

2015 Regular Session

SENATE BILL NO. 43

BY SENATOR APPEL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BESE. Requires BESE to adopt rules in accordance with the APA prior to implementing certain programs, statements, guidelines, or requirements for conduct. (gov sig)

1 AN ACT

2 To enact R.S. 17:6.1, relative to the State Board of Elementary and Secondary Education;  
3 to require the board to adopt rules in accordance with the Administrative Procedure  
4 Act for certain programs, statements, guidelines, or requirements for conduct; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:6.1 is hereby enacted to read as follows:

8 **§6.1. Rulemaking**

9 **The board shall adopt rules in accordance with the Administrative**  
10 **Procedure Act for any program, statement, guideline, or requirement for**  
11 **conduct or action prescribed by the board, the state superintendent of**  
12 **education, and the state Department of Education. The provisions of this**  
13 **Section shall not apply to any statement, guideline, or requirement regulating**  
14 **only the internal management of the board or the state Department of**  
15 **Education.**

16 Section 2. This Act shall become effective upon signature by the governor or, if not  
17 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 3 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

## DIGEST

SB 43 Original

2015 Regular Session

Appel

Proposed law requires BESE to adopt rules in accordance with the Administrative Procedure Act for any program, statement, guideline, or requirement for conduct or action prescribed by the board, the state superintendent of education, and the state Department of Education. Provides that the provisions of proposed law shall not apply to any statement, guideline, or requirement regulating only the internal management of the board or the state Department of Education.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:6.1)