



**Session Wrap for the 2018  
1<sup>st</sup> Extraordinary, Regular,  
2<sup>nd</sup> Extraordinary, and  
3<sup>rd</sup> Extraordinary  
Sessions of the Louisiana Legislature\***



House Legislative Services  
Louisiana House of Representatives

June 27, 2018

\*All included legislation completed the legislative process.

# Regular Session, the numbers

## 2018 Regular Session

- Convened March 4
- A “general” session; no matters involving state taxes or tax credits could be heard
- Adjourned May 18

## Instruments filed

- 1465 Bills
  - 901 House Bills
  - 564 Senate Bills
  - 40 Constitutional Amendments
- 751 Resolutions & Study Requests



# Extraordinary Sessions, the numbers

## 1<sup>st</sup> Extraordinary Session (1ES)

- Convened February 19
- “Called” by the Governor’s [Proclamation No. 26 JBE 2018](#) to address certain fiscal matters, including raising revenue
- Legislators limited to filing and debating bills that fall within the 17 subjects set out in the Governor’s “call”
- Adjourned March 5
- Instruments filed
  - 38 Bills
  - 33 Resolutions

## 2<sup>nd</sup> Extraordinary Session (2ES)

- Convened May 22
- “Called” by the Governor’s [Proclamation No. 80 JBE 2018](#) to address certain fiscal matters, including raising revenue
- Legislators limited to filing and debating bills that fall within the 32 subjects set out in the Governor’s “call”
- Adjourned June 4
- Instruments filed
  - 58 Bills
  - 115 Resolutions

## 3<sup>rd</sup> Extraordinary Session (3ES)

- Convened June 18
- “Called” by the Governor’s [Proclamation No. 97 JBE 2018](#) to address certain fiscal matters, including raising revenue
- Legislators limited to filing and debating bills that fall within the 7 subjects set out in the Governor’s “call”
- Adjourned June 24
- Instruments filed
  - 14 Bills
  - 51 Resolutions

# Revenue

## [HB 10 \(3ES\)](#)

- Extends the sunset date of the 1% state sales & use tax levy from 2018 to 2025, and reduces the rate from 1% to 0.45 of 1%.
- Extends the sunset date of restrictions on certain exclusions & exemptions to state sales & use tax levies from 2018 to 2025.

## [HB 10 \(1ES\)](#)

- Includes federal net disaster losses in the definition of “federal income tax liability” when calculating individual income taxes.
- Applicable for taxable years January 1, 2015 – December 31, 2017.

## [HB 27 \(1ES\)](#)

- Telecommunications Tax for the Deaf
- Increases the monthly tax on land lines from 4.5 to 5 cents monthly

# Revenue

## [HB 13 \(2ES\)](#)

- Act No. 123 of the 2015 R.S. temporarily reduced certain corporate income tax exclusions and deductions.
- HB 13 clarifies that the reduced amounts apply for tax years 2015, 2016, and 2017, regardless of the date the return is filed. If returns are filed on or after July 1, 2015, no portion of a disallowed exclusion or deduction can be claimed on an amended return for the same tax period filed on or after July 1, 2018.

## [HB 18 \(2ES\)](#)

- Increases the Earned Income Tax Credit from 3.5% to 5% of the federal earned income tax credit for tax years January 1, 2019 – December 31, 2025.
- Extends the sunset date of the limitation on the amount of the individual income tax credit for taxes paid to other states to June 30, 2023.

## [SB 2 \(2ES\)](#)

- Dedicates 40% of the automobile rental tax collected in East Baton Rouge Parish to the Public Defender's Office.
- Deposits \$53,333,333 from the Deepwater Horizon Economic Damages Collection Fund into the state general fund.
- Transfers \$3,221,928 from the Department of Revenue Escrow Account to the Overcollections Fund.

# Dedicated Funds

## [SB 400](#)

- The Dedicated Fund Review Subcommittee of the Joint Legislative Committee on the Budget (JLCB) spent a year studying 139 of the state's dedicated funds. The committee presented their recommendations to JLCB in early 2018.
- Using those recommendations as a guide, SB 400 eliminates a number of special treasury funds and converts others into special agency accounts.
- Special agency accounts are classified as fees and self-generated revenues in the executive budget rather than statutory dedications.
- The accounts are still to be used only for their original purposes.

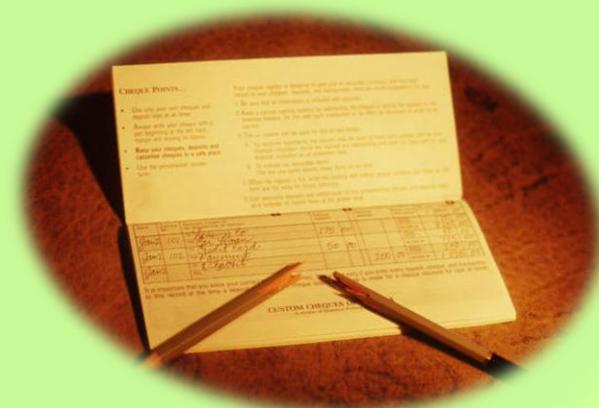
## [SB 20 \(2ES\)](#)

- Reclassifies the Office of Workers' Compensation Administrative Fund from self-generated revenue back to a statutory dedication.

# Louisiana Checkbook

## [SB 13 \(2ES\)](#)

- Creates an interactive website of financial information freely available to the public.
- Requires all executive, judicial, and legislative agencies to participate.
- Users must be able to:
  - Access all databases & features at no cost and without registration
  - Search and aggregate data by all possible query combinations
  - Download and print information
  - View graphical presentations & manipulations
  - Use the site on desktop and mobile platforms
  - Share content via social media
- Included databases:
  - expenditures
  - state debt
  - contracts
  - incentives
  - payroll
  - dedicated funds
  - mandated reports
  - performance
  - boards & commissions



# Balanced State Budget, FY 2018-2019



## Appropriation Bills

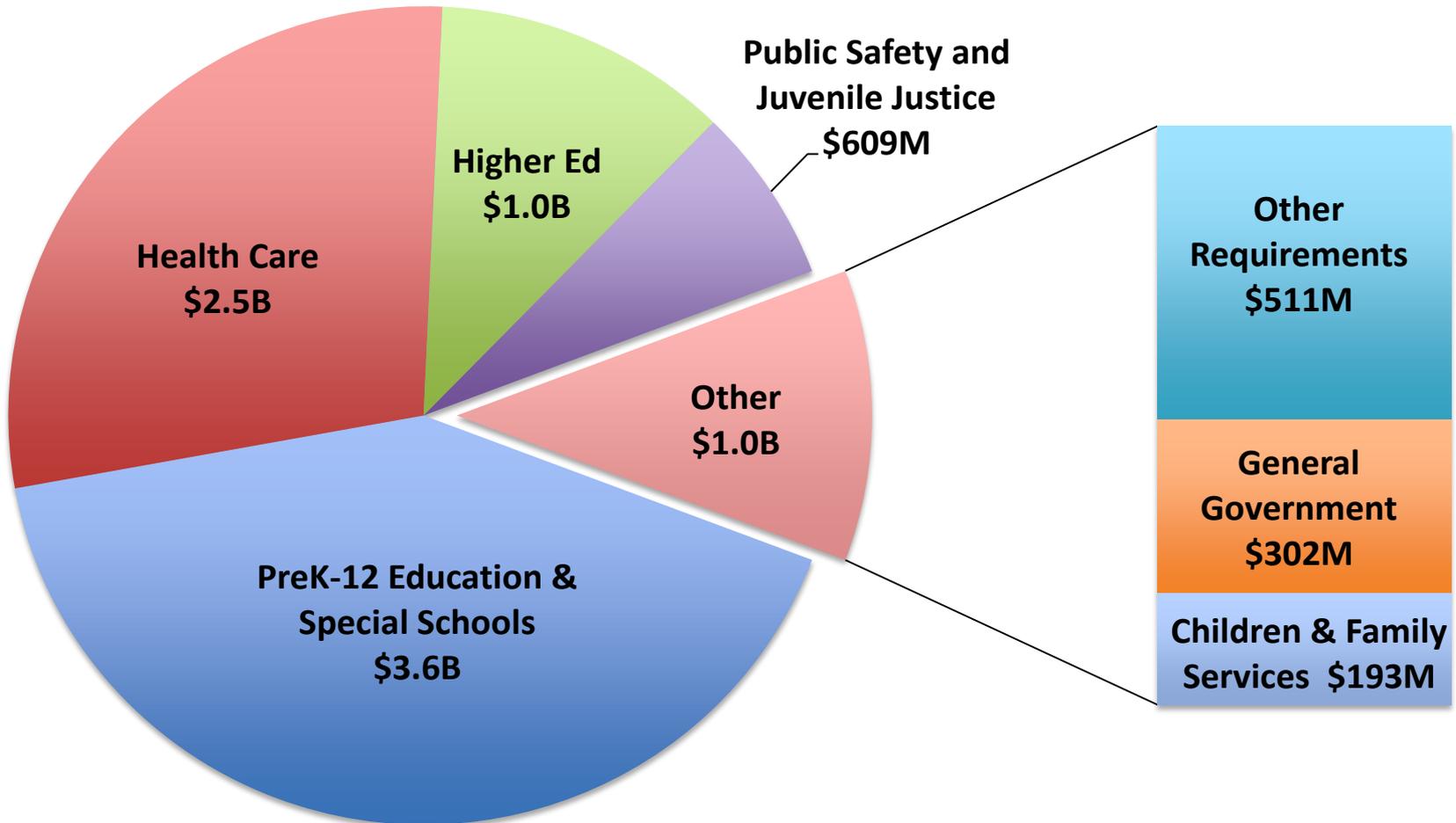
- The General Appropriations Bill, [HB 1 \(2ES\)](#), contains **\$29.5B** for the ordinary operating expenditures of the executive branch for FY 2018-2019, a **1.3% increase over FY 2017-2018**.
- When added to all other funds, including appropriations for the operation of the judiciary and the legislature, monetary judgments, and ancillary funding, the total amount of appropriations for FY 2018-2019 is **\$33.9B**.



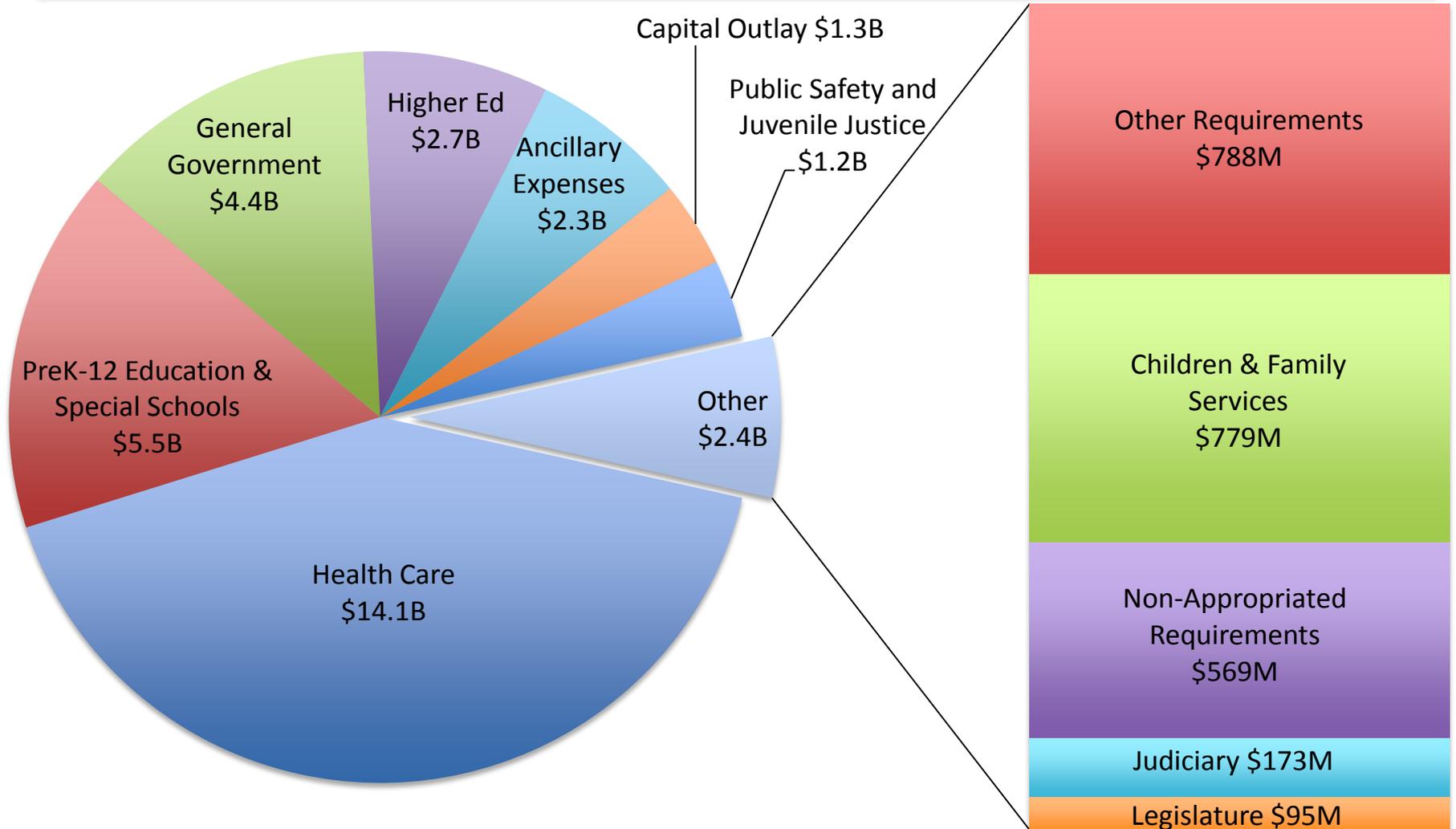
## \$29.5B General Appropriations

- \$14.0B in federal funds
- \$8.8B in state general funds
- \$2.9B in statutory dedications
- \$2.8B in fees and self-generated revenues
- \$940M in interagency transfers

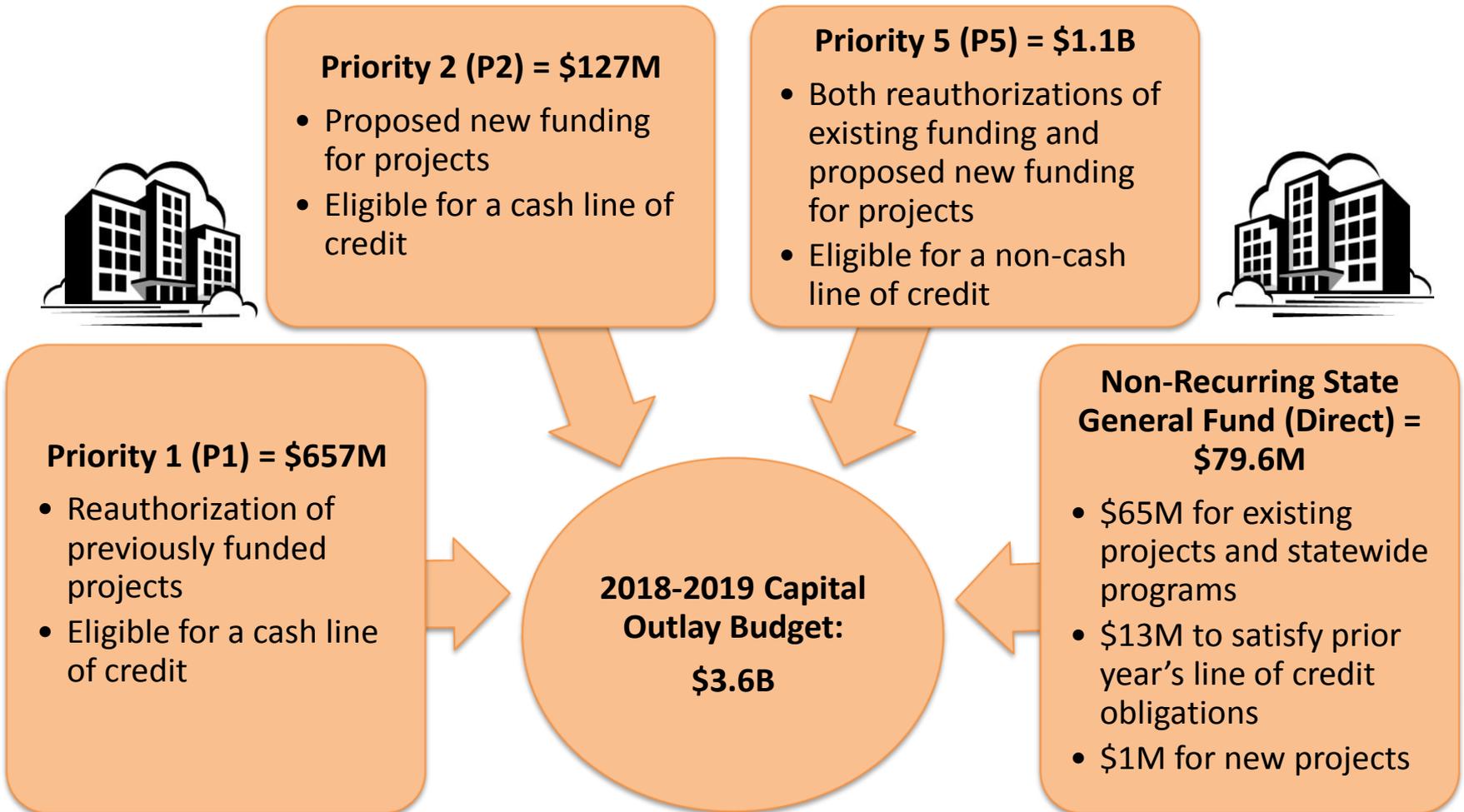
# State General Fund, HB 1 (\$29.5B)



# Total FY 18-19 Appropriations (\$33.9B)



# Capital Outlay Budget



# Funding for K-12 Education

There are over 720,000 students attending Louisiana public schools in kindergarten through 12th grade. Per student funding is in excess of \$12,000 when federal, state, and local revenues are combined.



The FY 2018-2019 Minimum Foundation Program (MFP) formula, which is the main source of state support for public elementary and secondary schools, was approved in [SCR 48](#).

The State Board of Elementary and Secondary Education submits the MFP formula to the legislature each year as required by law. The legislature cannot make changes to the formula.

The legislature appropriated **\$3.7 billion** for the FY 18-19 MFP formula.

The voucher program was appropriated **\$40M** for the 2018-2019 school year.

# Early Education

## [HB 199](#)



- Creates the Language Equality and Acquisition for Deaf Kids (LEAD-K) Task Force, charged with developing:
  - a resource for parents to monitor deaf or hard of hearing children's expressive and receptive language acquisition, using American Sign Language (ASL), English, or both, and developmental stages toward English literacy; and
  - a framework for assessing children who are deaf or hard of hearing to determine their competencies in language and literacy skills to ensure they are kindergarten ready.
- Requires impartiality with regard to the language and modalities used to teach deaf or hard of hearing children.
- Defines “English” as spoken, written, and with the use of visual supplements, including Cued Speech and Signing Exact English.

# START K12 Program

## [HB 650](#)

- Creates the Louisiana Student Tuition Assistance and Revenue Trust Kindergarten Through Grade Twelve (START K12) Program.
- Congress passed the Tax Cuts and Jobs Act in December 2017. It included an expansion of the available uses of Internal Revenue Code Section 529 College Savings Plans to allow up to \$10,000 of distributions each year for K-12 expenses.
- Covered K-12 expenses include tuition for a Louisiana public or approved nonpublic elementary or secondary school.
- Unlike START accounts, there will not be a state match or state income tax exemption of a portion of annual deposits.
- A transitional provision is included that allows funds deposited to a START account prior to January 1, 2018, to be disbursed in 2018 to pay K-12 tuition. The disbursements shall not include the state match or any interest thereon. The total amount of disbursements from all such accounts shall not exceed \$10,000 per beneficiary.



# School Safety

- Requires K-12 and postsecondary institutions to offer information on internet and cell phone safety and how to recognize online threats to school safety.
- Provides for a reporting process for potential threats or incidents on campus.

[HB 895](#)



- Allows bulletproof backpacks in K-12 and postsecondary institutions.

[SB 178](#)



- Requires every K-12 school employee to immediately report a threat of violence or terrorism made by a student.
- Also requires the student to undergo a mental health or medical evaluation before they can return to campus.

[HB 898](#)



# Hazing



## [HB 78](#) Max Gruver Act

- Creates criminal hazing and penalizes persons who commit or fail to report acts of hazing.

## [HB 793](#)

- Requires the Board of Regents and postsecondary institutions to develop policies on hazing prevention and to provide information on the dangers of hazing during new student orientations.

## [HB 446](#)

- Creates penalties for the failure to seek medical assistance when reckless behavior results in serious bodily injury.

## [SB 91](#)

- Authorizes exemplary damages when a person's death was caused by an act of hazing, regardless of whether the defendant was prosecuted.

# Military & Veterans

## [SB 175](#)

- Allocates public space on the east side of the Capitol Complex for a monument honoring the sacrifices of Louisiana Gold Star Families.

## [SB 17](#)

- Aligns state and federal law regarding creditable military time in retirement systems.



# Military & Veterans



## [HB 394](#)

- Establishes the Post-Conviction Veterans Mentor Program. Participation in this program allows mentors to become eligible for good time.

## [SB 548](#)

- Creates a pretrial diversion program for veterans diagnosed with post-traumatic stress disorder (PTSD).

# Unanimous Juries



Louisiana law currently requires 10 of 12 jurors agree for felony convictions.

- [SB 243](#) and [HB 365](#) are companion pieces of legislation that require unanimous jury decisions for felony convictions.
- SB 243 is a constitutional amendment that will be presented to the voters on November 6, 2018.
- If the constitutional amendment is approved by voters, HB 365 amends the Code of Criminal Procedure to conform with the amended constitution.

# Court Proceedings



## [HB 187](#)

- Prohibits restraining juveniles during court proceedings unless they are a danger to themselves or others.



## [HB 292](#)

- Requires the court to allow a witness who is under 18 or who has a developmental disability to have a facility dog accompany them while testifying. The court may use facility dogs in cases involving other witnesses too.
- Facility dogs are specially trained to provide emotional support to witnesses testifying in judicial proceedings without causing a distraction.

# Crime

## HB 727



- Adds pipelines to the crime of unauthorized entry of a critical infrastructure.
- Also criminalizes intentional damage to a critical infrastructure.

## SB 54



- Creates the crime of negligent arson -- damaging of any building when criminal negligence causes a fire or explosion.
- This does not apply to commonly accepted practices of prescribed burning of agricultural and forestry land.

## SB 236



- Creates the crime of sexual abuse of an animal.
- Requires certain persons who commit the offenses to register as a sex offender.

# Human Trafficking

NATIONAL  
HUMAN  
TRAFFICKING  
HOTLINE

Call 1-888-373-7888 (TTY: 711) | Text 233733

## [HB 830](#)

- Requires operators of sexually oriented businesses to verify the age and employment status of each potential employee or independent contractor.

## [HB 899](#)

- Requires the Alcohol and Tobacco Commissioner to create and distribute to all bar staff a pamphlet that addresses methods of identifying and responding to rape, sexual assault, sexual harassment, and sex trafficking.

## [SB 166](#)

- Requires that the National Human Trafficking Resource Center Hotline notice be posted in all airports and bus terminals.

# Gaming



## [HB 484](#)

### **Fantasy Sports Contests Act**

- “Fantasy sports contests” are simulated games using virtual teams that are based on teams of real players.
- Requires that each parish hold an election to determine whether fantasy sports contests are permitted.



## [SB 525](#)

### **Horse Racing**

- Allows the transfer of slot machine proceeds for thoroughbred race purses from one eligible facility to another.
- Limits the designated gaming area in an eligible facility to 1,632 gaming positions instead of square footage.

# Gaming



## [SB 316](#)

### **Riverboat Gaming**

- Removes the operable paddlewheel requirement.
- Limits the designated gaming area to 2,365 gaming positions instead of square footage.
- Permits a licensee to relocate its operations to a facility located within 1,200 feet of the licensed berth.



## [SB 184](#)

### **Video Poker**

- Sets the minimum fuel sales required for truck stops that have been in operation for 10 years to retain the number of video poker devices operated the previous calendar year.
- Limits the number of devices such facilities retain to not more than 40.

# Elections

## [SB 31](#)

- A constitutional amendment adopted in 1998 disqualified convicted felons from seeking or holding an elective or appointive office for 15 years.
- The law was ruled unconstitutional in the fall of 2015, on the grounds that it was improperly presented to the voters. The Supreme Court upheld the ruling, making the law null and void.
- SB 31 proposes a constitutional amendment to disqualify convicted felons from office for five years.

## [HB 265](#)

- Current law prohibits a convicted felon who is under an order of imprisonment from registering to vote during a sentence of confinement.
- HB 265 allows a convicted felon who is under an order of imprisonment to register and vote if the person has not been incarcerated within the last five years.

# Senior Citizens



## [HB 503](#)

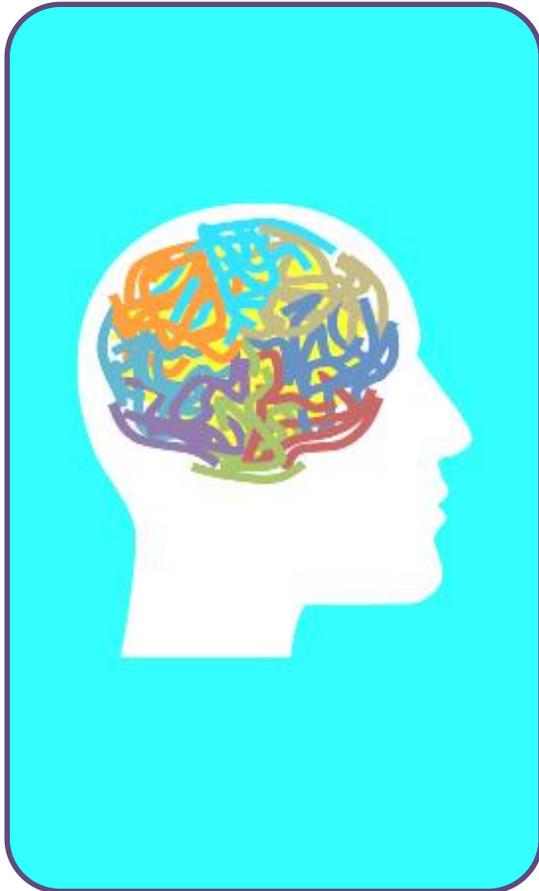
Allows financial institutions to take action when they believe a person is attempting to financially exploit a customer who is either 60 years of age or older, or is covered under the Adult Protective Services Act.



## [HB 281](#)

Authorizes nursing home residents to have cameras and other remote monitoring devices installed in their rooms.

# Mental Health



## [HB 148](#)

- Louisiana Suicide Prevention Act
- Implements the zero suicide initiative:
  - Increased training/resources for healthcare workers.
  - Aims to prevent health care patient suicide.
- Calls for a statewide suicide prevention plan:
  - Increased training on identifying suicidal thoughts.
  - Implementation in all criminal justice and health care systems.

## [HB 766](#)

Allows behavioral health care providers to see a student at school, if the parent or guardian requests their services.

## [HB 440](#)

Expands a substance abuse probation program in the Department of Corrections to include treatment for mental health issues.

# Abortion

## [SB 181](#)

- Criminalizes performing an abortion after 15 weeks gestational age.

## [SB 534](#)

- Makes abortion and feticide crimes of violence. Also makes coerced abortions a crime.

## [HB 891](#)

- Prohibits the Department of Health from entering into a provider agreement with any entity that performs abortions.

# Medical Insurance & Billing



## [HR 208](#)

Creates the Balance Billing Policy Assessment Task Force to propose legislation that addresses the ongoing balance billing issues.



## [HB 875](#)

Requires insurance companies to create a directory of their in-network healthcare providers that is publicly accessible, electronically searchable, and continually updated.



## [HB 824](#)

Clarifies when a healthcare facility must give patients a written balance billing disclosure by aligning the timing of these written notices to coincide with federally-required privacy notices.



## [SB 235](#)

Allows adults purchasing a hearing aid to choose one that fits them best and pay the difference between what the insurance covers and the actual cost.

# Prescription Drugs



## [SB 241](#) and [HB 436](#)

Prohibits pharmacy benefit managers (PBMs) from imposing “gag orders” that prevent pharmacists from informing customers of cheaper options for their prescriptions.

## [SB 282](#) and [SB 283](#)

Requires health insurers and PBMs to publish information about their drug formularies, drug rebates, and how much of the rebates are passed on to consumers.

## [SB 285](#)

When treating chronic pain, a health insurer cannot substitute a higher-risk opioid in place of one with abuse-deterrent properties or a nonopioid medication.

## [SB 90](#)

Creates a voluntary nonopioid directive form that a patient can file with their healthcare provider to opt-out of receiving opioid prescriptions.

# Sexual Harassment

## [HB 524](#)



- Requires each public agency head to develop and institute a policy to prevent sexual harassment. The policy must contain:
  - a clear statement that sexual harassment will not be tolerated;
  - a description of the behavior the agency defines as inappropriate conduct, including examples;
  - an effective complaint procedure that includes taking immediate and appropriate action;
  - a clear prohibition against retaliation;
  - and a statement apprising public servants of applicable federal and state law on sexual harassment.
- Requires each public servant to receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his public employment or term of office.

# Occupational Licensing



## [HB 748](#)

- Occupational Licensing Review Act
- Requires gubernatorial review of all agencies engaged in regulatory and occupational licensing over a five-year period.



## [HB 372](#)

- Occupational Licensing Review Commission
- Occupational licensing boards must submit all new regulations for review.
- The commission can either approve or reject with recommendations.

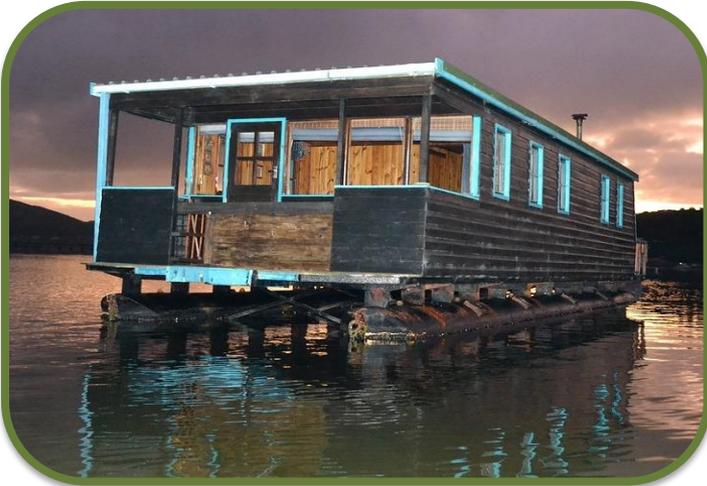
# Wildlife & Fisheries

## [HB 197](#)



- Prohibits the importation of live cervid into the state in an effort to prevent Chronic Wasting Disease (CWD).
- CWD is a neurodegenerative disease found in deer. This disease causes irreversible damage to brain tissue. It is infectious, always fatal, and there is no treatment.
- CWD has not been found in Louisiana, but Texas, Arkansas, and Mississippi have documented CWD in their deer populations.

# Wildlife & Fisheries



## [HB 549](#)

- Requires non-motorized house boats be registered with the Department of Wildlife and Fisheries. Registration funds will be used to award grants to remove abandoned houseboats within state waterways.



## [HB 706](#)

- Allows a fisherman to possess the limit of filleted red drum, spotted sea trout, and Southern flounder while actively on the water or, at a remote camp for two days or more.

# Natural Disasters

## [HB 388](#)

- Creates a registry of disaster volunteers that can be deployed by state or local officials during emergencies.
- Allows Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to provide credentials for volunteers and to coordinate equipment sharing between public and private entities in times of emergency.



## [SB 160](#)

- Prohibits tying or tethering a dog or cat in a designated emergency area during a flood or hurricane.



# Transportation

## [HB 308](#)



Authorizes platoons to travel closer than other motor vehicles traveling on highways.

Defines "platoon" as a group of individual motor vehicles utilizing vehicle-to-vehicle communication technology to travel in a unified manner at close following distances.

Prohibits platoons on two-lane highways.

# New Specialty License Plates



# Constitutional Amendments



**November 6, 2018**

[SB 31](#) prohibits convicted felons from qualifying for elective office until five years have passed since completing their sentence.

[SB 59](#) removes authority to fund state police traffic control from the Transportation Trust Fund.

[SB 163](#) extends special property tax assessments to property in a trust.

[SB 164](#) allows for phased-in increases in property taxes.

[SB 243](#) requires unanimous jury verdicts in felony cases.

[SB 263](#) permits the donation and use of public equipment and personnel to the state or political subdivision.