

## **House Committee on Judiciary**

Minutes of Meeting  
2017 Regular Session  
April 20, 2017

### **I. CALL TO ORDER**

Representative Katrina R. Jackson, chairman of the House Committee on Judiciary, called the meeting to order at 9:08 a.m. in Room 1, in the State Capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Katrina R. Jackson, chairman  
Representative John H. Bagneris  
Representative Chad Brown  
Representative Gary M. Carter, Jr.  
Representative Robby Carter  
Representative Jean-Paul P. Coussan  
Representative Randal L. Gaines  
Representative Jimmy Harris  
Representative Lowell C. "Chris" Hazel  
Representative Valarie Hodges  
Representative Robert A. Johnson  
Representative Christopher J. Leopold  
Representative Tanner D. Magee  
Representative Joseph A. Marino, III  
Representative John C. "Jay" Morris, III, vice chairman  
Representative Robert E. Shadoin  
Representative Jerome "Zee" Zeringue

#### **MEMBERS ABSENT:**

None

#### **STAFF MEMBERS PRESENT:**

Lisha Landry, staff attorney  
Michelle Fontenot, legal division director  
Diane Merritt, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Beverly Vincent, sergeant at arms  
Clementine Johnson, sergeant at arms

**III. DISCUSSION OF LEGISLATION****House Bill No. 325 by Representative Thibaut**

On behalf of the author, Debbie Hudnall, executive director, Louisiana Clerks of Court Association, 10202 Jefferson Hwy., Bldg. A, Baton Rouge, LA 70809, (225) 293-1162, presented House Bill No. 325, which provides relative to the repayment or retention of unused court costs.

Lisha Landry, staff attorney, explained an amendment to remove the requirement that clerks of courts collect advance costs from authorized representatives or counsels of record.

Representative Jay Morris offered the proposed amendment for adoption. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Jeffrey K. Cody, attorney, 628 St. Louis St., Baton Rouge, LA 70802, testified in support of the bill.

Representative Coussan offered a motion to report House Bill No. 325 with amendments. Without objection, House Bill No. 325 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

**House Bill No. 106 by Representative Pope**

Representative Pope presented House Bill No. 106, which provides for group insurance benefits for the Livingston Parish Sheriff's Office.

Lisha Landry, staff attorney, explained an amendment to change the required number of continuous and creditable years of service from 15 years to 20 years.

Representative Hazel offered the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Hazel, Leopold, Magee, Marino, Shadoin, and Zeringue voted yea

Representative Chad Brown offered a motion to report House Bill No. 106 with amendments. Without objection, House Bill No. 106 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

#### **House Bill No. 154 by Representative Carpenter**

On behalf of the author, Representative Carter offered a motion to voluntarily defer action on House Bill No. 154, which authorizes the disclosure of autopsy-related documents to the Department of Children and Family Services at no charge. Without objection, action on House Bill No. 154 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

*(Further action was taken by the committee on House Bill No. 154 on May 11, 2017. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 154.)*

#### **House Bill No. 212 by Representative Gisclair**

Representative Gisclair presented House Bill No. 212, which provides relative to disability benefits of Louisiana National Guardsmen.

Representative Hazel offered a motion to report House Bill No. 212 favorably. Without objection, House Bill No. 212 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

#### **House Bill No. 401 by Representative Gisclair**

Representative Gisclair presented House Bill No. 401, which provides relative to the membership of the Veterans Affairs Commission.

Representative Jackson offered a motion to report House Bill No. 401 favorably. Without objection, House Bill No. 401 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

**House Bill No. 7 by Representative White**

Representative White presented House Bill No. 7, which provides for the transfer of certain surplus witness fee funds to the criminal court fund of Washington Parish.

Representative Coussan offered a motion to report House Bill No. 7 favorably. Without objection, House Bill No. 7 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

**House Bill No. 10 by Representative Terry Brown**

Representative Terry Brown presented House Bill No. 10, which provides relative to the judicial expense fund for the Thirty-Fifth Judicial District.

Judge Warren "Danny" Willett, 35<sup>th</sup> Judicial District Court, 200 Main St., Ste. 202, Colfax, LA 71417, testified for informational purposes on the bill.

Representative Hazel offered a motion to report House Bill No. 10 favorably. Without objection, House Bill No. 10 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

**House Bill No. 25 by Representative Anders**

Representative Anders presented House Bill No. 25, which provides relative to group insurance benefits of the Madison Parish Sheriff's Office.

Lisha Landry, staff attorney, explained an amendment to add that a sheriff or deputy sheriff must reach the age of 55 in order to receive the premium costs of certain insurance benefits pursuant to proposed law.

Representative Jay Morris offered the proposed amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Representative Coussan offered a motion to report House Bill No. 25 with amendments. Without objection, House Bill No. 25 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

### **House Bill No. 315 by Representative Bishop**

Representative Bishop presented House Bill No. 315, which provides relative to the Alcoholic Beverage Control Law.

John Williams, executive director, Beer Industry League of Louisiana, 575 N. 8<sup>th</sup> St., Baton Rouge, LA 70802, testified in support of the bill.

Representative Hazel offered a motion to report House Bill No. 315 favorably. Without objection, House Bill No. 315 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

### **House Bill No. 72 by Representative Leopold**

Representative Leopold offered a motion to voluntarily defer action on House Bill No. 72, which provides relative to group insurance premiums of the Plaquemines Parish Sheriff's Office and distributions to the Plaquemines Parish Retired Employees' Insurance Fund. Without objection, action on House Bill No. 72 was voluntarily deferred by a vote of 15 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

*(Further action was taken by the committee on House Bill No. 72 on April 27, 2017. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 72.)*

### **House Bill No. 107 by Representative Zeringue**

Representative Zeringue presented House Bill No. 107, which provides relative to group insurance expenses of the clerk of court in Terrebonne Parish.

Representative Coussan offered a motion to report House Bill No. 107 favorably. Without objection, House Bill No. 107 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

### **House Bill No. 94 by Representative Jimmy Harris**

Representative Jimmy Harris presented House Bill No. 94, which authorizes all district courts to establish reentry courts.

Lisha Landry, staff attorney, explained an amendment to require each district court to contact the Department of Public Safety and Corrections to determine if there is adequate capacity for enrollment prior to sentencing.

Representative Gary Carter offered the proposed amendment. Without objection, the amendment was adopted by a vote of 16 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Judge Bob Morrison, representing Louisiana District Judges Association, P.O. Box 788, Amite, LA 70422, testified for informational purposes on the bill.

Representative Gary Carter offered a motion to report House Bill No. 94 with amendments. Without objection, House Bill No. 94 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

### **House Bill No. 5 by Representative Jefferson**

Representative Jefferson presented House Bill No. 5, which provides for a mayor's court in the village of Athens.

Representative Jackson offered a motion to report House Bill No. 5 favorably. Without objection, House Bill No. 5 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

### **House Bill No. 485 by Representative Jefferson**

Representative Jefferson presented House Bill No. 485, which provides relative to the functions of jury commissions in certain parishes.

Representative Jackson offered a motion to report House Bill No. 485 favorably. Without objection, House Bill No. 485 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Jackson, Chad Brown, Robby Carter, Coussan, Gaines, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

#### **House Bill No. 320 by Representative Hazel**

Representative Hazel presented House Bill No. 320, which provides relative to the designation of a third party administrator of the Louisiana Military Family Assistance Board.

Representative Coussan offered a motion to report House Bill No. 320 favorably. Without objection, House Bill No. 320 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

#### **House Bill No. 141 by Representative Gregory Miller**

On behalf of the author, Representative Jackson offered a motion to voluntarily defer action on House Bill No. 141, which provides relative to the submission of delinquency records to certain officials of the school where the child is enrolled. Without objection, action on House Bill No. 141 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Jackson, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

*(Further action was taken by the committee on House Bill No. 141 on May 3, 2017. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 141.)*

#### **House Bill No. 381 by Representative Bagneris**

Representative Bagneris presented House Bill No. 381, which provides relative to employees of the Clerk of the Orleans Parish Criminal District Court.

Arthur A. Morrell, Orleans Parish Clerk of Criminal District Court, 2700 Tulane Ave., #114, New Orleans, LA 70119, testified in support of the bill.

Lisha Landry, staff attorney, explained an amendment to add an emergency effective date.

Representative Coussan offered the proposed amendment. Without objection, the amendment was adopted by a vote of 17 yeas and 0 nays. Representatives Jackson, Bagneris, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Representative Coussan offered a motion to report House Bill No. 381 with amendments. Without objection, House Bill No. 381 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Jackson, Bagneris, Chad Brown, Gary Carter, Robby Carter, Coussan, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 10:07 a.m.

Respectfully submitted,

Chairman Katrina R. Jackson  
House Committee on Judiciary

Date adopted: