

Regular Session, 2003

HOUSE BILL NO. 601

BY REPRESENTATIVES BOWLER, BRUNEAU, LANCASTER, PITRE,  
SNEED, AND WALSWORTH

ADMINISTRATIVE PROCEDURE: (Constitutional Amendment) Provides  
with respect to administrative law, administrative law judges, and  
judicial review of administrative agency determinations

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A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to add Article XII,  
Section 15, relative to administrative law; to authorize the legislature  
to provide by law for the creation, duties, and powers of a system of  
administrative law, for the employment, qualifications, and authority of  
administrative law judges, and with respect to appeals by governmental  
agencies seeking review of administrative decisions; to provide for  
submission of the proposed amendment to the electors; and to provide  
for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of  
the members elected to each house concurring, that there shall be submitted to  
the electors of the state of Louisiana, for their approval or rejection in the  
manner provided by law, a proposal to add Article XII, Section 15 of the  
Constitution of Louisiana, to read as follows:

## 1 ARTICLE XII. GENERAL PROVISIONS

2 §15. Administrative Law

3 Section 15.(A) Authorization. The legislature may provide by  
4 law for the creation of a system of administrative law to commence and  
5 handle all adjudications in the manner required by the Administrative  
6 Procedure Act.

7 (B) Administrative Law Judges. The legislature may provide  
8 by law for the employment, qualifications, and authority of  
9 administrative law judges.

10 (C) Appeals. The legislature may provide by law for access to  
11 courts by a governmental agency or public official seeking judicial  
12 review of an administrative agency determination.

13 Section 2. Be it further resolved that this proposed amendment shall be  
14 submitted to the electors of the state of Louisiana at the gubernatorial primary  
15 election to be held in 2003.

16 Section 3. Be it further resolved that on the official ballot to be used at  
17 said election there shall be printed a proposition, upon which the electors of  
18 the state shall be permitted to vote FOR or AGAINST, to amend the  
19 Constitution of Louisiana, which proposition shall read as follows:

20 To authorize legislation creating a system of administrative law  
21 to commence and handle all administrative adjudications,  
22 providing for the employment, qualifications, and authority of  
23 administrative law judges, and providing with respect to access  
24 to the courts by a governmental agency or public official seeking  
25 judicial review of an administrative agency determination.

26 (Adds Article XII, Section 15)

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 DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Bowler, et al.

HB No. 601

**Abstract:** Authorizes the legislature to create a system of administrative law, to provide for administrative law judges and for judicial review of administrative agency determinations.

Proposed constitutional amendment authorizes the legislature to create a system of administrative law to commence and handle all adjudications in the manner required by the Administrative Procedure Act, provide for the employment, qualifications, and authority of administrative law judges, and provide relative to access to the courts by a governmental agency or public official seeking judicial review of an administrative agency determination.

Provides for submission of the proposed amendment to the voters at the gubernatorial primary election to be held in 2003.

(Adds Const. Art. XII, §15)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Removes provision of proposed constitutional amendment that specified that the legislature may enact such laws notwithstanding any other provision of the constitution.

House Floor Amendments to the reengrossed bill.

1. Removes proposed change to Art. V, §16(A) excepting administrative agency determinations from original jurisdiction of the district court.