

MEMORANDUM

TO: Louisiana Airport Managers Association

FROM: Cary Koch and Johnny Koch

DATE: August 19, 2022

RE: Final Legislative Report – 2022 Regular Session

The 2022 Regular Session of the Louisiana Legislature convened in Baton Rouge on Monday, March 14 and adjourned sine die on Monday, June 6, completing a whirlwind of legislative activity over the 85-calendar day – 60-meeting day schedule provided for in our State Constitution in “even-numbered” legislative years. However, and which is seemingly the rule rather than a historic exception, the legislature met in Special Session February 1 – February 18 for reapportionment and returned again pursuant to appeal and the Federal Court “Order” to look again at reapportionment of Louisiana Congressional Districts and the creation of two rather than the one majority minority Districts approved in HB 1 – Speaker Schexnayder, in the 1st Special Session (see legis.la.gov for the legislative history of HB 1, 1st Special Session, including the Governor’s veto message). In response to the Federal Court demand, the legislature met again in Special Session #2 June 13 – June 18 but concluded without agreement on a 2-majority minority plan in defiance of the Federal Court Judge Shelley Dick and despite her intention to “draw her own” plan.

Never dull and yet consistent with its reputation as Louisiana’s founding contact sport, “politics,” on the eve of the court battle challenging the legislative Congressional reapportionment plan, the U.S. Supreme Court not to the surprise of supporters of the House-drawn plan, “stayed” the proceedings thus setting into place the Fall Congressional Elections with a single majority minority district. The “Stay” actually preserved the current make-up of Louisiana’s 6 Congressional Districts and delayed perhaps the certainty of a future battle for a reapportionment plan recognizing 2 majority minority Congressional Districts pursuant to the Governor’s veto and opponent demands for a 2-district minority plan reflective of the 2/3 – 1/3 majority-minority makeup of the Louisiana population. Needless to say, the fall mid-term elections will be exciting if not historic as our state and nation engages a 50-50 party, philosophical, cultural, and geographical red state-blue state election conundrum. Stay tuned!

With this bit of detail, may we now turn our attention to the Pelican State Partners Final Report summarizing legislation considered in the 2022 Regular Session and which, to some degree, Key, Particular, and General interest. As has been our custom and practice for many years, Key legislation is highlighted followed by legislation of Particular interest to as engaged by PSP but not to the same degree as Key Legislation but more so than the 3rd designation, General, legislation monitored, followed, and reported in weekly interim tracking reports. As you review the Report, Key, Particular, and General Legislation is outlined as “Enacted” or “Failed to Pass.” While “Enacted” are of most importance, legislation considered but failing to pass is still important as a “window” into legislative thought and focus for future legislative sessions.

The Final Report denotes the name and author of each bill; accompanying subject-matter description; and its final disposition. Any listed bill can be searched at legis.la.gov for the complete calendar of legislative action from introduction to final disposition, summarizing the content and intent of the cited legislation. In addition to the above, please make note of House/Senate Resolutions in the tracking report listing the many studies which will be undertaken prior to the 2023 Session, and which could become the precursor to legislation of interest and impact upon LAMA. You will also find separate and topical listing of House and Senate legislation enacted in 2022 and perhaps not included in the Final Report of Key, Particular, and General Interest. These listed Acts were compiled by House and Senate leadership as significant to “Louisiana.” Please take a moment or two to review this listing and evaluate its impact and perhaps initiate further investigation at legis.la.gov or “discussion” with PSP.

As we close and on behalf of Johnny, Scott, Christian, Suchitra, Lindsey, and me, I wish to express our thanks and appreciation for the opportunity and privilege of representing LAMA’s interests in the political affairs of our state. Pelican State Partners stand ready and available to meet, discuss, and otherwise confer with you electronically or in person regarding any matter outlined in this report. And I would be neglectful if I were to not urge perhaps even greater attention and engagement as we look to the 2023 Session/s and the Fall of 2023 “election year” in which ALL statewide elected officials, legislators, judges, local government officials, school boards – EVERYONE – will stand for election or re-election whatever the office might be.

Thank you for the years of working closely together with LAMA. As we go our different ways, let us not lose touch as the political atmosphere is ever-changing. Thanks again from the Pelican State Partners; have a great rest of Summer; and God Bless.

2022 REGULAR SESSION
KEY LEGISLATION

HB 319 Crews, Raymond(R)
Peacock, Barrow(R) Adds a member with aviation experience to the Shreveport Airport Authority.
Bill History: Enrolled

HB 466 Crews, Raymond(R) Provides relative to the applicability of certain lease terms to airport facilities operated and managed by the Shreveport Regional Airport.
Bill History: Died in House Transportation

HB 1036 Owen, Charles(R) Provides relative to types of payment accepted at airports.
Bill History: Withdrawn

SB 181 McMath, Patrick(R)
Wright, Mark(R) Provides for the definition of an airport sponsor and replaces engineer with sponsor for the approval, inspection, and certification of airport construction projects.
Bill History: Act 67

SB 433 White, Mack "Bodi"(R) Provides relative to the membership of certain airport commissions.
Bill History: Senate Late Passage Approval (Vote: Y: 34/N: 0)

2022 REGULAR SESSION
LEGISLATION OF PARTICULAR INTEREST

HB 299 Amedee, Beryl(R) Provides for an exception to the Open Meetings Law.
Companions: HB 34 Amedee, Beryl (Identical)
2-28-22 H Withdrawn
Bill History: Died in Senate and Governmental Affairs

2022 REGULAR SESSION
LEGISLATION OF GENERAL INTEREST

HB 1 Zeringue, Jerome "Zee"(R)
White, Mack "Bodi"(R) Provides for the ordinary operating expenses of state government for Fiscal Year 2022-2023.
Bill History: Act 199

HB 73 Thompson, Francis(D) Provides relative to the regulation of the commercial application of pesticides by aircraft when flying over the Poverty Point Reservoir.
Bill History: Died in House Agriculture

HB 141 McCormick, Danny(R) Prohibits certain public contracts with companies that boycott fossil fuel companies.
Bill History: Died in House Appropriations

HB 143	Butler, Rhonda(R) Foil, Franklin(R)	Provides for development and implementation by state agencies of policies, training, and reporting relative to compliance with requirements of the Americans with Disabilities Act.
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Bill History: Act 103

HB 221	Magee, Tanner(R) Allain, Bret(R)	Provides relative to procurement limits for purchases of materials and supplies by public entities.
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Bill History: Act 204

SB 127	Carter, Gary(D) Brass, Ken(D)	Provides for certain advertising requirements for small purchase bids.
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Bill History: Act 256

SB 454	McMath, Patrick(R)	Provides relative to the Department of Transportation and Development.
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Bill History: Died in Senate Transportation

CONSTITUTIONAL AMENDMENTS AND ELECTION DATES

November 8, 2022, Election

HB 59 (2021 RS) allows a political subdivision to waive water charges incurred through damage not caused by the customer.

HB 143 (2021 RS) limits the increase in assess value of certain immovable property in Orleans Parish after property reassessment of ad valorem taxes.

HB 154 (2021 RS) increases the cap on the amount of monies in certain state funds that can be invested in stocks.

HB 298 prohibits the use of involuntary servitude except as it applies to the lawful administration of criminal justice.

HB 315 (2021 RS) allows members of civil service systems to support a political candidate within their immediate family.

HB 395 removes the annual income recertification requirement for homeowners who are totally disabled to keep their residential special property tax assessment level.

HB 599 creates an ad valorem tax exemption for veterans with certain service-connected disability ratings and for their surviving spouses.

SB 154 (2021 RS) allows taxing authorities to adjust ad valorem millage rates.

December 10, 2022, Election

HB 178 provides non-U.S. citizens from registering to vote and/or voting in Louisiana elections.

SB 75 requires Senate confirmation of gubernatorial appointments for State Police Commission.

SB 160 requires Senate confirmation of gubernatorial appointments to the State Civil Service Commission.

November 13, 2022, Election

HB 166 clarifies that the timing of gubernatorial action on a bill and return of a vetoed bill to the legislature is based upon the legislative session in which the bill passed and to authorize the legislature, if it is in session, to reconsider vetoed bills without convening a separate veto session.

2022 SESSION HIGHLIGHTS

Appropriations/Funding

Act 199 – General Appropriation Bill – contains \$39.8 Billion for the ordinary operating expenditures of the executive branch for FY 2022-2023, an \$835 Million increase over FY 2021-2022. 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 2022-2023 is \$47 Billion.

Insurance – Catastrophic Response

Act 754 offers grant incentives to encourage new insurance companies to join the Louisiana property insurance market in the wake of the 2022 and 2021 hurricane seasons.

Act 554 creates the “Louisiana Fortify Homes Program” to offer grants to retrofit roofs of property with a homestead exemption against catastrophic wind events.

Act 263 establishes standards for communication and status updates between residential policyholders and their insurance companies following a named storm or hurricane.

Insurance

Act 724 sets a cost-sharing cap of \$75 for a 30-day supply of insulin on a drug formulary and requires formularies to include all classes of insulin.

Act 339 protects retired fire employees from health insurance enrollment discrimination.

Act 114 allows for discretionary group life insurance policies that don’t adhere to standard eligibility.

Act 683 increases the penalty up to \$250,000 for a person who knowingly engages in unfair trade practices within insurance.

Labor

Act 330 increases minimum weekly benefit for unemployment compensation.

Act 506 establishes a training and education initiative to promote workforce advancement and employment opportunities for public assistance recipients.

Military & Veterans

Act 421 aligns state veteran tuition policy with federal law to provide in-state tuition rates to qualified veterans and their dependents.

Act 373 provides that teachers whose employment was interrupted by military service subsequent to the Vietnam War be placed, upon return to service as a teacher, on the salary schedule as if there was no interruption.

Transportation

Act 347 requires background checks of everyone operating a private training or driving instructor school.

Act 695 designates the Atchafalaya Basin Bridge as a highway safety corridor and requires the DOTD to install camera safety devices on the bridge and place signs eastbound and westbound on the bridge.

Motor Vehicles

Act 578 imposes a road usage fee of \$110 per year on electric vehicles and \$60 per year on hybrid vehicles operated on state highways.

Act 762 creates a statewide electric vehicle charging network.

Act 93 and Act 77 require insurance companies to cover the temporary use of a motor vehicle that is not owned by the policyholder.

Act 716 create an alternative for insurers to receive a certificate of ownership and salvage title for motor vehicles declared to be a total loss.

Act 584 requires anyone wanting to buy or sell catalytic converters to register for a business license and maintain records of each transaction.

Act 127 creates a crime for theft of catalytic converter or engine control module, provides for penalties, and requires dealers to register with their chief of police and sheriff.

Law Enforcement and Firefighters

Act 634 requires sustained complaints remain in a law enforcement officer's personnel file, subjects officer personnel files with sustained complaints to public records requests, and provides for whistleblower protection.

Act 516 extends the time period of the rebuttable presumption relative to occupational disease diagnosis for certain firefighters in the classified fire service who develop cancer post-employment.

Act 267 establishes the diminution of sentence ("good time") rate of an offender convicted of the death of a peace officer or first responder killed in the line of duty at a rate of 1 day for every 30 days in actual custody.

Governmental Affairs

Act 35 requires candidates for public office to provide a valid email address when qualifying for office.

Act 539 requires a hand-delivered absentee ballot be returned by the voter or an authorized person to the registrar or registrar employee at the registrar's principal office, branch office, or to an early voting location during the early voting time period.

Criminal Justice

Act 568 requires the Department of Public Safety and Corrections (DPSC), if known by the department, to notify the victim or victim's family, all persons who have filed a victim registration and notification form, the appropriate law enforcement agency, and the appropriate district attorney no later than 60 days prior to the release of an inmate convicted of a crime of violence or sex offense.

Act 436 requires DPCS to immediately notify an arrested person that his operator's license may be suspended for failure to honor a written promise to appear or pay an appropriate fine for the offense within 180 days after the date the notice was received.

Act 750 exempts from parole eligibility any person convicted of an offense on or after January 1, 1997, that is both a crime of violence and a sex offense.

Act 439 exempts visiting qualifying patients from prosecution for medical marijuana.

Act 315 ("Millie's Law") increases penalties for the unlawful distribution or dispensing of heroin and fentanyl or carfentanil and adds to the crimes of violence list.

Act 225 prohibits prosecution for persons seeking medical assistance for a drug-related overdose.

Act 129 adds the crime of battery of emergency room personnel, emergency services personnel, or a healthcare professional to the list of crimes of violence and enacts the crime of assault on emergency room personnel, emergency services personnel, or healthcare professional and the crime of unlawful disruption of the operation of a healthcare facility.

Act 518 known as the “Louisiana Firearm Safety Awareness Act” creates an online handgun education course at no cost to Louisiana residents.

Act 484 requires sheriffs to report certain firearm data to the La. Commission of Law Enforcement.

Act 465 and Act 702 designate possession of a firearm by a felon as a crime of violence.

Act 731 restructures the definition of simple robbery to include the taking of anything of value: belonging to another from the person of another or that is in the immediate control of another, by use of force or intimidation, but not armed with a dangerous weapon.

Act 494 limits the release and dissemination of booking photographs when a person arrested for certain crimes has not been proven guilty.

Act 219 relates a criminal offender’s monetary obligations to their ability to pay.

Juvenile Justice

Act 496 prohibits solitary confinement in juvenile facilities except in limited circumstances as a temporary response to behavior that poses a serious and immediate threat.

Act 220 create the crime of recruitment of juveniles to commit carjacking.

Act 175 clarifies that the district attorney has discretion to prosecute youth in juvenile court or to transfer the case for adult prosecution.

Act 674 requires a child who has been adjudicated of a delinquent act and his parent or legal guardian to participate in a court-approved decision-making course.

Human Trafficking

Act 130 creates an expungement process for victims of human trafficking.

Act 513 provides relative to emergency contraception for victims of sexual assault.

Act 540 allows sexual assault survivors access to documents from their forensic medical exam.

Civil Law

Act 529 prohibits discrimination based on a person’s natural, protective, or cultural hairstyle in education, employment, public accommodations, and housing.

Act 440 establishes a right of action against commercial entities that publish and/or distribute only internet materials harmful to minors.

Act 442 prevents property owners from evicting tenants for 30 days in areas under a federal disaster declaration.

Act 632 enacts provisions regarding repair contracts following natural disasters including cancellation, payments and refunds, notices, and venue for disputes.

Industrial Hemp

Act 462 creates the Industrial Hemp Promotion and Research Program within the Department of Agriculture and Forestry (LDAF) to enhance research, education, promotion, facilities, and industrial hemp-related activities throughout the state.

Medical Marijuana

Act 438 authorizes dispensing to nonresident patients with qualifying medical conditions and a valid medical marijuana registration in their home jurisdiction.

Act 444 adds medical psychologists and nurse practitioners with prescriptive authority to the list of healthcare providers who can give a valid therapeutic marijuana recommendation.

Medical Treatments

Act 676 creates the office on women's health and community health within LDH to coordinate medical policy, treatment programs, and services for women.

Abortion

Act 548 prohibits the sale and distribution of abortion-inducing medication by out-of-state vendors.

Act 545 provides for the closure of outpatient abortion facilities if Louisiana's ability to prohibit or restrict abortion is upheld.

Nursing Home Oversight

Act 253 requires facilities to have a permanently installed generator or alternate electrical power source with arrangements for sufficient fuel.

Postsecondary Education

Act 308 creates seamless transfer of course credits in all higher education pathways.

Act 205 requires four-year colleges and universities and community colleges to enter into reverse articulation/transfer agreements.

Retirement

Act 601 and Act 549 allow retired teachers to be reemployed without benefit suspension if filling a critical shortage vacancy.

Literacy

Act 607 requires dyslexia education as a component of teacher education programs.

Act 622 requires charter schools to report screening results of dyslexia and other impediments to learning.

Education

HCR 23 provides for legislative approval of the MFP formula for FY 2022-2023. Includes: an increase in the Supplemental Course Allocation per pupil from \$59 to \$70; a \$2,000 stipend for mentor teachers; an across-the-board pay raise of \$1,500 for certificated personnel and \$750 for non-certificated personnel; and, the inclusion of the Special School District in the MFP Formula.

Elementary & Secondary Education

Act 588 requires all public-school governing authorities to adopt policies regarding installing audio and video cameras in special education classrooms on the request of a student's parent or legal guardian.

Act 624 requires public school governing authorities to provide high school seniors the opportunity to register to vote.

Act 283 requires an athletic team or sporting event sponsored by elementary, secondary, or post-secondary education institutions to be designated based on the biological sex of team members.