provides for an increase in minimum wage from \$5.65 to \$5.90 beginning April 1, 2007.

Proposed Law provides for an increase in minimum wage from \$5.90 to \$6.15 beginning July 1, 2007.

Proposed law provides that should the federal minimum wage increase to an amount greater than amounts set out in proposed law, the federal minimum wage applies.

Status: **HB 194 - Failed Senate Final Passage**
HB 283 - Assigned to House Labor & Industrial Relations Committee

HOUSE BILL NO. 144
BY REPRESENTATIVE HUNTER

Abstract: This legislation creates the "Louisiana Equal Pay for Women" Act. Proposed law defines certain terms used within proposed law including "employee" and "employer". Proposed law makes it unlawful for an employer to pay wages to an employee at a rate less than the rate at which the employer pays

wages to another employee of the opposite sex for the same or substantially similar work.

Status: **Failed House Final Passage**

Elderly Affairs

HOUSE BILL NO. 755
BY REPRESENTATIVE RICHMOND

Abstract: Creates the Trust Fund for the Elderly within the state treasury.
Proposed constitutional amendment establishes the Trust Fund for the Elderly.

Status: **Assigned to House Appropriations Committee**