

# 2023 Legislative Update



## State Representative Aimee Adatto Freeman

P.O. Box 850901  
New Orleans, LA 70185

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## Other Bills of Interest

### FAILED

- HB 117** Would have required public schools to provide free menstrual products in easily accessible locations.
- HB 346 & HB 549** Would have made rape and incest exceptions to new abortion laws.
- HB 228** Would have eliminated the death penalty.
- HB 131** Would have allowed any Louisiana resident 18 or older to carry a concealed firearm without a Concealed Carry permit.
- HB 522** Would have provided for the imposition of fines in place of imprisonment relative to abortion.

### BECAME LAW

- ACT 294** "Chimeric antigen receptor (CAR) T-cell therapy" is a new cancer treatment. Louisiana residents using Medicaid coverage may now receive this therapy in local hospitals offering it.
- ACT 439** Allows the biological mother of a child to recover 50% of costs for pregnancy-related medical expenses from the biological father.
- ACT 411** Motion picture production tax credit program extended to July 1, 2031.
- ACT 403** Establishes a tax credit for firearm safety devices.
- ACT 266** provides for the screening and diagnosing of students with respect to dyslexia.

### VETOED

Governor John Bel Edwards, by line-item veto, restored \$100 Million to the Louisiana Department of Health funding and \$7.5 Million to Early Childhood Education funding. He also vetoed **HB 85**, which would have created the crime of approaching a law enforcement officer while engaged in his/her duties, **HB 81**, which would have required school employees to use the names and pronouns of students that correspond to their birth certificates. **HB 466**, which would have restricted the discussion of gender and sexuality in public school classrooms, and **HB 648**, which would have banned gender-affirming healthcare for minors, which encompasses puberty blockers, hormones, and surgery. HB648's veto was overridden, in a special 2023 Veto Session, by a 2/3 vote of elected members.

# 2023 LEGISLATIVE UPDATE

## State Representative - Aimee Adatto Freeman District 98



**Committees:** Appropriations | Education | Retirement | Joint Legislative Committee on the Budget | Legislative Audit Advisory Council | House Select Committee on Women and Children

**Caucuses:** Louisiana Legislative Women's Caucus | Orleans Delegation | Democratic Caucus Treasurer

Dear Friends and Constituents,

As your Representative, I am honored to report to you on the 2023 Legislative Session. We adopted an operating budget of \$46.5 Billion, investing in infrastructure improvements, including roads and bridges, sewer and water systems, deferred maintenance at colleges and universities, coastal protection and restoration initiatives, as well as port projects.

The 2022-2023 budget reduces state retirement debt and provides teachers with a temporary pay raise. You can view archived videos of committees and floor debates at [legis.la.gov](https://legis.la.gov).

I am pleased to report that New Orleans will see state investment in these important projects:

Sewerage & Water Board, new power plant \$76.7 Million • Orleans Parish Communications District, \$38.6 Million • New Orleans Exhibition Hall Authority Project, \$25.5 Million • Audubon Zoo Improvements, \$19 Million • Chief Justice Pascal F. Calogero, Jr. Courthouse (State Supreme Court), Repairs \$11 Million • New Orleans Science and Mathematics High School, \$5.8 Million • New Orleans Council on Aging, Inc., \$5 Million • Downtown Development District, Harmony Circle, \$4.5 million • Tulane University, Engineering Clean Room Facility, \$3 Million • Pontchartrain Conservancy, Recreational Water Quality Monitoring, \$200,000 • George W. Carver Playground, \$1.75 Million • Eden House, Emergency Shelter, \$850,000 • WYES-PBS Technology Improvements, \$700,000 • YWCA Greater New Orleans, \$700,000 • Audrey Hepburn Center for child victims of sexual abuse, Children's Hospital, \$100,000 •

Thank you for allowing me to represent you! Please reach out to me or my Legislative Assistant, Razan Amira Badr, if we can help you. You can also visit us at the district office at 200 Broadway, Suite 212, near the Tuesday Farmers' Market.

Best,

*Aimee*  
Rep. Aimee Adatto Freeman, District 98

## Taxes

**HB 32** Increases the income tax deductions to \$6,000 per student for elementary and secondary school tuition, education expenses for homeschooled children, and education expenses for a quality public education.

**HB 562** Motion Picture Production Tax Credit – A new graphic will be placed in all subsidized films and mandates certification of federal, state and local tax compliance before a credit is issued, earned, transferred or used and extends the program application deadline to July 1, 2031.

**HB 247** Establishes a tax credit for purchases of firearm safety devices.

**HB 635** Tobacco Tax – Increases the rate of excise tax on vapor products from \$0.05 per milliliter to \$0.15 per milliliter, and dedicates the revenue to salary and benefits for State Police, Department of Wildlife and Fisheries, Office of the State Fire Marshal, and the Public Defender Board.

## Criminal Justice

**SB 117** Increases the minimum and maximum sentences for assault by drive-by shooting.

**HB 439** Enacts the “Victims of Vehicular Homicide Act” that establishes a fund for vehicular homicide victims’ families to apply for reparations when the offender failed to maintain compulsory motor vehicle liability security and the victim failed to maintain uninsured motorist coverage.

**HB 265** Allows for the release and dissemination of an arrestee’s booking photograph as necessary for investigative purposes or to an individual’s surety agent when the individual is released on bail.

**HB 286** Creates a process and form to expunge an arrest record of a misdemeanor first offense possession of marijuana.

**HB 586, HCR 126, HB 90** All deal with fentanyl: allows a civil action for damages for death and injury from fentanyl trafficking and increases penalties for distribution or intent to distribute.

**SB 169** Provides for tracking rape kits from collection through conviction.

## Education

**SB 207** Enacts the “School Safety Act of 2023” to require The Center for Safe Schools to develop statewide panic emergency notification and anonymous reporting systems; bleeding control kits within each school and for employees to be trained in their use; creating a district threat assessment team to have input on the creation and revision of school crisis management and response plans including at least one school safety drill to be conducted during high traffic points during the school day; and in-service crisis management and response training to include an active shooter scenario.

**HB 69** Requires that the Department of Education select a dyslexia screener, available at no cost, and that a classroom teacher administer the screening to each student in the second half of kindergarten.

**HB 12** Prohibits promotion to the fourth grade of students whose reading deficiencies have not been remedied by the end of the third grade.

**HB 121** Requires public schools to provide at least one recess period per school day in kindergarten through fifth grade.

**HB 103** Adds Financial Literacy as a required course for high school students.

**HB 86** Enacts the “Protect Teachers Act” to provide immunity from civil liability to school teachers, principals, and administrators for intervening to protect a student or school employee from battery or aggravated battery.

**HB 472** Requires BESE to grant teaching certifications to out-of-state military personnel and their spouses who hold a valid out-of-state teaching license.

**SB 163** Requires each public school teacher who teaches fourth through eighth grade mathematics to successfully complete a foundational numeracy skills professional development course that is approved by the state Department of Education.

**HB 8** Requires display of the national motto, “In God We Trust”, in every public elementary, secondary, and postsecondary education classroom.

**HB 167** and **HB 485** Create tuition and fee waivers for certain disabled veterans and creates the Louisiana National Guard Patriot Scholarship Program covering mandatory fee for members attending state postsecondary institutions.

## Children

**HB 5** Allows the biological mother of a child to recover 50% of out-of-pocket pregnancy-related medical expenses from the biological father.

**HB 443** Establishes a one-time refundable \$5,000 individual income tax credit for a taxpayer that adopts a child under the age of three.

**SB 64** Enacts “Ezekiel’s Law” which creates the Partners in Protecting Children Subcommittee to coordinate services among agencies that investigate child abuse/neglect.

**HB 643** Enacts “Journie’s Law” to require cytomegalovirus (CMV) testing for children who fail their newborn hearing screening.

**HB 541** Designates RS 40: 2193.6, which requires licensed pediatric day health care facilities install and monitor cameras, as “Lane Allen Gottschalch Law.”

**SB 7** Requires each parish and municipal library to adopt and implement a policy to limit a minor’s access to sexually explicit material.

## Health

**HB 578** Requires Louisiana residents’ health insurance policies to cover smoking cessation programs.

**HB 291** Enacts the “No Patient Left Alone Law” to allow in-person visits at inpatient facilities from family, clergy, or other designated individuals, even during a public health emergency.

**SB 110** Creates the “Cancer Patient’s Right to Prompt Coverage Act” to streamline preauthorization for cancer diagnosis or treatment and mandate coverage for certain scans, outpatient treatments, and other services consistent with nationally recognized guidelines.

**HB 41, HB 272, SB 104, and HB 186** Mandates coverage for occupational therapy services provided

via telehealth, doula support services for pregnant and birthing women, biomarker testing for disease diagnosis or treatment, and fertility preservation services when a medically necessary treatment may cause infertility, respectively.

**HB 516** Authorizes special ID sticker and vehicle registration tags for persons with autism spectrum disorder, or a mental, physical or developmental disability, to better inform law enforcement when such person may be in the vehicle.

## Insurance

**HB 294** Requires insurance companies to provide certain discounts for customers who built or rebuilt buildings to certain fortified standards.

**HB 110** Requires insurers to offer an endorsement to upgrade a non-fortified roof to comply with fortified standards when the roof is damaged and undergoing replacement.

**HB 579** Defines “pet insurance” as property insurance that covers accidents and illnesses of pets, details requirements for policies and distinguishes such policies from a subscription or reimbursement based wellness program.

**HB 369** Extends the current 25% premium discount on automobile insurance for active duty military personnel to Louisiana Air National Guard and the Army National Guard service members.

## Commerce

**HB 653** Establishes the “Granting Unserved Municipalities Broadband Opportunities (GUMBO) 2.0 Program” to facilitate deployment of broadband service in unserved areas of the state.

**HB 77** Enacts the “Pornography Age Verification (PAVE) Act” to allow the attorney general to investigate and fine commercial entities that intentionally publish or distribute materials harmful to minors without verifying the age of the individuals accessing that materials.

## Social Media

**HB 361** Prohibits the use of TikTok and related applications on computers and certain networks owned or leased by the state.

**HB 61** Requires the consent of a minor’s legal representative to enter into an interactive computer service contract.

**SB 162** Enacts the “Secure Online Child Interaction and Age Limitation Act” that prohibits a social media company to allow a minor in this state to hold a social media account unless the minor has consent from a parent or guardian.

## Government

**HB 597** Establishes the Louisiana Transparency Portal to provide comprehensive financial and other information to the public.

**SB 201** Allows most non-local public bodies to conduct some meetings via electronic means from an anchor location. Requires most public bodies to allow participation via electronic means or viable alternative to members of the public with ADA-recognized disabilities and caregivers upon request. Requires most public bodies with a member with an ADA-recognized disability to allow that member to participate via electronic means.

**HB 563** Creates an incentive payment program for newly-employed law enforcement officers.

**HB 362** Prohibits re-electing or re-appointing a police chief who served at least one year and who has not completed required chief management training.

**SB 33** Increases the supplemental pay of eligible law enforcement and fire service employees.

**SB 18** Reforms the method for funding and granting increases to retiree benefits within the four state retirement systems including a transition period from the current Experience Account (that relies on “excess” investment returns) to a PBI/COLA Account (that relies on dedicated employer contributions). Includes Permanent Benefit Increases (PBI) for LSERS, LSPRS, and TRSL, and Cost-of-Living Adjustments (COLA) for LASERS.

## Foreign Adversaries

**HB 537** Prohibits the purchase, lease, or acquisition of immovable property by foreign adversaries or persons connected with a foreign adversary.

## Environment

**SCR 17** and **SCR 6** Approves the comprehensive master plan for integrated coastal protection and approves the annual integrated coastal protection plan. The state’s “coastal master plan” must be updated every six years and sets out the strategy to combat coastal land loss and storm surge flood risk. 2023’s master plan projects include: 65 restorations; 12 structural risk reductions; \$11 billion for nonstructural risk reductions; and \$19 billion for dredging.

**HB 571** Carbon capture and sequestration - Requires:

- Notice to parishes of an application for a permit related to carbon capture and sequestration (CCS).
- Revenue sharing for CCS projects on state lands or water bottoms (30% to parishes, 30% to the Mineral and Energy Board, and 40% to the state general fund).
- Submission of an environmental analysis as part of the application for a Class VI injection well permit, and increases funding for the Carbon Dioxide Geologic Storage Trust Fund.

## Ports

**SB 74** Creates the Southeast Louisiana Port Authority Advisory Commission to provide the legislature and the Department of Transportation and Development with a broad perspective regarding maritime ports and transportation-related matters to be considered in formulating department policies concerning the Louisiana maritime port system located along and near the lower Mississippi River. Includes representatives of the maritime port industry located in Ascension, East Baton Rouge, Iberville, Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, and West Baton Rouge parishes.

## Elections

**HB 449** Requires the Secretary of State to appoint an Americans with Disabilities Act (ADA) compliance officer and include ADA training in the election commissioners’ instruction course.