HLS 21RS-740 ORIGINAL

2021 Regular Session

HOUSE BILL NO. 259

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BY REPRESENTATIVE HORTON

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

AN ACT

EMPLOYMENT: Provides relative to employment for persons with disabilities

2	To amend and reenact R.S. 23:1472(12)(F)(III)(d), to provide for employment; to provide
3	for persons with disabilities; to provide for definitions; and to provide for related
4	matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S.23:1472(12)(F)(III)(d) is hereby amended and reenacted to read as
7	follows:
8	§1472. Definitions
9	As used in this Chapter, the following terms shall have the meanings ascribed
10	to them in this Section, unless the context clearly indicates otherwise:
11	* * *
12	(12)
13	* * *
14	F. The term "employment" shall include:
15	* * *
16	III. For the purposes of Subparagraphs (I) and (II) of this Paragraph the term
17	"employment" does not apply to service performed:
18	* * *
19	(d) In a facility conducted for the purpose of carrying out a program of
20	rehabilitation for an individuals individual whose earning capacity is impaired by age

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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or physical or mental deficiency or injury affected by an injury or a developmental, intellectual, physical, or age-related disability or providing remunerative work for an individuals individual who because of their his impaired physical or mental intellectual capacity cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work; provided however, if an individual's employment is otherwise defined as employment under this Paragraph and the individual is performing work under the AbilityOne Program or a similarly set-aside program under the laws of the United States, the individual's employment shall be considered employment under this Paragraph;

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 259 Original

2021 Regular Session

Horton

Abstract: Provides relative to employment for persons with disabilities.

<u>Present law</u> provides that for the purpose of <u>present law</u>, the term "employment" does not apply to service performed in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impairment cannot readily compete in the labor market.

<u>Proposed law</u> changes <u>present law</u> by updating terminology referring to persons with disabilities.

<u>Proposed law</u> further provides for an exception that states that an individual's employment shall be considered employment under <u>present law</u> if the individual's employment is defined as employment under <u>present law</u> and the individual is performing work under the AbilityOne Program or a similarly set-aside program under federal law.

(Amends R.S. 23:1472(12)(F)(III)(d))