

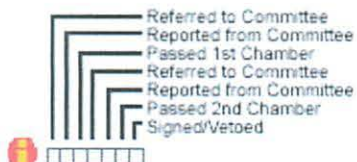


LSBA 2017 LOBBYIST REPORT

Bill Status Report

08-15-2017 - 14:23:55

A - Action in the date range **R** - Link to Related Information () - Priority



LOBBYIST REPORT

HB 27

Connick, Patrick(R)
Claitor(R)

Provides assistance and protection from domestic abuse to all persons presently or formerly living in the same residence as spouses.



Position: Support

Remarks: Importance to the public and administration of justice, consistent with existent law and currency of issue.

LOBBYIST REPORT: The Bar was instrumental in the passage of this bill as it narrowly passed in the House (getting one more than the needed 53 votes) and failed to pass on its first attempt in the Senate, though it ultimately passed 25-13.

Bill History: 08-01-17 G Effective

HB 74

Marcelle, Denise(D)

Provides relative to disposition of children after adjudication of certain felony-grade delinquent acts.



Position: Support

Remarks: This bill extends post-adjudication judicial review to certain juvenile offenders that were previously denied such review. Permits the possibility of parole for juveniles that are currently required to spend their entire sentence in secured custody. Current law does not allow for rehabilitation consideration. Repeals the "Vitter Kids" law. This should result in a substantial cost savings to the State.

LOBBYIST REPORT: While this bill cleared the House Criminal Justice Committee with amendments, it was never heard on the House floor.

Bill History: 05-10-17 H Returned to the calendar - subject to call

HB 227

Shadoin, Rob(R)
Luneau(D)

Provides relative to sealing and delivering depositions.



Position: **Opposed**

Remarks: Provides relative to sealing and delivering depositions. "At the request of the parties," allows the deposition to be sealed and delivered electronically. This is a matter of wide interest and importance to the bar as a whole and the practice of law and has a strong likelihood of passing.

Not all attorneys have embraced technology and it is not always reliable (which is why electronic service must be consented to in writing).

LOBBYIST REPORT: This bill passed easily.

Bill History: 08-01-17 G Effective

HB 282

Norton, Barbara(D)

Provides for equal pay for women.



Remarks: HOD Resolution 06/09/2016: Support legislation that would prohibit discrimination in pay based on race, gender, religion, sexual orientation, national origin, disability, or age.

LOBBYIST REPORT: This bill was not heard in committee—a related bill re "wage transparency" was defeated.

Bill History: 03-30-17 H Referred to House Committee on House Labor and Industrial Relations

HB 322

Jenkins, Sam(D)

Provides relative to advising an enrolled attorney of a court filing.



Remarks: Amends CCP 253 to require service of all pleadings filed with the clerk to be served on "all other attorneys of record in advance or no later than three days after the filing of the pleading." The amendment does not provide for service on unrepresented parties and does not specify the method or manner of service. The amendment could be read to allow up to three days to serve a pleading. The amendment provides for discretionary sanctions for failure to comply.

Service of all pleadings "on the adverse party" is already mandatory under CCP art. 1312 and CCP art. 863 already provides for sanctions if a

certificate of service is signed but service is not made. As amended, CCP 253 would be in conflict with CCP 1312 and could be interpreted as the more recent and specific expression of the will of the legislature and thereby controlling.

LOBBYIST REPORT: After discussions with the author, this bill was withdrawn.

Bill History: 05-01-17 H Withdrawn

HB 325

Thibaut, Major(D)

Provides relative to the repayment or retention of unused court costs.



Position: Support

Remarks: SUPPORT AS ENGROSSED/AMENDED

LOBBYIST REPORT: Clearing the House easily (94-0) as well as the Senate Judiciary A Committee, this bill died in Senate Finance.

Bill History: 05-30-17 S Meeting set for 12:00 P.M. RM. A-B - Senate Finance

HB 384

Broadwater, Chris(R)

Provides for pay equality.



Position: Support

Remarks: HOD Resolution 06/09/2016: Support legislation that would prohibit discrimination in pay based on race, gender, religion, sexual orientation, national origin, disability, or age.

LOBBYIST REPORT: This bill was not heard in committee.

Bill History: 03-31-17 H Referred to House Committee on House Labor and Industrial Relations

HB 426

Marino, Joseph(I)

Suspends child support while a parent is incarcerated. Became HB 680.



Companions: [HB 680](#) Marino, Joseph (Substitute)
1- 1-19 G Effective

Position: Support

Remarks: HOD Resolution 01/21/2017: Support: 1) State efforts to adopt sentencing and correction policies that reflect evidence-based and data-driven solutions to reducing incarceration rates;

and 2) Policies that will reinvest savings from reductions in incarceration into the criminal justice system to adequately fund indigent defense, create access to quality mental health and addiction services, assure validated risk needs assessment, improve community supervision, provide for job placement services, develop prison alternative programs that better protect the public, and reduce collateral consequences to incarceration.

LOBBYIST REPORT: This bill was significantly revised and became HB 680 (see below); we worked with the author throughout the process.

Bill History: 05-10-17 H Substituted by - see HB 680

HB 453 Abramson, Neil(D) Provides relative to the annual notary public filing fee.



Companions: HB 661 Jackson, Katrina (Very Similar)
5- 9-17 H Voluntarily Deferred in Committee House Civil Law

Position: Support

Remarks: HOD Resolution 01/21/2017: Support security funding for the state's Legal Services Corporations through an increase in the annual notarial license renewal fees required of non-attorney notaries, and authorization to seek necessary legislative action to obtain such funding.

LOBBYIST REPORT: This bill never gained sufficient traction in the House Committee on Civil Law amid intense opposition from the Louisiana Notary Assn; it, along with a very similar bill, HB 661, was deferred.

Bill History: 04-12-17 H Removed from hearing 04/13/17 - House Civil Law

HB 467 Chaney, Bubba(R) Provides disclosure procedures for asbestos and silica claims.



Companions: HB 536 Garofalo, Ray (Refiled from 42R Session)

Position: Opposed

Remarks: HOD Resolution 01/23/2010: Oppose: 1) the granting of civil immunities, except in cases where the public policy sought to be favored is sufficiently important, the behavior sought to be

encouraged is directly related to the policy, and the immunity is drawn as narrowly as possible to effect its purpose; and 2) the creation of special rules favoring subclasses of parties in certain types of cases in contravention of our Civil Code and Code of Civil Procedure, unless a clear case is made of the need for these rules

Asbestos and silica bill. This bill has been consistently opposed by the LSBA Legislation Committee as a special law providing special venue rules and limiting the liability of a special class of tortfeasors and limiting access to justice for a subclass of claimants in contravention of HOD policy against certain limitations of liability.

LOBBYIST REPORT: This bill was never heard in committee.

Bill History: 03-31-17 H Referred to House Committee on House Civil Law

HB 514

Armes, James(D)

Provides relative to the confidentiality and expungement of juvenile records.



Position: Support

Remarks: Will protect children by ensuring privacy and security of juvenile records consistent with the Louisiana Constitution and laws. Based on ABA model rule, so legislature will be looking to LSBA for input.

LOBBYIST REPORT: While this bill was not heard in committee, its contents were amended onto HB 506 which did pass.

Bill History: 03-31-17 H Referred to House Committee on House Administration of Criminal Justice

HB 562

Jackson, Katrina(D)

Provides with respect to the levy of state sales and use taxes on certain sales of tangible personal property and services.



Position: Opposed

Remarks: HOD Resolution 06/06/2013: Oppose any proposal to tax legal services in Louisiana.

LOBBYIST REPORT: This bill was not heard in committee.

Bill History: 05-08-17 H Not Heard in Committee House Ways and Means

HB 620

Henry, Cameron(R)
LaFleur(D)

Appropriates funds for the expenses of the judiciary for Fiscal Year 2017-2018.



Companions: [HB 616](#) Henry, Cameron (Refiled from 42R Session)

Position: Support

Remarks: HOD Resolution 01/21/2012; Support adequate compensation for members of the state judiciary, and authorized communication of this support to the Judicial Compensation Commission and the Louisiana Legislature.

LOBBYIST REPORT: We followed closely the passage of the Judiciary appropriations bill.

Bill History: 07-01-17 G Effective

[HB 655](#) Reynolds, Gene(D) Provides with respect to the levy of state sales and use taxes on certain sales of services.



Position: Opposed

Remarks: HOD Resolution 06/06/2013: Oppose any proposal to tax legal services in Louisiana.

LOBBYIST REPORT: This bill deferred.

Bill History: 05-15-17 H Meeting set for 9:30 A.M. Rm. 6 - House Ways and Means

[HB 661](#) Jackson, Katrina(D) Provides relative to the annual notary public filing fee.



Companions: [HB 453](#) Abramson, Neil (Very Similar)
4-12-17 H Removed from hearing
04/13/17, House Civil Law

Position: Support

Remarks: HOD Resolution 01/21/2017: Support security funding for the state's Legal Services Corporations through an increase in the annual notarial license renewal fees required of non-attorney notaries, and authorization to seek necessary legislative action to obtain such funding.

LOBBYIST REPORT: Like HB 453 above, this bill never gained sufficient traction in the House Committee on Civil Law amid intense opposition from the Louisiana Notary Association; it was heard briefly and deferred.

Bill History: 05-09-17 H Voluntarily Deferred in Committee House Civil Law

HB 680

Marino, Joseph(I)
Martiny(R)

Provides relative to child support when a parent is incarcerated. Substitute for HB 426.



Companions:

HB 426 Marino, Joseph (Substitute)
5-10-17 H Substituted by - see HB
680

Remarks: HOD Resolution 01/21/2017: Support: 1) State efforts to adopt sentencing and correction policies that reflect evidence-based and data-driven solutions to reducing incarceration rates; and 2) Policies that will reinvest savings from reductions in incarceration into the criminal justice system to adequately fund indigent defense, create access to quality mental health and addiction services, assure validated risk needs assessment, improve community supervision, provide for job placement services, develop prison alternative programs that better protect the public, and reduce collateral consequences to incarceration.

LOBBYIST REPORT: Originating as HB 426, this bill was significantly revised throughout the process; we worked closely with the author along the way.

Bill History: 01-01-19 G Effective

SB 2

Morrell(D)

Provides that the Louisiana Equal Pay Act be applicable to men and private employers and requires government contractors to verify equal pay practices.



Position: Support

Remarks: HOD Resolution 06/09/2016: Support legislation that would prohibit discrimination in pay based on race, gender, religion, sexual orientation, national origin, disability, or age.

LOBBYIST REPORT: This bill made it out of the Senate committee but died on the Senate floor.

Bill History: 06-02-17 S Set on the Senate Orders

SB 155

Carter(D)

Enacts the Louisiana Employment Non-Discrimination Act.



Position: Support

Remarks: HOD Resolution 06/09/2016; Support legislation that would prohibit discrimination in pay based on race, gender, religion, sexual orientation, national origin, disability, or age.

LOBBYIST REPORT: This bill failed to pass on the Senate floor, 11-24.

Bill History: 06-02-17 S Set on the Senate Orders

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