2025 Regular Session

HOUSE BILL NO. 99

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## BY REPRESENTATIVE BILLINGS

2	To amend and reenact R.S. 49:978.1(A) and 992(B)(3) and to enact R.S. 49:978.1(H),
3	relative to administrative hearing decisions and judicial review of such decisions; to
4	provide relative to interpretation of statutes and rules; to provide for entitlement to
5	seek judicial review; to provide for an effective date; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 49:978.1(A) and 992(B)(3) are hereby amended and reenacted and
9	R.S. 49:978.1(H) is hereby enacted to read as follows:
10	§978.1. Judicial review of adjudication
11	A.(1) Except as provided in R.S. 15:1171 through 1177, a person party who
12	is aggrieved by a final decision or order in an adjudication proceeding is entitled to
13	judicial review under this Chapter whether or not he has applied to the agency for
14	rehearing, without limiting, however, utilization of or the scope of judicial review
15	available under other means of review, redress, relief, or trial de novo provided by
16	law. A preliminary, procedural, or intermediate agency action or ruling is
17	immediately reviewable if review of the final agency decision would not provide an
18	adequate remedy and would inflict irreparable injury.
19	(2) However, if the agency conducting the adjudication proceeding issues the
20	final decision or order, the agency conducting the adjudication proceeding shall not
21	be entitled to seek judicial review under this Chapter.

AN ACT

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(2)(a) No agency or official thereof or other person acting on behalf of an

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(b) The provisions of Subparagraph (a) of this Paragraph shall the Department of Children and Family Services or an official there person acting on behalf of the department or official in appeals brought Children's Code Article 616.1.1.    * * * * * * * * * * * * * * * * * *		
the Department of Children and Family Services or an official there person acting on behalf of the department or official in appeals brought Children's Code Article 616:1.1:  * * * *  H. In interpreting a state statute or rule, a court, administrative hearing officer presiding over a contested case, hearing, or appeal shall the agency's interpretation of the statute or rule. The court, administrative hearing officer shall interpret the meaning of the statute or rule de nove  * * *  Sy92. Applicability; exemptions; attorney fees; court costs  * * *  B.  (3)(a) Nothing in this Section shall affect the right to or manner appeal in any adjudication, irrespective of whether or not such adjudication appeal in any adjudication by an agency.  (b) However, if the agency conducting the adjudication proceeding be entitled to seek judicial review under this Chapter;  (b)(i) However, no agency or official thereof, or other person decision made pursuant to this Chapter:  (ii) The provisions of Item (i) of this Subparagraph shall not a decision made pursuant to this Chapter:  (iii) The provisions of Item (i) of this Subparagraph shall not a decision behalf of the department or official in appeals brought in Children's Code Article 616.1.1.	2	agency or official thereof shall be entitled to judicial review under this Chapter.
person acting on behalf of the department or official in appeals brought  Children's Code Article 616.1.1:  * * * *  H. In interpreting a state statute or rule, a court, administrative hearing officer presiding over a contested case, hearing, or appeal shall the agency's interpretation of the statute or rule. The court, administrative hearing officer shall interpret the meaning of the statute or rule de nove  * * *  \$992. Applicability; exemptions; attorney fees; court costs  B.  (3)(a) Nothing in this Section shall affect the right to or manner appeal in any adjudication, irrespective of whether or not such adjute commenced by the division or by an agency.  (b) However, if the agency conducting the adjudication proceeding final decision or order, the agency conducting the adjudication proceeding be entitled to seek judicial review under this Chapter.  (b)(i) However, no agency or official thereof, or other person behalf of an agency or official thereof, shall be entitled to judicial in decision made pursuant to this Chapter.  (ii) The provisions of Item (i) of this Subparagraph shall not a decision made pursuant to this Chapter.  (iii) The provisions of Item (i) of this Subparagraph shall not a decision made pursuant to this Chapter.  (iii) The provisions of Item (i) of this Subparagraph shall not a decision made pursuant to this Chapter.  (iii) The provisions of Item (i) of this Subparagraph shall not a decision made pursuant to this Chapter.	3	(b) The provisions of Subparagraph (a) of this Paragraph shall not apply to
Children's Code Article 616.1.1.    * * * * * * * * * * * * * * * * * *	4	the Department of Children and Family Services or an official thereof or other
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hearing officer shall interpret the meaning of the statute or rule de nove  * * * *  \$992. Applicability; exemptions; attorney fees; court costs  * * * *  B.  * * * *  (3)(a) Nothing in this Section shall affect the right to or manner  appeal in any adjudication, irrespective of whether or not such adjute  commenced by the division or by an agency.  (b) However, if the agency conducting the adjudication proceeding  final decision or order, the agency conducting the adjudication proceeding  be entitled to seek judicial review under this Chapter.  (b)(i) However, no agency or official thereof, or other personal decision made pursuant to this Chapter.  (ii) The provisions of Item (i) of this Subparagraph shall not a decision made pursuant to this Chapter.  Children's Code Article 616.1.1.	9	hearing officer presiding over a contested case, hearing, or appeal shall not defer to
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14 * * * * *  15 B.  16 * * * *  17 (3)(a) Nothing in this Section shall affect the right to or manner  18 appeal in any adjudication, irrespective of whether or not such adju-  19 commenced by the division or by an agency.  20 (b) However, if the agency conducting the adjudication proceeding  21 final decision or order, the agency conducting the adjudication proceeding  22 be entitled to seek judicial review under this Chapter.  23 (b)(i) However, no agency or official thereof, or other personate behalf of an agency or official thereof, shall be entitled to judicial reduction made pursuant to this Chapter.  26 (ii) The provisions of Item (i) of this Subparagraph shall not a decision made pursuant for this Chapter.  27 Department of Children and Family Services or an official thereof or or acting on behalf of the department or official in appeals brought to Children's Code Article 616.1.1.	12	* * *
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20 * * *	29	Children's Code Article 616.1.1.
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**ENROLLED** 

HB NO. 99

APPROVED: \_\_\_\_\_