
DIGEST

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HB 861 Original

2026 Regular Session

Mike Johnson

Abstract: Provides for the abolition of certain boards, commissions, authorities, like entities and related funds and abolishes the powers, functions, duties, and responsibilities of such entities, and removes references and related provisions.

Proposed law provides for the abolition of certain boards, commissions, authorities, like entities and related funds and abolishes the powers, functions, duties, and responsibilities of such entities, and removes references and related provisions all as follows:

Advisory Commission for La.'s Energy, Environment, and Restoration

Present law provides for the Advisory Commission for La.'s Energy, Environment, and Restoration within the Department of Conservation and Energy to support programs designed to demonstrate to the general public the importance of the La. oil and natural gas exploration, production, and service industry; encourage the wise and efficient use of energy; promote environmentally sound production methods and technologies; develop existing supplies of La.'s oil and natural gas resources; support research and educational activities concerning the oil and gas exploration and production industry; and cause remediation of historical oilfield environmental problems. Provides for the membership of the commission and requires the commission to develop an operational plan and legislative recommendations for the 2021 RS of the Legislature necessary to implement the operational plan by July 1, 2021.

Proposed law repeals present law.

Advisory Subcommittee of the Accountability Commission

Present law requires the Accountability Commission established by the State Board of Elementary and Secondary Education to convene an advisory subcommittee of the commission to report on and make recommendations regarding the overall effectiveness of the evaluation program, including but not limited to any recommendations for changes to board policy or state law with respect to the following: the value-added assessment model as determined by the board, measures of student growth for grades and subjects for which value-added data are not available and for personnel for whom value-added data are not available as established by the board, and elements of evaluation and standards for effectiveness as defined by the board. Provides for membership of the subcommittee and requires a report of recommendations to be submitted prior to the beginning of the 2016 Regular Session of the Legislature.

Proposed law repeals present law.

Ambulance Service District Commission

Present law gives the commission the duty and authority to represent the public interest in facilitating ambulance care in the state, pursue grant funds to advance first responder services, enter into cooperative agreements with other public and private entities, assist ambulance providers in obtaining lowest possible cost for equipment and supplies through group purchasing, appoint a director of the ambulance service district, establish rates of pay for the use of facilities provided by the district, enter into contractual arrangements with recognized and duly constituted ambulance providers which are primarily engaged in the operation of ambulance-related functions in order to enhance Medicaid funding and reimbursement, designate a bank to act as agent for depositing funds and designate rules and regulations for safekeeping of the funds acquired, collected, or loaned by or to the district, and to provide for regular audits of the accounts of the district. Grants the commission authority to promulgate rules for the proper disbursement of funds to participating providers. Provides for membership of the commission.

Proposed law repeals present law.

La. Byways Commission

Present law creates the La. Byways Commission within the Dept. of Culture, Recreation and Tourism to provide for the preservation, enhancement, and promotion of special roads within the La. Byways Program that offer historical, cultural, scenic, natural, archeological, recreation, and economic resources for the state. Provides for the commission to be comprised of 9 members. Grants the commission the power to make recommendations for additions or deletions of highways or segmentation of highways in the La. Byways Program, make recommendations regarding priorities for byways grants, develop promotional materials and campaigns of all types in support of the La. Byways Program and adopt and promulgate rules. Present law requires that any byway suggested to be included in the Louisiana Byways Program have approval of La. Byways Commission.

Proposed law repeals present law.

La. Centers of Excellence Financing Corporation

Present law authorizes the formation and incorporation of the La. Centers of Excellence Financing Corporation as a nonprofit corporation, the purpose of which shall be the financing of the design, acquisition, purchase, construction, renovation, improvement, equipping or expansion of centers of excellence to be leased to the La. Community and Technical Colleges System and used as centers of excellence. Provides that the corporation shall be governed by a board of seven directors. Provides for various powers and duties of the corporation, including the power to issue bonds and provides relative thereto.

Proposed law repeals present law.

Present law provides that upon dissolution of the corporation, title to all property owned by the corporation shall vest in the successor corporation created by the legislature, if any, if such successor corporation qualifies under § 103 of the Federal Internal Revenue Code of 1986, as amended, to issue obligations the interest on which is exempt from federal income taxation. If no such successor corporation is so created, title to such property shall vest in the state.

Proposed law repeals present law.

Centers of Excellence Program

Present law provides that the Board of Supervisors of Community and Technical Colleges, with the approval of and in coordination with the Board of Regents, may establish a Centers of Excellence Program to provide customized educational and training programs to meet areas of need as identified by La. business and industry. Provides that the board may establish an advisory board composed of not more than seven members which shall have the duty to assist in the identification of the needs of business and industry, provide consultation regarding admissions, curriculum, equipment needs, tuition and fee models, and other aspects of the operation of a Center of Excellence.

Present law provides that the Center of Excellence may be established only with private sector support, including funding or the donation of land or equipment, and shall be operated on a business model conducive to real-time market responsiveness which provides for flexibility in pricing, service delivery, and administration.

Proposed law repeals present law.

Clerks of Court Certification Program Committee

Present law creates the clerks of court certification program committee to govern the La. Clerks of Court Certification Program. Provides for the committee to be composed of 5 members.

Proposed law repeals present law.

Present law requires that documents showing the successful completion of the certification program be submitted to and approved by the certification committee.

Proposed law repeals the requirement that approval be given by the certification committee.

Present law provides that if, on July 1, 1990, a clerk has completed certain educational and experience requirements and the documents showing the successful completion of the program have been submitted to and approved by the certification committee and said approval documented to the legislative auditor, the clerk shall be granted a 7% increase in compensation to his annual salary.

Proposed law repeals the requirement that approval be given by the certification committee.

Coastal Protection and Restoration Financing Corporation

Present law creates the Coastal Protection and Restoration Financing Corporation as a special purpose, public corporate entity, an instrumentality independent of the state that is a public corporate body, intended, and has a legal existence, separate and distinct from the state.

Present law provides for membership of the corporation board and provides that the corporation's purposes are, and it shall have the authority and powers, to carry out the financing, purchasing, owning, and managing of the Offshore Royalty Revenues and the Offshore Royalty Revenue Assets, the DWH NRD revenues and the DWH NRD assets, and the RESTORE revenues and the RESTORE assets, the corporation being vested with all the powers of a private corporation to effectuate the purposes of the corporation, to issue bonds as authorized by present law and refund any of such bonds.

Present law provides that the corporation shall have perpetual existence; provided, however, the board shall dissolve and terminate the existence of the corporation no later than two years after the date of final payment of all outstanding bonds and the payments or satisfaction of all other outstanding obligations and liabilities of the corporation, except to the extent necessary to remain in existence, and only for such additional time, as shall be necessary to fulfill any outstanding covenants or agreements with holders or other parties. Provides that upon dissolution of the corporation, title to all assets and properties of the corporation shall vest in and become the property of the state and shall be deposited in and credited to the Coastal Protection and Restoration Fund, and the corporation shall execute all necessary conveyances, assignments or other documents to establish and evidence such transfer and ownership, including all conveyances or assignments of all rights, title and interest to the offshore royalty revenues.

Proposed law repeals present law.

La. Commission on Uniform State Laws

Present law provides that the president of the Senate and the speaker of the House of Representatives shall each appoint two persons who shall constitute the La. Commission on Uniform State Laws. Provides that the commission shall examine the subjects upon which uniformity of legislation in the various states is desirable, confer upon these matters with the commissioners appointed by other states and territories for the same purpose, consider and draft uniform laws to be submitted for approval and adoption by the several states, and generally devise and recommend such other or further course of action as shall accomplish uniformity of legislation.

Proposed law repeals present law.

Criminal Justice Priority Funding Commission Program

Present law establishes the Criminal Justice Priority Funding Commission (commission) to review applications submitted to the Criminal Justice Priority Funding Commission Program (program) and make recommendations for funding to the Joint Legislative Committee on the Budget (JLCB). Provides for the commission to be made up of 12 members.

Proposed law repeals present law.

Present law establishes the program to provide funding for grants to non-state entities for the building, repair, or refurbishment of fully operational juvenile detention centers to house both pre-adjudicated and post-adjudicated juveniles, for building and repairs to facilities owned by the office of juvenile justice, for grants to non-state entities and the Dept. of Public Safety and Corrections for the building, repair, or refurbishment of adult correctional and detention facilities, grants to parish sheriffs for the building, repair, or refurbishment of necessary law enforcement facilities in the custody and control of the sheriff, and grants to non-state entities and funding for state entities for other criminal justice priorities. Provides that the division of administration shall administer the program in consultation with relevant state agencies and other stakeholders and shall begin accepting applications no later than Sept. 1, 2024, and within 45 days of the end of the application period, the division shall submit the working panel's ratings of proposed projects and recommendations for funding for the projects to the commission.

Proposed law repeals present law.

Present law provides that beginning Jan. 1, 2025, the division shall submit a quarterly status update, including a construction progress report, for projects that received funding approval to the commission and JLCB. Provides that each recipient that receives funding pursuant to present law shall be subject to audits conducted by the La. legislative auditor.

Proposed law repeals present law.

Encore Louisiana Commission

Present law creates the Encore Louisiana Commission as an agency of the state in the office of the lieutenant governor. Provides for membership and duties, including formulating a strategic plan for and taking other actions related to the attraction and retention of persons 50 years old and above. Authorizes the commission to adopt rules and regulations, in accordance with the Administrative Procedure Act.

Proposed law repeals present law.

First Responders Subcommittee of the Unified Command Group

Present law establishes the first responders subcommittee as one of four permanent subcommittees of the Unified Command Group (UCG) composed of 8 members. Provides that the subcommittee shall plan and advise on issues identified by the Governor's Office of Homeland Security and Emergency Preparedness and the UCG regarding first responders.

Proposed law repeals present law.

Floodplain Evaluation and Management Commission

Present law contingent on sufficient appropriations, requires the Floodplain Evaluation and Management Commission, no later than March 1, 2022, and at least once every five years thereafter, shall review and revise the statewide flood information database developed for the purpose of the systematic evaluation of drainage and flooding problems in the state. Requires the commission to review development proposals to ensure that no development in one parish or municipality will have a negative or detrimental effect in any other parish or municipality. The commission shall ensure that maintenance in any basin area across parish or municipal boundaries, including the clearing and de-snagging of the Amite and Comite Rivers, are performed according to any contractual obligations and state law. Provides for membership.

Proposed law repeals present law.

Present law requires that the final revision of the database to be furnished to the Joint Legislative Committee on Transportation, Highways and Public Works and the Flood Control Project Evaluation Committee prior to the beginning of the 2022 RS of the Legislature and every fifth year thereafter. However, that portion of the final revision encompassing the Amite River Basin shall be furnished to the committee and the Flood Control Project Evaluation Committee prior to the beginning of the 2020 RS of the Legislature. Prior to each legislative session beginning with the 2023 RS of the Legislature, the evaluation committee shall submit a recommended list of projects, including supporting data, to the committee. The committee shall conduct hearings to receive the revision of the flood information database and the recommendations from the evaluation committee.

Proposed law repeals present law.

La. Health Plan Board of Directors

Present law provides for the creation of the La. Health Plan board of directors and for membership of the board, which shall submit a written report of the operation of the plan to the commissioner of insurance and the house and senate committees on insurance by April 1st of each year.

Proposed law repeals present law.

Housing and Transportation Planning and Coordinating Commission

Present law authorizes that La. Housing Corporation to establish the Housing and Transportation Planning and Coordinating Commission as an advisory committee. The primary purpose of this commission shall be to advise the corporation in coordinating the integration of planning and spending by local governments, parish and municipal governing authorities, redevelopment authorities, and the Dept. of Transportation and Development on housing and transportation needs. The commission shall recommend multiple modes of transportation and multiple types of housing developments to be planned so as to provide planned recreational growth, more fully integrated and livable communities, and effective spending of public funds for the betterment of life for La. citizens.

Present law provides that the commission shall create a statewide housing plan for state agencies and conduct a parish-by-parish assessment of housing. The assessment shall be conducted once every five years and the statewide housing plan shall be updated based on the most recent assessment. The commission shall advise and provide recommendations to the La. Housing Corporation board.

Proposed law repeals present law.

Hunting and Fishing Advisory Education Council

Present law provides for the Hunting and Fishing Advisory Education Council to be established within the Dept. of Wildlife and Fisheries to promote the many benefits of hunting and fishing among La. citizens and to educate the citizens of the state on those benefits. Provides for membership and requires the council to develop plans and strategies to promote public awareness that fees, taxes, and traditional expenditures of hunters and anglers provide financial support for the management of fish and wildlife resources, habitat conservation and management, and the enforcement of fish and wildlife laws, and contribute to the local and national economy.

Proposed law repeals present law.

Interoperability Subcommittee of the Unified Command Group

Present law establishes the interoperability subcommittee as one of four permanent subcommittees of the Unified Command Group (UCG), composed of 12 members. Provides that the subcommittee shall design, construct, and assist in administering and maintaining a statewide communications interoperability plan for first responders with the ability to transport and receive voice, data, image and video information during day-to-day operations, natural disasters, emergency response situations,

and terrorist attacks.

Proposed law repeals present law.

Intrastate Mutual Aid Subcommittee

Present law establishes the Intrastate Mutual Aid Subcommittee in the office of the governor, composed to review the progress and status of providing statewide mutual aid in times of disaster, assist in developing methods to track and evaluate the activation of the mutual aid system, examine issues facing participating parishes regarding the implementation of this compact, and prepare an annual report on the condition and effectiveness of mutual aid in the state, make recommendations for correcting any deficiencies, and submit that report to the governor and the Joint House and Senate Select Committees on Homeland Security.

Proposed law repeals present law.

Latino Commission

Present law establishes the Latino Commission within the executive branch of the state government in the office of the governor, domiciled in New Orleans and provides the composition of the commission. Provides for the powers and duties of the commission and provides the commission shall identify obstacles to the effective delivery of governmental services by all service providers at all levels of government to Latino Americans, and the commission shall propose methods for removing those obstacles from such delivery of services and submit its proposals to the appropriate governmental entity or entities.

Proposed law repeals present law.

La. Music Trail Commission

Present law establishes the La. Music Trail Commission for the purpose to commemorate and to promote awareness and encourage enjoyment of the stories, biographies, and points of interest in blues, rock and roll, country, zydeco, cajun, jazz, rhythm and blues, hip-hop, swamp pop, gospel, and other music types throughout La. Provides the Dept. of Culture, Recreation, and Tourism may establish a process and criteria for adding routes to the music trail and provides any political subdivision may request that a specified segment of a state or U.S. highway be included in the trail. Provides for the composition and duties of the commission.

Proposed law repeals present law.

La. Natural Resources Trust Authority

Present law establishes the La. Natural Resources Trust Authority governed by the State Mineral and Energy Board and provides the authority shall develop a strategic plan outlining the financial challenges facing energy and natural resources-related projects in the state and the authority's plans

and goals in addressing them. Provides the authority may establish an executive committee with delegated responsibilities, excluding interest rate determinations. Provides for the powers and duties of the authority.

Proposed law repeals present law.

La. Tax Institute

Present law establishes within the legislature the La. Tax Institute which shall serve as the official advisory tax law revision and tax law reform agency of the state of La. Provides for the composition of the institute and provides or how vacancies for to be filled. Provides the institute is formed to promote and encourage the clarification and simplification of the tax laws of La. and its political subdivisions. Provides for reports and recommendations to be sent to the legislature.

Proposed law repeals present law.

Medical Disclosure Panel

Present law creates the Medical Disclosure Panel within the Dept. of Health to determine which risks and hazards related to medical care and surgical procedures must be disclosed by a physician or other health care provider to a patient or person authorized to consent for a patient and to establish the general form and substance of such disclosure. Provides for the composition of the panel and provides for the terms of the members of the panel. Provides for removal of members and provides a member is not entitled to any compensation for their service but may be entitled to some reimbursement. Provides the panel shall identify and make a thorough examination of all medical treatments and surgical procedures in which physicians and other health care providers may be involved in order to determine which of those treatments and procedures do and do not require disclosure of the risks and hazards to the patient or person authorized to consent for the patient. The panel, initially, shall examine all existing medical disclosure lists and update and repromulgate those lists. Provides the panel shall prepare separate lists of those medical treatments and surgical procedures that do and do not require disclosure and for those treatments and procedures that do require disclosure shall establish the degree of disclosure required and the form in which the disclosure will be made.

Proposed law repeals present law.

Present law provides at least annually, or at such other period as the panel may determine, the panel shall identify and examine any new medical treatments and surgical procedures that have been developed since its last determinations, shall assign them to the proper list, and shall establish the degree of disclosure required and the form in which the disclosure shall be made. The panel shall also review and examine such treatments and procedures for the purpose of revising lists previously published. Provides before a patient or a person authorized to consent for a patient gives consent to any medical or surgical procedure that appears on the panel's list requiring disclosure, the physician or other health care provider shall disclose to the patient, or person authorized to consent for the patient, the risks and hazards involved in that kind of care or procedure. Provides consent

to medical care that appears on the panel's list requiring disclosure shall be considered effective pursuant to present law, if it is given in writing, signed by the patient or a person authorized to give the consent and by a competent witness, and if the written consent specifically states, in such terms and language that a layman would be expected to understand, the risks and hazards that are involved in the medical care or surgical procedure in the form and to the degree required by the panel pursuant to present law.

Proposed law repeals present law.

Present law provides in a suit against a physician or other health care provider involving a health care liability or medical malpractice claim that is based on the negligent failure of the physician or other health care provider to disclose or adequately to disclose the risks and hazards involved in the medical care or surgical procedure rendered by the physician or other health care provide both the disclosure made as provided in present law and the failure to disclose based on inclusion of any medical care or surgical procedure on the panel's list for which disclosure is not required shall be admissible in evidence and shall create a rebuttable presumption that the requirements of present law have been complied with, and this presumption shall be included in the charge to the jury.

Proposed law repeals present law.

State Parks and Recreation Commission

Present law creates the State Parks and Recreation Commission with the purpose to promote the goals and objectives of the office of state parks and act in an advisory capacity to that office and its assistant secretary and the secretary of the department in matters relating to parks, recreation, facilities, programs, and the efficient administration thereof. Provides for the composition of the commission and provides the term each appointed member shall serve.

Proposed law repeals present law.

Process Technology Advisory Board

Present law provides the Board of Supervisors of the Louisiana Community and Technical College System shall establish an advisory board, to be known as the Process Technology Advisory Board, which shall assist the board of supervisors in developing and maintaining two-year associate degree programs in process technology. Provides for the composition of the advisory board. Provides the advisory board shall provide statewide coordination of the La. process technology education program as a whole and shall address multi-regional issues and coordinate regional process technology efforts at the state level and further provides the mission of the advisory board.

Proposed law repeals present law.

Rural Water Infrastructure Committee

Present law provides for the composition of the committee. Provides for the duties and functions

of the committee and requires the committee to make recommendation.

Proposed law repeals present law.

La. Sentencing Commission

Present law creates the La. Sentencing Commission and provides the commission shall conduct a continuous review of the state's sentencing structure based upon existing criminal law and law relative to criminal procedure. Provides the commission can make recommendations on sentencing and post-conviction relief legislation. Provides the commission shall also conduct a comprehensive review of La.'s current sentencing structure, sentencing practices, probation and parole supervision, and the use of alternatives to incarceration. Provides the commission is under the jurisdiction of the La. Commission on Law Enforcement and Administration of Criminal Justice in the office of the governor. Provides for composition of the commission. Provides for staffing and administrative support for the commission.

Proposed law repeals present law.

State Buildings and Lands Highest and Best Use Advisory Group

Present law creates the State Buildings and Lands Highest and Best Use Advisory Group to be composed of the director of the office of facility planning and control, the director of the office of state lands, the director of the office of risk management, and the director of the office of statewide reporting and accounting policy or their designees. Provides the advisory group may advise the commissioner of administration on all matters relating to state-owned property and development opportunities for the state to enter into public-private development partnerships with private, non-profit or public partners, chosen by competitive bid, in order to develop and manage state-owned real estate in a manner that achieves the highest and best use of the property. Requires that, by Nov. 1 each year, each executive branch including higher education agencies, in cooperation with the parish planning authority or parish governing authority of the parish in which the property is located, report to the advisory group any land or buildings under the control of such agency that, in the estimation of the agency, is being underutilized or may represent an opportunity to be developed in accordance with the highest and best use of the property.

Proposed law repeals present law.

Present law provides that the advisory group shall review and analyze the agency reports and shall, not later than Jan. 15 each year, make recommendations to the commissioner of administration regarding which properties present the most promise for development or including public-private development of such properties. Provides that the commissioner shall review the list of properties recommended by the advisory group and finalize the list by accepting the list or by removing properties from the list. At the regular March meeting of the Joint Legislative Committee on the Budget, the commissioner of administration shall present the final list of such properties with a plan for the development of the highest and best use of such properties.

Proposed law repeals present law.

Waste Tire Task Force

Present law creates a Waste Tire Program Task Force. Provides the task force is charged with the responsibilities to study, report, and make recommendations on the Dept. of Environmental Quality's waste tire program, including the laws, rules, and regulations governing the program and the fee structure and financial obligations of the program, and to submit a report of its findings and recommendations to the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality annually. Provides for the composition of the task force.

Proposed law repeals present law.

(Amends R.S. 13:782(J)(2)(a) and (b), R.S. 29:723(18), 725(K)(2), and 739(E)(3), R.S. 30:521(A)(1), R.S. 40:1157.1(E), and R.S. 56:1948.4(B); Repeals §3 of Act No. 323 of the 2013 Regular Session of the Legislature, §2 of Act No. 427 of the 2015 Regular Session of the Legislature, R.S. 13:782(J)(1), R.S. 15:321-324, R.S. 17:1875, 3398.2(B)-(E), and 3883(A)(6), R.S. 22:1202(3) and 1204, R.S. 24:81-83, R.S. 29:725(K)(3)(a), 725.6(B)(6)(a) and (b), and 739(D), R.S. 30:82(B), 83, and 401-403, R.S. 36:4(B)(18), (25), and (34) and (D)(1), 209(A)(10) and (D)(1), 259(D)(5), 356(B), 356.1, 610(C)(2), and 651(K)(2), R.S. 38:90.2 and 90.5(A), R.S. 39:99.26-99.46, R.S. 39:100.241 and 100.242, 332.1, and 1800.21-1800.35, R.S. 40:600.91(A)(28)(b), 1139.5-1139.8, 1139.11, and 1157.2, R.S. 43:111(A)(9), R.S. 47:1525, R.S. 48:1701-1707 and 1751-1756, R.S. 49:220.31- 220.33 and 1221-1223, R.S. 51:1317-1319, and R.S. 56:699.21 and 699.22, 1948.4(A)(2), 1948.11-1948.13, 1950.21-1950.26, and 1681)