

House Committee on Administration of Criminal Justice

Minutes of Meeting
2019 Regular Session
May 1, 2019

I. CALL TO ORDER

Representative Sherman Q. Mack, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:12 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Sherman Q. Mack, chairman
Representative Tony Bacala
Representative John H. Bagneris
Representative Barbara W. Carpenter
Representative Raymond J. Crews
Representative Royce Duplessis
Representative Stephen C. Dwight
Representative Randal L. Gaines
Representative Valarie Hodges
Representative Frank A. Howard
Representative Edward C. "Ted" James, II
Representative C. Denise Marcelle
Representative Joseph A. Marino, III
Representative Stuart Alan Moss
Representative Nicholas Muscarello, Jr.
Representative Barbara M. Norton
Representative Steve E. Pylant, vice chairman

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Kelly C. Fogleman, attorney
Katie LeLeux, attorney
Natalie Schexnaydre, secretary

ADDITIONAL ATTENDEES PRESENT:

Janet Anthony, sergeant at arms
Angela McKnight, sergeant at arms
Madeleine Murphy, clerk
Madison Ramsey, clerk
Sadie Becnel, attorney

III. DISCUSSION OF LEGISLATION**House Bill No. 235 by Representative Amedee**

Representative Amedee presented House Bill No. 235, which provides relative to justifiable use of force or violence in defense at a place of worship.

On behalf of the author, Representative Bacala offered amendments to remove the requirement that the person may only claim a defense that involves the use of a firearm if the person lawfully possessed the firearm under state or federal law and add a requirement that the person may only claim a defense that involves the use of a firearm if the person was not prohibited from possessing a firearm under state or federal law. Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Crews, Duplessis, Howard, James, Marcelle, Marino, Moss, Muscarello, and Pylant voted yea.

Everett Baudean, Firearm Professionals of Louisiana, 704 S. Foster Drive, Baton Rouge, LA, 70806, (225) 308-1259, spoke in support of House Bill No. 235.

Mike Weinberger, Home Defense Foundation, 827 Port Street, New Orleans, LA, 70117, (504) 265-0647, spoke in support of House Bill No. 235.

Reverend Kelley, 1358 South Boulevard, Baton Rouge, LA, 70802, no number provided, spoke in opposition to House Bill No. 235.

Angelle Bradford, 4821 Inniswold Road, Baton Rouge, LA, 70809, no number provided, spoke in opposition to House Bill No. 235.

Representative Bacala offered a motion to report House Bill No. 235 with amendments, to which Representative James objected. The secretary called the roll, and House Bill No. 235 was reported with amendments by a vote of 9 yeas and 8 nays. Representatives Mack, Bacala, Crews, Dwight, Hodges, Howard, Moss, Muscarello, and Pylant voted yea. Representatives Bagneris, Carpenter, Duplessis, Gaines, James, Marcelle, Marino, and Norton voted nay.

Witness cards submitted by individuals who did not speak are as follows: 78 in support, 11 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Bill No. 101 by Representative Jimmy Harris

Representative Jimmy Harris presented House Bill No. 101, which provides for the creation of the "Louisiana Voluntary Do Not Sell List".

Katrina Brees, no address provided, no number provided, spoke in support of House Bill No. 101.

On behalf of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 101. Without objection, action on House Bill No. 101 was voluntarily deferred by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Carpenter, Crews, Duplessis, Dwight, Gaines, Hodges, Howard, James, Marcelle, Marino, Muscarello, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 10 in support and 79 in opposition. Witness cards are included in the committee records.

House Bill No. 281 by Representative Miguez

Representative Miguez presented House Bill No. 281, which provides relative to preemption of state law for firearms.

Erin Luper, NRA, 11250 Waples Mill Road, Fairfax, VA, 22030, (703) 267-1703, spoke in support of House Bill No. 281.

Daniel E. Zelerka, II, Louisiana Shooting Association, 11 Carolina Court, Covington, LA, 70433, (504) 421-1323, spoke in support of House Bill No. 281.

Tom Gresham, 119 Amelia Lane, Covington, LA, 70433, (318) 663-1358, spoke in support of House Bill No. 281.

Douglas A. Swift, Home Defense Foundation, 28 Swallow Street, New Orleans, LA, 70124, spoke in support of House Bill No. 281.

Ryan Shaw, Moms Demand Action, 1309 S. 18th, Baton Rouge, LA, 70802, no number provided, spoke in opposition to House Bill No. 281.

Representative Duplessis offered a motion to involuntarily defer action on House Bill No. 281, to which Representative Bacala objected and offered a substitute motion to report House Bill No. 281 favorably, to which Representative James objected. The secretary called the roll on the substitute

motion, and the motion failed to pass by a vote of 7 yeas, 8 nays, and 1 abstention. Representatives Bacala, Crews, Dwight, Hodges, Howard, Muscarello, and Pylant voted yea. Representatives Bagneris, Carpenter, Duplessis, Gaines, James, Marcelle, Marino, and Norton voted nay. Representative Mack abstained.

The secretary called the roll on Representative Duplessis' original motion, and the motion failed to pass by a vote of 7 yeas, 8 nays, and 1 abstention. Representatives Carpenter, Duplessis, Gaines, James, Marcelle, Marino, and Norton voted yea. Representatives Bacala, Crews, Dwight, Hodges, Howard, Moss, Muscarello, and Pylant voted nay. Representative Mack abstained.

Representative Bacala offered a motion to report House Bill No. 281 favorably, to which Representative Duplessis objected. The secretary called the roll, and House Bill No. 281 was reported favorably by a vote of 8 yeas, 7 nays, and 1 abstention. Representatives Bacala, Crews, Dwight, Hodges, Howard, Moss, Muscarello, and Pylant voted yea. Representatives Carpenter, Duplessis, Gaines, James, Marcelle, Marino, and Norton voted nay. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 73 in support and 14 in opposition. Witness cards are included in the committee records.

House Bill No. 6 by Representative Jenkins

Representative Jenkins presented House Bill No. 6, which creates the crime of aggressive driving and provides for the elements and penalties of the offense.

On behalf of the author, Representative Mack offered amendments to amend the elements of the proposed law offense to refer to specific traffic violations provided in present law for a second or subsequent violation of proposed law, remove the requirement that the term of imprisonment be served with or without hard labor, provide that a conviction or plea of guilty for a violation of proposed law shall be included in the offender's operating record, and make technical corrections. Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Dwight, Gaines, Howard, Marcelle, Marino, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Representative Jenkins provided a video presentation and a handout, Exhibit A, which is included in the committee records.

Jason Shavers, Lieutenant, Louisiana State Police, 7919 Independence Boulevard, Baton Rouge, LA, 70806, (225) 925-4239, spoke for information only on House Bill No. 6.

On behalf of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 6. Without objection, action on House Bill No. 6 was voluntarily deferred by a vote of 11

yeas, 0 nays, and 1 abstention. Representatives Bacala, Duplessis, Gaines, Hodges, Howard, James, Marcelle, Marino, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, 7 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Bill No. 47 by Representative Jenkins

Representative Jenkins presented House Bill No. 47, which provides relative to the crime of improper supervision of a minor by a parent or legal custodian.

Wilbert Pryor, Caddo Parish District Attorney, 501 Texas Street, 5th Floor, Shreveport, LA, 71101, (315) 226-6955, spoke in support of House Bill No. 47.

Representative Norton offered a motion to report House Bill No. 47 favorably. Without objection, House Bill No. 47 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Dwight, Gaines, Hodges, Howard, Marino, Moss, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 4 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 492 by Representative Larvadain

On behalf of Representative Larvadain, Representative James presented House Bill No. 492, which provides relative to the compensation of persons wrongfully convicted.

Representative James offered an amendment to add that any petitioner who has been awarded compensation and who has received a portion of such compensation prior to Aug. 1, 2019, may petition the court by Aug. 1, 2020, to seek the remainder of the compensation, not to exceed \$80,000, or be forever barred from filing such petition. Representative James offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Duplessis, Dwight, Gaines, Hodges, Howard, James, Marcelle, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

Jee Park, Innocence Project New Orleans, 4051 Ulloa Street, New Orleans, LA, 70119, no number provided, spoke in support of House Bill No. 492.

Kia Hayes, Innocence Project of New Orleans, 4051 Ulloa Street, New Orleans, LA, 70119, (504) 943-1902, spoke in support of House Bill No. 492.

Representative Gaines offered a motion to report House Bill No. 492 with amendments. Without objection, House Bill No. 492 was reported with amendments by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Gaines, Howard, James, Marcelle, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 18 in support and 4 for information only. Witness cards are included in the committee records.

House Bill No. 65 by Representative James

Representative James presented House Bill No. 65, which provides relative to qualifications of jurors.

William Snowden, Vera Institute of Justice, no address provided, no number provided, spoke in support of House Bill No. 65.

Will Harrell, Voice of the Experienced, New Orleans, LA, (504) 571-9599, spoke in support of House Bill No. 65.

Loren Lampert, LDAA, 1645 Nicholson Drive, Baton Rouge, LA, 70802, no phone number provided, spoke in opposition to House Bill No. 65.

Charles J. Ballay, District Attorney, 25th Judicial District, Parish of Plaquemines, 102 Avenue G, Belle Chasse, LA, 70037, (504) 297-5146, spoke in opposition to House Bill No. 65.

On behalf of the author, Representative Mack offered an amendment to prohibit a person from qualifying to serve on a jury if the person was under indictment, incarcerated under an order of imprisonment, or on probation or parole for a felony offense within the five-year period immediately preceding the person's jury service. Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, Howard, James, Marcelle, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

Representative Marcelle offered a motion to report House Bill No. 65 with amendments, to which Representative Bacala objected. The secretary called the roll, and House Bill No. 65 was reported with amendments by a vote of 9 yeas and 6 nays. Representatives Carpenter, Duplessis, Gaines, Howard, James, Marcelle, Marino, Norton, and Pylant voted yea. Representatives Bacala, Crews, Dwight, Hodges, Moss, and Muscarello voted nay.

Witness cards submitted by individuals who did not speak are as follows: 71 in support, 4 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 478 by Representative Bagley

Representative Bagley presented House Bill No. 478, which authorizes a family member of a law enforcement officer to purchase his duty firearm upon death.

Representative Moss offered a motion to report House Bill No. 478 favorably. Without objection, House Bill No. 478 was reported favorably by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Dwight, Gaines, Hodges, Howard, Marcelle, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

House Bill No. 483 by Representative Gary Carter

On behalf of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 483, which provides for the seizure of firearms from persons who pose a risk of imminent injury to self or others. Without objection, action on House Bill No. 483 was voluntarily deferred by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Dwight, Gaines, Hodges, Howard, Marcelle, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

House Bill No. 351 by Representative Carpenter

Representative Carpenter presented House Bill No. 351, which provides relative to pleas of guilty or nolo contendere in felony cases.

Representative Pylant in the chair.

Will Harrell, Voice of the Experienced, New Orleans, LA, (504) 571-9599, spoke in support of House Bill No. 351.

Representative Crews offered an amendment to provide that failure to comply with proposed law does not invalidate a plea. Representative Crews offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Bacala, Carpenter, Crews, Dwight, Gaines, Hodges, Howard, Marino, Muscarello, Norton, and Pylant voted yea.

Representative Mack in the chair.

Nadiyah Muhammad, Voice of the Experienced, 2022 St. Bernard Avenue, New Orleans, LA, 70116, (504) 571-9599, spoke in support of House Bill No. 351.

Adinas Perkins, Voice of the Experienced, LPA, 8516 Forshey Street, New Orleans, LA, 70118, (678) 873-9088, spoke in support of House Bill No. 351.

Amanda S. Vereen, Voice of the Experienced, 1100 Westwood Drive, Marrero, LA, 70072, (504) 516-9866, spoke in support of House Bill No. 351.

Ryan Travis, Voice of the Experienced, 2022 St. Bernard Avenue, New Orleans, LA, 70116, (414) 588-2317, spoke in support of House Bill No. 351.

Judge Bob Morrison, Louisiana District Judges Association, P.O. Box 788, Amite, LA, 70422, (985) 748-9445, spoke for information only on House Bill No. 351.

Cynthia Killingsworth, 901 Lakeshore Drive, Lake Charles, LA, 70601, (337) 437-3400, spoke in opposition to House Bill No. 351.

Representative Norton offered a motion to report House Bill No. 351 with amendments, to which Representative Pylant objected. The secretary called the roll, and House Bill No. 351 was reported with amendments by a vote of 8 yeas and 6 nays. Representatives Carpenter, Crews, Duplessis, Gaines, Hodges, James, Marino, and Norton voted yea. Representatives Bacala, Dwight, Howard, Moss, Muscarello, and Pylant voted nay.

Witness cards submitted by individuals who did not speak are as follows: 56 in support, 6 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 258 by Representative Muscarello

Representative Muscarello presented House Bill No. 258, which provides for the confidentiality of identifying information of certain persons or entities involved in the execution of a death sentence.

On behalf of the author, Representative Mack offered amendments to:

- (1) Add to the list of persons whose identity shall not be disclosed those persons who synthesize, prepare, test, use, sell, import, distribute, or administer any substance, medical supplies, or medical equipment utilized in the execution of a death sentence.
- (2) Add that the identity and information about the identity of persons protected under proposed law shall not be admissible or discoverable in any proceeding before any commission or any legislative or quasi-legislative body

Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala,

Duplessis, Dwight, Gaines, Hodges, Howard, Moss, and Pylant voted yea. Representative Mack abstained.

Rob Tasman, Louisiana Conference of Catholic Bishops, 2431 S. Acadian Thruway, Suite 250, Baton Rouge, LA, 70808, spoke in opposition to House Bill No. 258.

Dr. Nicholas Mitchell, Jesuit Social Research Institute, 6363 St. Charles Avenue, Box 94, New Orleans, LA, 70118, spoke in opposition to House Bill No. 258.

Michelle W. Ghetti, Deputy Solicitor General, 18531 Lake Tulip Avenue, Baton Rouge, LA, 70817, (225) 933-9029, spoke for information only on House Bill No. 258.

Representative Crews offered amendments to add that proposed law applies retroactively to any request for information, discovery request, or proceeding, no matter when made or initiated, including pending litigation and add provisions relative to the purpose of the Act. Representative Crews offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Duplessis, Dwight, Gaines, Hodges, Howard, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Representative Mack offered a motion to report House Bill No. 258 with amendments. Without objection, House Bill No. 258 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Duplessis, Dwight, Gaines, Hodges, Howard, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, 37 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 376 by Representative Huval

Representative Huval presented House Bill No. 376, which provides relative to sentencing when a defendant possessed, used, or discharged a firearm in the commission of certain offenses.

W. Claire Howington, 16th District Attorney Office, 300 Iberia Street, Suite 200, New Iberia, LA, 70560, (337) 369-4420, spoke in support of House Bill No. 376.

M. Bofill Duhe, District Attorney, 16th Judicial District - St. Martin - St. Mary - Iberia, 300 Iberia Street, Suite 200, New Iberia, LA, 70560, (337) 369-4420, spoke in support of House Bill No. 376.

Representative Bacala offered a motion to report House Bill No. 376 favorably. Without objection, House Bill No. 376 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention.

Representatives Bacala, Crews, Duplessis, Dwight, Howard, Marino, Moss, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 5 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 359 by Representative Mike Johnson

Representative Mike Johnson presented House Bill No. 359, which provides relative to the crime of looting.

Commissioner James Donelon, Louisiana Department of Insurance, 1702 North Third Street, Baton Rouge, LA, 70802, (225) 342-7275, spoke in support of House Bill No. 359.

Representative Norton offered a motion to report House Bill No. 359 favorably, to which Representative Marino objected. The secretary called the roll, and House Bill No. 359 was reported favorably by a vote of 7 yeas and 2 nays. Representatives Bacala, Crews, Dwight, Hodges, Moss, Norton, and Pylant voted yea. Representatives Duplessis and Marino voted nay.

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

House Bill No. 307 by Representative Mike Johnson

Representative Mike Johnson presented House Bill No. 307, which provides relative to bribery and intimidation of public officials and law enforcement officers.

Colin Clarke, Louisiana Department of Justice, 1885 North Third Street, Baton Rouge, LA, 70802, (225) 326-6200, spoke for information only on House Bill No. 307.

Representative Bacala offered a motion to report House Bill No. 307 favorably. Without objection, House Bill No. 307 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Duplessis, Dwight, Hodges, Marino, Moss, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 279 by Representative Marino

Representative Marino presented House Bill No. 279, which provides relative to the transfer of firearms of persons who are prohibited from possessing a firearm in domestic abuse cases.

Representative Marino offered amendments to:

- (1) Delete changes made to present law provisions regarding the prohibition on possession of a firearm by persons convicted of felony crimes of violence and certain domestic abuse related offenses.
- (2) Require the proof of transfer form to attest that the person is not currently in possession of firearms and is currently compliant with state and federal law, but prohibits the form from including the date on which the transfer occurred.
- (3) In cases of third-party transfers, extends the time period within which the proof of transfer form is to be executed, and the time period within which the form is to be filed with the clerk of court, from five days to ten days.
- (4) Add that the receipt for each firearm transferred prepared by the sheriff and the records of all firearms transferred kept by the sheriff shall not include the date that the firearms were transferred.
- (5) Authorize the person, not sooner than three years after the date on which the firearms are returned, to file a motion requesting that the records relative to the firearms held by the clerk of court and the sheriff be destroyed.
- (6) Make technical corrections.

Representative Marino offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Duplessis, Dwight, Hodges, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Anne Delery McWhorter, 925 Old Landing Road, Covington, LA, 70433, (985) 665-2514, spoke in support of House Bill No. 279.

Representative Duplessis offered a motion to report House Bill No. 279 with amendments. Without objection, House Bill No. 279 was reported with amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 15 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 149 by Representative Marino

Representative Marino presented House Bill No. 149, which provides relative to various provisions affecting parole.

Natalie LaBorde, Department of Corrections, 704 Mayflower Street, Baton Rouge, LA, (225) 342-6618, spoke for information only on House Bill No. 149.

Representative Marino offered an amendment to remove the authority of the committee on parole to revoke the parole of an offender who commits a fourth or subsequent technical violation and instead require the offender to serve a sentence of up to 90 days. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Representative Duplessis offered an amendment to delete the provision which requires the committee on parole to review the case of an offender who completes the intensive incarceration program provided for in present law and the committee's authority to recommend that the offender be released on intensive parole supervision, and make other technical amendments with regard to this change. Representative Duplessis offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Representative Moss offered a motion to report House Bill No. 149 with amendments. Without objection, House Bill No. 149 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 13 in support, 3 in opposition, and 4 for information only. Witness cards are included in the committee records.

House Bill No. 138 by Representative Connick

Representative Connick presented House Bill No. 138, which provides relative to certain substances in the Uniform Controlled Dangerous Substances Law.

On behalf of the author, Representative James offered amendments to:

- (1) Change proposed law references of "hemp" to "industrial hemp".

- (2) Provide that the present law definition of "marijuana" does not apply to industrial hemp that is in the possession, custody, or control of a person who holds a license issued by the Louisiana Department of Agriculture and Forestry, or is cultivated and processed in accordance with the U.S. Agriculture Improvement Act of 2018.
- (3) Amend the proposed law definition of "industrial hemp" to include that it is cultivated and processed in accordance with the U.S. Agriculture Improvement Act of 2018, or the plan submitted by the Louisiana Department of Agriculture and Forestry.
- (4) Prohibit any person from cultivating, possessing, or selling industrial hemp, industrial hemp products, or viable industrial hemp seeds not in accordance with the U.S. Agriculture Improvement Act of 2018 or the plan submitted by the Louisiana Department of Agriculture and Forestry.

Representative James offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Muscarello, and Norton voted yea. Representative Mack abstained.

Malcom Broussard, Executive Director, Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA, 70809, (225) 925-6481, spoke for information only.

Representative James offered a motion to report House Bill No. 138 with amendments. Without objection, House Bill No. 138 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 2 for information only. Witness cards are included in the committee records.

House Bill No. 162 by Representative Connick

Representative Connick presented House Bill No. 162, which provides relative to the administration of medroxyprogesterone acetate to sex offenders.

Representative Pylant offered a motion to report House Bill No. 162 favorably. Without objection, House Bill No. 162 was reported favorably by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

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

House Bill No. 452 by Representative Turner

Representative Turner presented House Bill No. 452, which provides relative to the Uniform Controlled Dangerous Substances Law.

On behalf of the author, Representative Mack offered an amendment to add two substances to the Uniform Controlled Dangerous Substances Law, the schedule to which the substances will be added is dependent upon the classification of the substances as a controlled dangerous substance by the Drug Enforcement Administration of the U.S. Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Crews, Duplessis, Dwight, Hodges, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Melissa Marshall, 29265 Tupelo Drive, Lacombe, LA, 70445, (985) 640-9115, spoke in opposition to House Bill No. 452.

Vivian Allen, 28071 Gaylord Road, Walker, LA, 70785, (225) 270-0129, spoke in opposition to House Bill No. 452.

Al Knowles, 12285 Village Boulevard, Walker, LA, 70785, (504) 874-0375, spoke in opposition to House Bill No. 452.

Vernon Jones, Atlanta, GA, no number provided, spoke in opposition to House Bill No. 452, and provided a handout, Exhibit B, which is included in the committee records.

Representative Bacala offered a motion to report House Bill No. 452 with amendments. Without objection, House Bill No. 452 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 7 in opposition. Witness cards are included in the committee records.

House Bill No. 168 by Representative Hodges

Representative Hodges presented House Bill No. 168, which amends the crime of filing or maintaining false public records.

Representative Crews offered a motion to report House Bill No. 168 favorably. Without objection, House Bill No. 168 was reported favorably by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

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. 140 by Representative Hodges

On behalf of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 140, which creates the crime of terrorizing of a judge or law enforcement officer. Without objection, action on House Bill No. 140 was voluntarily deferred by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, Norton, and Pylant voted yea. Representative Mack abstained.

House Bill No. 185 by Representative Hilferty

Representative Hilferty presented House Bill No. 185, which provides relative to the registration of persons convicted of terrorism offenses and offenses against peace officers.

Terry Alario, Louisiana Department of Justice, 1885 North 3rd Street, Baton Rouge, LA, 70802, (225) 336-6100, spoke for information only on House Bill No. 185.

Representative Bacala offered a motion to report House Bill No. 185 favorably. Without objection, House Bill No. 185 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Dwight, Hodges, James, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

House Bill No. 139 by Representative Dwight

Representative Dwight presented House Bill No. 139, which provides relative to fees for processing background check requests.

Representative Mack offered an amendment to provide that the Act becomes effective upon completion or substantial completion of a statewide civil scan applicant processing solution or March 31, 2020, whichever is earlier. Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

Representative Moss offered a motion to report House Bill No. 139 with amendments. Without objection, House Bill No. 139 was reported with amendments by a vote of 11 yeas, 0 nays, and 1

abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 45 by Representative Talbot

Representative Mack offered a motion to voluntarily defer action on House Bill No. 45, which provides for fines associated with selling vapor products to persons under the age of 18. Without objection, action on House Bill No. 45 was voluntarily deferred by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Crews, Duplessis, Dwight, Hodges, James, Marino, Moss, Muscarello, and Pylant voted yea. Representative Mack abstained.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 3:32 p.m.

Respectfully submitted,

Chairman Sherman Q. Mack
House Committee on Administration of Criminal Justice

Date adopted: