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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

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DIGEST

SB 332 Engrossed

2016 Regular Session

Morrell

Proposed law provides with respect to discrimination in various provisions of law. In general, adds sexual orientation and gender identity or expression in provisions prohibiting or describing discrimination. Also adds age, sex, or disability in a number of such provisions.

Proposed law (R.S. 23:302(9) & (10)) add definitions of "sexual orientation" and "gender identity or expression" for purposes of the Louisiana Employment Discrimination Law and provisions for unlawful discrimination in employment. Defines "sexual orientation" as an individual's actual or perceived heterosexuality, homosexuality, or bisexuality. Defines "gender identity or expression" as a gender-related identity, appearance, expression, or behavior of a person, regardless of the person's assigned sex at birth.

Present law (R.S. 12:1041(A)) authorizes the attorney general to institute civil proceedings to annul, vacate, or forfeit the articles of incorporation and franchise of a domestic corporation, or to revoke the certificate of authority to transact business in this state of a foreign corporation when:

- (1) A corporation officer or person controlling corporate management or operation, with the knowledge of the president and a majority of the board of directors or under circumstances such that they should have knowledge, is engaged in any unlawful activity aimed at organized homosexuality, organized crimes against nature, organized prostitution, organized gambling, organized narcotics, organized extortion or organized embezzlement; or
- (2) A director, officer, employee, agent, or stockholder acting for such corporation has, in conducting the corporation's affairs, purposely engaged in any unlawful activity aimed at homosexuality, crimes against nature, intimidation and coercion, bribery, prostitution, gambling, extortion, embezzlement, unlawful sale of narcotics or other illegal conduct, with the knowledge of the president and majority of the board of directors or under such circumstances that they should have knowledge, with the intent to compel or induce other persons, firms, or corporations to deal with such corporation or engage in such illegal conduct; and
- (3) For the prevention of future illegal conduct of the same character, the public interest requires the corporation charter to be annulled, vacated, or forfeited and the corporation to be dissolved or the certificate of authority to transact business in the state revoked.

Proposed law retains present law except removes references to homosexuality.

Effective August 1, 2016.

(Amends R.S. 4:193(B), R.S. 9:3583, R.S. 12:1041, R.S. 14:107.2(A) and 326(C), R.S. 15:1204.2(B)(4) and 1402(A), R.S. 17:111, 158(F), 1676(D), 2053(D)(3), 3402(A), and 3991(B)(3), R.S. 22:1452(C)(25), 1454(A), and 1964(7)(f), R.S. 23:332 and 2043(B)(1), R.S. 27:27.2(B) and 27.4, R.S. 37:1025(B), 1107(C), 1360.23(H), 1437(D), 1455(A)(28), 2654(C)(1), 2719, 3425(C), and 3447(C), R.S. 38:2315, R.S. 39:1411, R.S. 40:1133.1(C), 2113.4(A), 2113.6(A)(1) and (B), 2120.35(B)(5), 2125(B), 2403(H)(1), and 2504, R.S. 46:437.11(A), 1104, 1134, 1154, 1407(B)(1)(e)(intro para) and (F), 1995, and 2205, R.S. 47:37(C) and 287.755(C), R.S. 48:274.1(C), R.S. 49:145 and 146(A)(1), and R.S. 51:2231(A), 2232(5), 2235(16)(a), 2236(A), 2237(2), 2247, 2248, 2254(1) and (2), 2255(A) (intro para), 2602(A), 2606(A)(1)-(5), 2607(A) and (C), and 2608; adds R.S. 23:302(9) and (10))