

2018 CLE By the Hour
Lafayette Bar Association

Lafayette, Louisiana
December 11, 2018

LEGISLATIVE UPDATE

PREPARED BY:

Judge Douglas J. Saloom
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Act No.	Author	Description	Bill No.
Act 5	Dwight	CRIME/SEX OFFENSES: Updates citations and terminology for certain child care facilities in provisions relating to sex offenders	HB75
Act 21	Dwight	FAMILY LAW: Provides for the filiation of a child	HB147
Act 55	Zeringue	COURTS: Provides for the transfer of certain witness fee surplus funds within Lafourche Parish	HB102
Act 61	Stefanski	CRIME/THEFT: Provides relative to theft prevention programs	HB131
Act 68	Jackson	CRIME/THEFT: Creates the crimes of theft of livestock and theft of timber	HB212
Act 69	Henry	APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year 2018-2019	HB698
Act 90	Johnson	ADMINISTRATIVE LAW: Provides relative to judicial review of certain administrative decisions	HB373
Act 96	G. Miller	BANKS/BANKING: Provides for the transfer of small deposits upon the death of an intestate depositor	HB459
Act 100	Pierre	INSURANCE: Provides relative to the Bail Bond Apprentice Program (EG NO IMPACT See Note)	HB642

Act 104	Hoffmann	CHILDREN/WELFARE SVCS: Provides relative to reporting of child abuse and neglect in military families	HB768
Act 118	Mack	LAW ENFORCE/OFFICERS: Provides relative to blood and saliva testing of persons who expose certain persons to serious infectious diseases (EN NO IMPACT GF EX See Note)	HB112
Act 119	Mack	CONTROLLED SUBSTANCES: Adds certain substances to Schedule I and Schedule II of the Uniform Controlled Dangerous Substances Law (EN INCREASE GF EX See Note)	HB153
Act 121	Mack	CRIMINAL/RECORDS: Provides for the formal ratification of the National Crime Prevention and Privacy Compact Act	HB166
Act 122	Garofalo	SUCCESSIONS: Provides relative to an heir's interests in succession property	HB173
Act 124	Stagni	CRIME/FELONIES: Provides relative to the crime of illegally supplying a felon with a firearm (EN SEE FISC NOTE GF EX See Note)	HB240
Act 125	Connick	CRIMINAL/TRIALS: Provides for venue for the prosecution of certain crimes	HB252
Act 126	Leger	CRIME/DNA: Provides relative to DNA collection for certain offenses	HB260
Act 128	Jackson	CIVIL/PROCEDURE: Provides relative to the computation of time periods for seeking rehearing, reconsideration, or judicial review or appeal of administrative decisions	HB288
Act 129	Hilferty	CRIMINAL/PROCEDURE: Provides for the release of a person when the person was not brought before a judge within 72 hours of arrest	HB293

Act 130	Connick	DWI: Provides relative to prior convictions of the crime of operating a vehicle while intoxicated	HB318
Act 132	Talbot	INSURANCE: Authorizes electronic delivery of insurance coverage notices (EN NO IMPACT See Note)	HB370
Act 134	Stagni	CHILDRENS CODE: Revises certain provisions of the Safe Haven Law (EN NO IMPACT See Note)	HB527
Act 135	Magee	CIVIL/DISCOVERY: Provides relative to the delays for responding to discovery requests in certain proceedings	HB550
Act 136	Marino	CHILDREN/SUPPORT: Provides relative to the suspension of child support when a parent is incarcerated (EN NO IMPACT See Note)	HB576
Act 137	Magee	CRIMINAL/PROCEDURE: Provides relative to the payment of fines, fees, costs, restitution, and other monetary obligations related to an offender's conviction	HB622
Act 139	Magee	CRIMINAL/SENTENCING: Provides relative to the Lafourche Parish Pretrial Home Incarceration Program	HB705
Act 141	Stagni	CRIMINAL/RECORDS: Authorizes the La. State Board of Chiropractic Examiners to access expunged criminal history records	HB781
Act 144	Claitor	CORONERS: Authorizes the coroner to obtain blood, urine, or other biological fluids or samples relevant to an investigation. (8/1/18)	SB81
Act 148	T. Carter	ANIMALS: Prohibits tying or tethering a dog or cat in extreme weather conditions. (8/1/18)	SB160

Act 164	Foil	CHILDREN/TUTORSHIP: Provides relative to tutorship	HB395
Act 166	G. Miller	CHILDREN/SUPPORT: Provides for healthcare coverage relative to child support	HB490
Act 167	Pearson	SUCCESSION/INHERITANCE: Provides for access to funds in a securities account prior to naming of an executor	HB497
Act 170	Leger	ALCOHOLIC BEVERAGES: Provides relative to controlled dangerous substances on the premises of alcoholic beverage outlets	HB529
Act 178	Foil	SUITS AGAINST ST/CLAIMS: Provides relative to personal injury claims against the state	HB719
Act 179	Bouie	JUVENILES: Provides relative to the membership of the Juvenile Justice Reform Act Implementation Commission	HB726
Act 180	Hunter	COURTS: Provides relative to costs for filing a legislative continuance or extension	HB731
Act 181	Talbot	CRIMINAL/RECORDS: Provides for the reporting of certain court orders to be included in the National Instant Criminal Background Check System database	HB732
Act 183	G. Miller	ETHICS/CODE: Provides relative to certain statements required to be filed by elected officials	HB7
Act 184	Danahay	EVIDENCE: Provides relative to taking judicial notice of statutes	HB16

Act 187	Dwight	COURTS/COURT COSTS: Provides for an increase in court costs in the 14th Judicial District Court (EN +\$141,840 LF RV See Note)	HB55
Act 189	Horton	CHILDREN/CUSTODY: Provides relative to the placement of children in the custody of the Dept. of Children and Family Services	HB110
Act 192	Mack	TRAFFIC/VIOLATIONS: Repeals the prohibition on issuing warning citations for violations of motor vehicle laws	HB127
Act 194	Magee	CHILDREN/SUPPORT: Provides relative to access to certain information for purposes of child support enforcement	HB154
Act 195	Garofalo	CIVIL/PROCEDURE: Provides for the continuous revision of the Code of Civil Procedure	HB174
Act 198	Leger	DWI: Provides relative to costs assessed for violations of driving while intoxicated	HB184
Act 199	Marino	DRUGS/CONTROLLED: Provides relative to the attempt or conspiracy to commit violations of the Uniform Controlled Dangerous Substances Law (EN DECREASE GF EX See Note)	HB186
Act 200	G. Miller	ETHICS/CODE: Provides relative to acceptance by a public servant of transportation, admission, and lodging given by a third party	HB188
Act 203	Marino	DRUGS: Reduces criminal penalties for certain offenses involving legend drugs	HB224
Act 207	Chaney	CHILDREN/ABUSE: Provides relative to reporting of child abuse and neglect (EN NO IMPACT See Note)	HB371

Act 212	Crews	CRIME: Provides for an exception to the crime of political payroll padding by a sheriff	HB708
Act 228	Martiny	DOMESTIC VIOLENCE: Provides relative to civil actions for domestic abuse. (gov sig)	SB60
Act 235	Thompson	FINANCIAL INSTITUTIONS: Provides relative to consumer loans. (gov sig) (EN SEE FISC NOTE SG RV See Note)	SB171
Act 237	Gatti	CHILDREN: Provides relative to parental drug testing before allowing a foster child to return to the home. (gov sig) (EN NO IMPACT See Note)	SB211
Act 251	Boudreaux	VETERANS: Creates a pretrial diversion program for veterans diagnosed with posttraumatic stress disorder. (gov sig)	SB548
Act 254	Connick	CIVIL/PROCEDURE: Provides relative to pretrial and scheduling conferences	HB6
Act 259	Dwight	CRIMINAL/TRIALS: Provides relative to a defendant's motion for a speedy trial and the period of time within which trial is required to commence	HB62
Act 261	Bacala	CIVIL/GARNISHMENT: Provides relative to payment of processing fee for certain garnishment proceedings (EN NO IMPACT See Note)	HB73
Act 263	Mack	CRIME: Creates the crime of abuse of persons with infirmities through electronic means and provides for criminal penalties and exceptions	HB79
Act 264	M. White	DOMESTIC ABUSE: Provides with respect to attorney fees and costs in domestic abuse cases	HB100

Act 265	Jefferson	DIVORCE: Provides relative to divorce and spousal support	HB125
Act 267	Leger	PROBATION: Provides for the use of supervision fees paid by offenders placed on probation or parole	HB140
Act 268	Jackson	COURTS/COURT COSTS: Provides relative to the transfer of surplus monies in the Fourth JDC	HB213
Act 273	Cox	VETERANS: Establishes the Post-Conviction Veterans Mentor Program	HB394
Act 275	Leger	COURTS: Provides for authority of courts in times of an emergency or disaster	HB744
Act 282	P. Smith	CRIME: Prohibits the possession of firearms in certain cases involving stalking	HB776
Act 291	Hunter	MTR VEHICLE/DRIVER LIC: Provides for an extension of time for which to appeal the denial of a hardship license or a suspension, cancellation, or revocation of a driver's license	HB890
Act 293	P. Smith	DOMESTIC ABUSE: Provides relative to battery of a dating partner, domestic abuse, and uniform abuse prevention orders	HB896
Act 296	Johnson	CHILDRENS CODE: Provides relative to the Indian Child Welfare Act	HB182
Act 302	Edmonds	FINANCIAL INSTITUTIONS: Provides relative to deposited funds payable to a surviving spouse	HB234

Act 303	Stefanski	CRIME/THEFT: Provides relative to theft of goods from a merchant	HB242
Act 305	Falconer	CRIMINAL/PROCEDURE: Provides relative to protected persons who are allowed to record statements in criminal proceedings	HB268
Act 307	P. Smith	STUDENTS: Changes references to "at-risk" students to students who are "economically disadvantaged" throughout Title 17 of the Louisiana Revised Statutes	HB294
Act 309	Thomas	CRIMINAL/VICTIMS: Provides for the rights of certain crime victims	HB307
Act 320	Gisclair	CHILDRENS CODE: Provides relative to court-appointed special advocates	HB466
Act 321	Leger	JUVENILE PROCEDURE: Provides relative to the release of a child from the custody of DPS&C	HB482
Act 326	Abramson	COURTS/COURT COSTS: Provides relative to fees and costs of the Civil District Court for the Parish of Orleans	HB589
Act 335	Stagni	CRIMINAL/JURY TRIALS: Provides relative to jury polling after a verdict is returned	HB699
Act 337	Foil	CONSUMERS/PROTECTION: Provides relative to private actions with respect to the Unfair Trade Practices and Consumer Protection Law	HB759
Act 341	Wright	WEAPONS: Provides relative to the illegal carrying of certain knives	HB892

Act 347	Cortez	CRIME/PUNISHMENT: Provides relative to the use of purple paint in lieu of "no trespassing" signs. (8/1/18)	SB18
Act 348	Appel	CRIMINAL JUSTICE: Provides relative to making a false communication that triggers an emergency response ("swatting").	SB42
Act 354	Morrell	CRIMINAL JUSTICE: Creates the Louisiana Sexual Assault Oversight Commission. (8/1/18)	SB101
Act 355	Morrell	CHILDREN'S CODE: Provides relative to the duration of a disposition on a felony-grade adjudication. (8/1/18)	SB106
Act 359	Morrell	CRIMINAL JUSTICE: Provides relative to a defamation claim brought by an alleged perpetrator of sexual misconduct against the alleged victim. (8/1/18)	SB147
Act 367	Morrell	WEAPONS: Provides relative to the transfer of firearms for the violation of a protective order. (10/1/18)	SB231
Act 368	Morrell	CRIMINAL JUSTICE: Provides for nullification of nondisclosure agreements to conceal criminal activity. (8/1/18)	SB233
Act 373	Perry	CHILDREN: Provides relative to child support orders. (10/1/18)	SB288
Act 377	Claitor	PUBLIC DEFENDER: Provides procedure for expulsion of members of the Louisiana Public Defender Board for unexcused absences at board meetings. (gov sig)	SB317
Act 378	Barrow	DIVORCE: Provides relative to joint custody decrees and implementation orders during a declared disaster. (gov sig)	SB326

Act 379	Colomb	FAMILY LAW: Provides for the modification of support orders when the Department of Children and Family Services is providing support enforcement services. (gov sig)	SB330
Act 383	Ward	CHILDREN: Provides relative to visitation rights of grandparents and siblings. (8/1/18)	SB366
Act 385	Claitor	CRIMINAL RECORDS: Prohibits the publication of certain criminal information or juvenile record information. (8/1/18)	SB384
Act 394	Garofalo	PUBLIC RECORDS: Provides for the award of attorney fees to a person making a public records request when the person prevails or prevails in part in a suit instituted by a public body or official	HB723
Act 401	Morrell	CRIME/PUNISHMENT: Adds a person's telephone number when used for "caller ID spoofing" to the definition of "personal identifying information" for purposes of the crime of identity theft. (8/1/18)	SB50
Act 403	Claitor	CRIME/PUNISHMENT: Provides relative to careless operation of a motor vehicle during flood conditions. (gov sig)	SB68
Act 404	Claitor	CRIMINAL PROCEDURE: Provides for the in forma pauperis filing of expungements. (8/1/18)	SB69
Act 412	Barrow	FAMILY LAW: Provides relative to family violence and domestic abuse as factors to consider in determining visitation and custody. (gov sig)	SB291
Act 415	Morrell	CRIME/PUNISHMENT: Provides penalties for reckless operation of certain all-terrain vehicles on public roadways. (8/1/18)	SB441
Act 416	Price	LEASES: Provides relative to security deposits for residential leases. (1/1/19)	SB466

Act 422	Lambert	SUCCESSIONS: Provides relative to court costs for small successions. (8/1/18)	SB543
Act 424	Simon	FUNDS/FUNDING: Provides relative to distribution of funding from the Traumatic Head and Spinal Cord Injury Trust Fund	HB198
Act 426	Marino	CRIME: Provides relative to the use of telecommunications devices as a form of harassment	HB261
Act 427	Jordan	CRIME: Prohibits the intentional exposure to HIV	HB275
Act 431	Hodges	CRIMINAL/SENTENCING: Expands DPS&C's substance abuse probation program to include treatment for mental health issues	HB440
Act 433	P. Smith	COURTS/JUVENILE: Provides relative to jurisdiction for sexual assault protection order cases	HB469
Act 443	Connick	PRESCRIPTION: Provides relative to the interruption of prescription	HB5
Act 447	Coussan	COURTS/COURT COSTS: Provides relative to court costs in the 15th JDC	HB83
Act 453	Marino	JUVENILES: Provides relative to the use of restraints on juveniles during court proceedings	HB187
Act 457	Carpenter	COURTS/COURT COSTS: Increases the fees for city marshals and constables for certain services	HB315

Act 458	Amedee	CHILDREN/ABUSE: Provides relative to the mandatory reporting of certain crimes of sexual abuse of a minor	HB488
Act 464	Havard	CORRECTIONAL FACILITIES: Increases penalties for the crime of introducing, possessing, or sending contraband into or from a penal institution	HB769
Act 466	W. Bishop	CRIMINAL PROCEDURE: Provides relative to eyewitness identifications. (gov sig)	SB38
Act 467	Morrell	CHILDREN'S CODE: Provides relative to disposition of children after adjudication of certain felony-grade delinquent acts. (8/1/18)	SB102
Act 479	Walsworth	JUVENILE JUSTICE: Provides relative to the penalty for cruelty to a juvenile. (8/1/18)	SB563
Act 481	Claitor	CIVIL PROCEDURE: Authorizes exemplary damages in civil actions for death from hazing. (gov sig)	SB91
Act 484	Hewitt	CRIMINAL PROCEDURE: Provides relative to bail after conviction. (gov sig)	SB208
Act 485	Morrell	CRIME/PUNISHMENT: Creates the crime of sexual abuse of an animal. (gov sig)	SB236
Act 493	Jordan	CRIMINAL/JURY TRIALS: Provides relative to a unanimous jury in felony cases	HB365
Act 499	Deviller	ENVIRONMENT/LITTERING: Amends penalties for gross littering	HB35

Act 502	Mack	LAW ENFORCE/OFFICERS: Provides relative to the requirements for submission of DNA samples by peace officers	HB221
Act 503	Amedee	COURTS: Provides relative to the use of a facility dog by a witness during a court proceeding	HB292
Act 508	Lyons	CRIMINAL/SENTENCING: Provides relative to persons participating in certain specialty court programs	HB537
Act 510	Johnson	COURTS: Provides for a special taxing district in certain parishes to fund construction and operation of courtroom and related facilities	HB806
Act 520	Perry	JUDGES: Provides relative to the chief judge of city courts with two or more divisions. (8/1/18)	SB123
Act 528	Morrell	COURTS: Provides for minimum standards for elevator access to multistory courthouses for the disabled community. (8/1/18)	SB265
Act 532	B. White	CRIMINAL PROCEDURE: Provides relative to persons found not guilty by reason of insanity. (8/1/18)	SB411
Act 542	Connick	CRIMINAL/HABIT OFFENDERS: Provides relative to the application of the habitual offender law	HB253
Act 543	Mack	TRAFFIC/VIOLATIONS: Changes the fee applicable to certain accident reports	HB286
Act 549	G. Carter	CRIME/SEX OFFENSES: Increases penalties for the crime of sexual assault of persons with infirmities and provides enhanced penalties under certain circumstances	HB389

Act 553	G. Carter	JUDGES: Provides relative to the Judicial Council of the Supreme Court of Louisiana	HB493
Act 556	Johnson	CHILDRENS CODE: Provides relative to disclosure of information in the state central registry of reports of child abuse and neglect	HB520
Act 559	Hilferty	REAL ESTATE: Modifies relative to transfers of interest and property disclosure forms	HB617
Act 562	Edmonds	ADOPTION: Provides for the regulation of the adoption of children	HB643
Act 563	Jackson	INSURANCE: Provides relative to prohibited acts by bail enforcement agents	HB897
Act 574	Barrow	IMMOVABLE PROPERTY: Provides relative to tax sales and post-sale notice. (8/1/18)	SB511
Act 576	Mariny	ARSON: Creates the crime of negligent arson. (gov sig)	SB54
Act 594	Garofalo	LIABILITY/CIVIL: Provides relative to the indemnification of clerks of court and their employees	HB844
Act 600	W. Bishop	STUDENTS: Provides relative to student discipline. (gov sig)	SB465
Act 601	Long	LOCAL OFFICIALS: Increases the salary of the marshal of the City Court of Natchitoches. (gov sig)	SB476

Act 604	Martiny	CRIMINAL PROCEDURE: Provides relative to parole eligibility. (11/1/18)	SB495
Act 605	Mills	CLERKS OF COURT: Provides relative to group insurance expenses for certain clerks of court. (8/1/18)	SB500
Act 607	Luneau	CIVIL PROCEDURE: Provides relative to placements minor's funds from a judgment or settlement. (8/1/18)	SB537
Act 630	Stokes	CRIME: Provides relative to the observation or filming of a person and the disclosure of certain images of a person	HB612
Act 635	N. Landry	CRIME/FELONIES: Amends penalties relative to the crime of hazing	HB78
Act 637	Falconer	CRIME/MISDEMEANOR: Provides relative to the failure to seek medical assistance when reckless behavior results in serious bodily injury	HB446
Act 647	Peacock	CONSUMERS/PROTECTION: Provides relative to the Military Service Relief Act. (8/1/18)	SB114
Act 649	Gatti	FAMILY LAW: Provides relative to foster care children in high school. (gov sig)	SB129
Act 654	Johns	CHILDREN'S CODE: Revises definition of "children" in the Children's Code. (gov sig)	SB248
Act 657	T. Carter	ELECTION CODE: Provides relative to withdrawal of candidates. (gov sig)	SB270

Act 658	Milkovich	CIVIL PROCEDURE: Provides relative to appellate panels. (8/1/18)	SB273
Act 663	Mizell	CRIME/PUNISHMENT: Provides for penalties for persons convicted for soliciting prostitutes. (8/1/18)	SB335
Act 668	Claitor	CRIME/PUNISHMENT: Provides relative to felony probation.	SB389
Act 670	B. White	SEX OFFENSES: Provides relative to early release of offenders for "good time" and parole. (gov sig)	SB410
Act 677	Mack	DRUGS/CONTROLLED: Provides relative to the Uniform Controlled Dangerous Substances Law	HB165
Act 678	Marino	CRIMINAL/RECORDS: Removes the limitation on the number of expungements a person may receive for persons seeking an expungement under certain circumstances	HB196
Act 679	Bagley	DOMESTIC ABUSE: Requires those who serve temporary protective orders or protective orders to transmit a service return to the Louisiana Protective Order Registry	HB207
Act 680	Marino	CRIMINAL/SENTENCING: Provides relative to responsive verdicts	HB223
Act 682	Leopold	CRIMINAL/SENTENCING: Amends the criminal sentences and fines for convictions of pornography involving juveniles	HB237
Act 692	Thibaut	CRIME: Provides relative to unauthorized entry of and criminal damage to a critical infrastructure	HB727

Act 697	Lyons	DOMESTIC ABUSE: Provides relative to a mental health evaluation upon the issuance of a protective order in domestic abuse cases	HB773
Act 711	Hazel	CRIMINAL/PROCEDURE: Provides relative to expungements	HB377
Act 714	Marcelle	MTR VEHICLE/DRIVER LIC: Provides for a hold on the renewal of an operator's license under certain circumstances	HB669
Act 722	Morrell	CRIMINAL PROCEDURE: Constitutional amendment to require unanimous juries for felonies. (2/3 - CA13s1(A))	SB243
Act 220	Perry	LEGISLATIVE AGENCIES: Provides that a member of the Louisiana City Court Judges Association be added to the membership of the Louisiana State Law Institute. (gov sig)	SB30