

2019 Session Update

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2019 Legislative Update

STATE REPRESENTATIVE

Dorothy Sue Hill

Proudly Serving Louisiana's 32nd House District



Message from State Rep. Dorothy Sue Hill...

Once again, the state's budget took center stage at the 2019 Regular Legislative Session. Unlike previous years however, we began in a better posture to pass a budget because of a reported surplus and an increased revenue forecast.

In connection with the state budget issues, legislative discussions centered on a pay raise for teachers and other school personnel. The pay raise plan approved by the legislature gives teachers an additional \$1,000 and support staff an additional \$500 annually. The budget also allocated \$39 million more for K-12 schools, new funding for early childhood programming, additional money for higher education, and more.

Beyond issues dealing with the budget, the legislature tackled a number of other matters. Overall, legislators introduced 863 bills, 620 in the House and 243 in the Senate. Many important issues, such as hemp and medical marijuana law, abortion restrictions, an increase in minimum wage, sports betting and fantasy gaming regulations, and transportation and infrastructure funding, were discussed. And, while some of those hot-button issues did not make it through the process, many critical pieces of legislation did.

One of the biggest accomplishments of the session was the passage of a bill that aims to alleviate the state's traffic and infrastructure woes by directing an estimated \$700 million of Deepwater Horizon settlement money to important bridge and roadway projects.

The legislature also voted to approve a \$783 million coastal plan for the upcoming year that works to address the ongoing coastal crisis in Louisiana.

On the topic of health, legislators passed bills to allow therapeutic cannabis patients to use metered-dose inhalers, expand Medicaid coverage to certain qualifying children with developmental disabilities, protect individuals with pre-existing medical conditions if the Affordable Care Act is overthrown, and preserve rural hospitals.

Additionally, lawmakers passed legislation to strengthen laws passed last year that dealt with sexual harassment in the work-place and hazing at our state's institutions of higher education.

On October 12, voters will decide the fate of four constitutional amendments.

The first constitutional amendment provides appropriations from the Education Excellence Fund for the Louisiana Educational Television Authority, Thrive Academy, and laboratory schools operated by public postsecondary institutions.

Two of the other amendments deal with property taxes. The first authorizes ad valorem tax exemptions in Orleans Parish to promote affordable housing. Another amendment exempts raw materials destined for the Outer Continental Shelf from ad valorem taxes. The last amendment extends the authority of the Board of Tax Appeals to matters concerning the constitutionality of taxes and fees.

Adding to the state's efforts to restrict abortions, the legislature also passed a proposed amendment to stipulate that the state's constitution does not protect the right to an abortion and does not require funding for abortions. This constitutional amendment will go before voters on the November 3, 2020, presidential election ballot.

I hope you will find the information provided in this document helpful. You can find details of bills and videos of committee and floor action by visiting <http://www.legis.la.gov>. If you want more information or need assistance, please contact my office.

I consider it a pleasure and honor to represent you at the Capitol in Baton Rouge. Please contact me if you have concerns about things in our district and our state. Your input is important to me as we work together to build a stronger Louisiana.

Sincerely,

Dorothy Sue

Dorothy Sue Hill, State Representative

Upcoming Elections...

October 12 Primary (Early Voting: 9/28 - 10/5)
November 16 General (Early Voting: 11/2 - 11/9)

Local Bills of Interest for District 32

- **SCR3:** Increases funding for public schools and grants an annual \$1,000 pay raise to classroom teachers and other certificated personnel including therapists, specialists, counselors, school nurses, principals, assistant principals, other certificated administrators, and sabbaticals. Non-certificated school personnel including aides, support supervisors, secretaries and clerical workers, service workers, skilled craftsmen, and degreed professionals will receive an annual \$500 raise.
- **Act 31:** Prohibits abortions after a fetal heartbeat is detected
- **Act 273:** Truth in Labeling of meat and rice
- **Act 372:** Requires restaurants to inform customers if imported shrimp or crawfish is served
- **Act 127:** Increases funding for Councils on Aging
- **SCR 56:** Creates the Task Force on Protecting Children from Exposure to Pornography



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Committee Assignments: Agriculture, Forestry, Aquaculture, and Rural Development; House and Governmental Affairs; Transportation, Highways and Public Works; Enrollment

Caucus Memberships: Democratic Caucus; Women's Caucus; Rural Caucus

Appropriations/Funding

HB 105 (Act 310) The General Appropriation Bill contains \$30.1 billion for the ordinary operating expenditures of the executive branch for Fiscal Year 2019-2020, which is an increase of 1.6% over Fiscal Year 2018-19. 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 Fiscal Year 2019-2020 is \$34.9 billion.

HB 2 (Act 20) The Capitol Outlay Budget for Fiscal Year 2019-2020 is \$4.1 billion. This is broken down to provide \$770 million to Priority 1 projects, \$300 million to Priority 2 projects, \$1.3 billion to Priority 5 projects, and \$1.7 billion in cash, of which \$838 million is used for the Transportation Trust Fund, and \$45 million from the surplus of Fiscal Year 2017-2018.

HB 578 (Act 443) Infrastructure Funding: Dedicates Deepwater Horizon litigation proceeds to the Construction Subfund of the Transportation Trust Fund, or transportation projects.

SCR 3 Allows for teacher and school staff pay raises. Funding includes a \$1,000 pay raise for certified personnel, including teachers; a \$500 pay raise for non-certified support personnel; and an additional \$38.9 million associated with an 1.375% increase in the base per pupil amount.

Medical Marijuana

HB 358 (Act 284) Allows patients to use metered-dose inhalers for medical marijuana

Hemp

HB 138 (Act 354) Excludes industrial hemp from controlled dangerous substances in state law.

HB 491 (Act 164) Authorizes individuals licensed by the Department of Agriculture and Forestry to cultivate, process, handle, and transport industrial hemp.

Tax Changes/Deductions

HB 301 Exempts raw materials destined for the Outer Continental Shelf from ad valorem taxes.

SB 59 (Act 338) Extends the rural healthcare income tax reduction to physician assistants and optometrists.

HB 90 (Act 419) Creates a state sales tax rebate for purchase of a motor vehicle that has been or will be modified for persons with orthopedic disabilities.

Criminal Justice

HB 275 (Act 156) Extends the time period for petitioners to apply for a post-conviction DNA test, to August 31, 2024.

HB 492 (Act 121) Amends how compensation is awarded and paid to a petitioner found to be factually innocent and therefore, wrongfully convicted.

HB 99 (Act 143) Requires criminal background checks for head coaches and others (that are not related to the athletes they coach) affiliated with organizations like religious or educational institutions, who work with children.

HB 184 (Act 355) Prohibits harassment of officials at, or in proximity to, athletic events, as well as entering or remaining at an athletic contest after being forbidden.

HB 180 (Act 12) Prohibits acts intended to block another's access to a communication device, for the purpose of preventing the person from calling 911, obtaining medical assistance, or making a police report.

HB 74 (Act 292) Updates existing law to allow prosecution of more modern forms of "hacking," where the purpose is to obtain or transmit protected information, or cause harm to the computers themselves through measures such as denial of service attacks and malicious software.

HB 7 (Act 88) Prohibits willful or malicious interference of any communication: 1) of the state, 2) for military or civil defense, 3) controlled by a public utility.

HB 518 (Act 386) A conviction for a nonviolent felony that has been set aside and dismissed after a defendant has completed the conditions of a deferred sentence, shall not be considered a prior offense for subsequent prosecution of the person as a habitual offender for a non-violent felony offense.

HB 278 (Act 396) Grants credit, under certain situations, towards suspension time to an individual that installs an approved ignition interlock device as a requirement of bail, a part of a pretrial diversion program, or a term of a suspended or deferred sentence.

HB 397 (Act 111) & HB 611 (Act 253) Prohibit the suspension of a driver's license because the defendant is financially unable to pay a criminal fine.

HB 551 (Act 245) Increases the per diem paid by DPS&C to parishes for housing state inmates in local jails and institutions.

HB 158 (Act 147) Solan's Law, states that a child shall not be detained prior to adjudication for reasons such as punishment, to satisfy a victim, or because a more appropriate facility isn't available unless there has been a serious offense or a history of serious offenses.

Victim Rights & Protections

HB 36 (Act 417) Heather's Law states that in cases of domestic abuse, protective orders, the petitioner will now be informed that: The TRO or protective order does not automatically create criminal charges against the defendant, and the petitioner has a right to initiate criminal proceedings.

SB 146 (Act 410) Prohibits the use of material witness arrest warrants in certain cases where victims of a sex offense or intimate partner violence are unwilling to testify.

HB 85 (Act 418) Under this law, reparations shall not be denied or reduced because a victim has a juvenile record, is on probation or parole, or has been incarcerated, for a crime unrelated to one giving rise to the reparations.

Evidence

HB 226 (Act 115) Authorizes the use of expert testimony on eyewitness identification and memory in criminal cases, if there is not physical evidence corroborating an eyewitness identification of the defendant, the witness is qualified by the court to give an expert opinion under current law requirements, and no opinion is offered on the accuracy of an eyewitness identification.

HB 489 (Act 237) Adds an exception to the hearsay rule for statements made to healthcare providers by victims of a sex offense during a forensic medical examination, where the statement is documented in writing by the healthcare provider at the time of the exam.

SB 156 (Act 259) Allows victims of domestic abuse, dating violence, human trafficking, and sexual assault to access criminal history records of witnesses or parties in civil action.

Civil Law

HB 197 (Act 35) Prohibits a settlement agreement from containing a provision prohibiting the disclosure by the claimant of the terms of or the facts associated with the underlying claim of the settlement agreement when: the claim is one based on sexual harassment or sexual assault, against state or local government, or any agency, official, or employee thereof, and public funds are used to pay the settlement.

SB 182 (Act 413) Provides for the participation of a sexual harasser in a settlement or judgment in a sexual harassment claim, if the claim is one based on sexual harassment, against state government, or any agency, official, or employee thereof, and requires the State determine, based on specified factors, if harasser should be responsible for reimbursing the state all, or a portion, of the judgment or settlement.

SB 172 (Act 401) Provides for parental consent and judicial limitations and authorization for a minimum age for marriage, stating that minors under 16 cannot enter into a contract of marriage, minors 16 and 17 cannot marry anyone older by 3 years or more, and minors 16 and 17 can only marry with judicial authorization and written concurrence from both parents, the custodial parent or a tutor.

Military and Veterans

HB 30 (Act 133) Adds military ID cards to the forms of identification that will be accepted at polls for voter verification.

HB 391 (Act 160) Creates the Veterans First Business Initiative to promote veteran-owned businesses, and encourage entrepreneurship and networking between business and veterans looking for employment.

HB 86 (Act 293) Provides that veterans who were honorably discharged shall be considered "bona fide residents" for the purpose of obtaining a Louisiana hunting or fishing license.

First Responders

SB 129 (Act 123) The Rivers Lacrouts Act adds police and other public safety officers to those allowed to stand on public roadways for the purpose of soliciting contributions on behalf of charitable organizations.

HB 285 (Act 306) Expands workers' compensation coverage to include medical benefits for volunteer reserve police officers and deputies injured in the line of duty.

SB 107 (Act 122) Adds post traumatic stress disorder as a compensable claim for certain public employees under workers' compensation.

Transportation

HB 575 (Act 286) Establishes statewide requirements for transportation network ("ridesharing") companies, vehicles, and drivers.

HB 455 (Act 232) Establishes a regulatory framework for the use of automated, driverless trucks on the state's highways.

HB 157 (Act 295) A Class "E" temporary instructional permit is no longer required to enroll in driver's education classes, but will be required to take road instruction, as well as road and written exams.

HB 567 (Act 361) Authorizes the Department of Transportation and Development and the Transportation Authority to contract with private entities to manage existing or new tolls, including collection and violation enforcement.

SB 138 (Act 408) Katie Bug's Law expands the requirement for post-accident drug testing to cases where a collision causes "suspected serious injury."

Digital Driver's License

HB 378 (Act 220) Authorizes digitization of ANY credential authorized or required by the state. Digital credentials are as valid as tangible credentials as long as they're viewed within the app. State agencies may also renew credentials through LA Wallet.

Crime

SB 54 (Act 576) Creates the crime of negligent arson -- damaging of any building when criminal negligence causes a fire or explosion.

SB 236 (Act 485) Creates the crime of sexual abuse of an animal, and requires certain persons who commit the offenses to register as a sex offender.

Product Labeling

HB 335 (Act 372) Requires restaurants to inform patrons if they are serving imported shrimp or crawfish.

SB 152 (Act 273) The Truth in Labeling for Food Products Act applies to the edible food products sold for human consumption. Prohibits the use of false or misleading labels and branding, and selling a "food product" as an "agricultural product" (such as meat, sugar, or rice).

Health and Social Services

HB 143 (Act 57) Evie's Law prohibits disability-based discrimination against potential organ transplant recipients.

SB 109 (Act 400) Extends the foster care program to age 21.

HB 284 (Act 426) Requires a medical practitioner to indicate on prescriptions when more than a seven-day supply of opioids is medically necessary.

Abortion

SB 184 (Act 31) Prohibits the abortion of an unborn human being with a detectable heartbeat.

HB 484 Establishes medical record retention requirements for abortion facilities.

SB 221 (Act 198) Requires abortion clinics to provide certain written information to any woman seeking an abortion.

HB 133 (Act 376) Revises the outpatient licensing laws to require that abortions induced with drugs or chemicals be performed in such facilities.

Senior Citizens

SB 174 (Act 127) Increases the minimum annual appropriation for the councils on aging.

HB 305 (Act 14) Increases potential damages when a deceptive act is knowingly committed against an elder person or person with a disability using a telephone, e-mail, or text messaging.

HB 296 (Act 308) Requires training for law enforcement and first responders on interaction with people who have Alzheimer's and other dementia-related conditions.

Health Insurance

HB 119 (Act 206) Requires that an insurer give the provider a list of covered comparable alternatives if a prescription is denied based on step therapy, fail first protocols, or nonformulary status.

HB 308 (Act 212) Prohibits lifetime and annual limits on health insurance benefits.

HB 345 (Act 118) Provides for coverage for breast and ovarian cancer susceptibility screening.

HB 347 (Act 119) Provides for the coverage of diagnostic imaging at the same level of coverage as screening mammograms.

SB 173 (Act 412) Provides for open enrollment, rate setting, and coverage for dependent children up to age 26, and prohibits preexisting condition exclusions and annual and lifetime limits.

Education

HB 53 (Act 93) Requires student ID cards include the phone number for the National Suicide Prevention hotline and, if possible, a local suicide prevention number.

HB 423 (Act 227) Removes the ability of a professional or occupational licensing board to deny or suspend a license due to delinquency or default on a student loan payment.

SB 117 (Act 125) Requires transparency in textbook pricing for students and creates an incentive model for the adoption of low and no-cost course materials through eBook and open educational resources.

Local Government

HB 189 (Act 392) Prohibits political subdivisions from asking about a prospective employee's arrest record on an initial application form. Positions that require a background check are exempt from this law.

Constitutional Amendments

October 12, 2019 Election

HB 62 Provides appropriations from the Education Excellence Fund for the Louisiana Educational Television Authority, Thrive Academy, and laboratory schools operated by public postsecondary institutions.

HB 234 Exempts raw materials destined for the Outer Continental Shelf from ad valorem taxes.

HB 428 Extends the jurisdiction of the Board of Tax Appeals to matters concerning the constitutionality of taxes and fees.

SB 79 Authorizes ad valorem tax exemptions in Orleans Parish to promote affordable housing.

November 2, 2020 Election

HB 425 Declares that no provision of the state constitution protects a right to abortion or requires the funding of abortion.