

2026 Regular Session

HOUSE BILL NO. 923

BY REPRESENTATIVE BERAULT

LABOR: Provides relative to the continuing of technical corrections and revisions of provisions of Title 23 of the Louisiana Revised Statutes of 1950

1 AN ACT

2 To amend and reenact R.S. 23:4, 61, 62, 63, 64.1(A)(introductory paragraph) and (2) and

3 (B)(introductory paragraph) and (1), 76(C)(4)(f) and (i), 382(A) and (B), 384(A),

4 385(B), 390(C), 1123, 1178(A)(introductory paragraph), (B), and (E), 1310.3(A),

5 1372, 1378(A)(2)(c) and (E), 1538(A)(1), 1541(A), (E), and (F)(1), 1541.1(A) and

6 (B), 1593, 1595(B)(1) and (C), 1599, 1601(8)(a) and (b), 1624, 1625, 1626(B) and

7 (C), 1627, 1629(A), 1630, 1714(A), 1749.2(A), 2051(A) and R.S. 36:301(C)(1), to

8 enact R.S. 23:1.1, and to repeal R.S. 23:41 through 49, 1178(D), 1226(C)(2), and

9 1601(10)(b), relative to the continuing of technical corrections and revisions of

10 provisions of Title 23 of the Louisiana Revised Statutes of 1950; provides for the

11 reorganization of Louisiana Works; to provide for legislative intent; to provide for

12 workforce and social service programs; to provide for community action agencies;

13 to provide definitions; to provide for the community services block grant; to provide

14 for the apprenticeship council; to provide for the duration, determination, and

15 eligibility unemployment benefits; to provide for notification requirements under

16 certain circumstances; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 23:4, 61, 62, 63, 64.1(A)(introductory paragraph) and (2) and

19 (B)(introductory paragraph) and (1), 76(C)(4)(f) and (i), 382(A) and (B), 384(A), 385(B),

20 390(C), 1123, 1178(A)(introductory paragraph), (B), and (E), 1310.3(A), 1372,

1 1378(A)(2)(c) and (E), 1538(A)(1), 1541(A), (E), and (F)(1), 1541.1(A) and (B), 1593,
2 1595(B)(1) and (C), 1599, 1601(8)(a) and (b), 1624, 1625, 1626(B) and (C), 1627, 1629(A),
3 1630, 1714(A), 1749.2(A), 2051(A) and R.S. 36:301(C)(1) are hereby amended and
4 reenacted and R.S. 23:1.1 is hereby enacted to read as follows:

5 TITLE 23

6 LABOR AND ~~WORKER'S~~ WORKERS' COMPENSATION

7 CHAPTER 1. LOUISIANA WORKS

8 PART I. ESTABLISHMENT, POWERS, AND DUTIES

9 * * *

10 §1.1 Integrated case management; service integration of various workforce and
11 social service programs

12 A. The legislature recognizes that the department provides services to
13 support individuals with various needs and in various stages of life. However, the
14 conventional service delivery system of requiring individuals to access various
15 offices within the state and even within the department to address those multiple
16 needs creates barriers for the delivery of those services and entry into the workforce.
17 These needs can be better met, more efficiently and less costly, through integrated
18 case management at a single service location with a single case worker, even when
19 those services may be provided by multiple state agencies. It is the intent of the
20 legislature to provide a comprehensive, streamlined social services and workforce
21 delivery system that incorporates integrated case management models for customers
22 and their families served by multiple departments and programs.

23 B. For the purposes of this Section:

24 (1) "Integrated case management" means an accessible, customer-centered
25 approach that coordinates the necessary services that meet the needs of each
26 individual or family which, if applicable, establishes a comprehensive, integrated
27 service plan that addresses all of those needs and outcomes, which is continually
28 monitored and updated as necessary.

1 (2) "Integrated service plan" means a plan that is based on the customer's
2 strengths, risks, service needs, and improvement plan.

3 (3) "Service integration" means a process by which a range of social,
4 education, and workforce employment and training services are delivered in a
5 coordinated and seamless manner to provide customer-oriented services, increase
6 early intervention and prevention opportunities, improve outcomes, and establish
7 provider accountability through performance measures. Service integration includes:

8 (a) A "One Door" business model which makes it easier for the customer to
9 obtain services and allows various programs to work seamlessly together across
10 multiple agencies.

11 (b) Cross training among the various program staff across multiple
12 governmental, non-profit, and private sector agencies and organizations to ensure a
13 general understanding of all programs through which a comprehensive plan may be
14 developed for a customer to access.

15 (c) Flexible use of funding among the federal and state programs and, if
16 applicable, departments, agencies, and community programs, comprising a multi-
17 disciplinary team to ensure that the customer receives services for which he is
18 eligible.

19 * * *

20 §4. Divisions of the ~~commission~~ department

21 In addition to divisions, bureaus, boards, and commissions established within
22 the ~~commission~~ department by law, the secretary, with the approval of the governor,
23 may establish any division or bureau deemed advisable for the administration or
24 enforcement of any law with which he is charged. The secretary may combine or
25 consolidate the activities of two or more divisions or bureaus of the ~~commission~~
26 department, or provide for the establishment of any other when such action is
27 deemed advisable for the more efficient and economical administration of the work
28 and duties of the ~~commission~~ department.

29 * * *

1 §61. Purpose

2 The provisions of this Part are intended to ~~maximize community participation~~
3 ~~in the administration and implementation of programs designed to develop~~
4 ~~employment opportunities for individuals with low income and to ameliorate the~~
5 ~~impact of such income level on their physical and mental well-being~~ provide
6 assistance to local communities by working through a network of community action
7 agencies to support employment in order to reduce poverty, revitalize low-income
8 communities, and stabilize low-income families and individuals in rural and urban
9 areas to become fully self-sufficient. To accomplish this purpose, the legislature
10 enacts this Part for the purpose of establishing a procedure for the designation of
11 community action agencies; fixing the responsibilities of community action agencies;
12 defining community action programs; and establishing a formula for the allocation
13 of community service block grant funds.

14 §62. Definitions

15 As used in this Part:

16 (1) "Community action agency" means a public agency or private nonprofit
17 corporation designated by Louisiana Works ~~having authority under its charter or~~
18 ~~bylaws, or both, to administer community action programs, which has been~~
19 ~~designated as a community action agency by the parish governing authority~~ anti-
20 poverty, workforce, and family-support services pursuant to federal and state law.

21 (2) "Community action program" means a community-based and operated
22 program which provides services, assistance, and other activities of sufficient scope
23 and size to give promise of progress toward the elimination of poverty in a
24 community.

25 (3) "Low income" means a household income level established by Louisiana
26 Works, ~~after public hearings~~ and contained within the Community Development
27 Block Grant State Plan, herein referred to as "state plan", below which an individual
28 will be qualified for services delivered through a community action program. The

1 household income level shall not exceed the income eligibility guidelines established
2 by Congress.

3 (4) "One Door" means a coordinated, customer-centered service delivery
4 model through which individuals and families may access multiple workforce,
5 education, and human services programs through a single entry point.

6 §63. Community action agency; appointment, responsibilities

7 A. ~~The parish governing authority, by resolution or ordinance, shall~~
8 ~~designate a community action agency to administer the applicable provisions of this~~
9 ~~Part and such designation shall be on an annual basis. Prior to making such~~
10 ~~designation, the parish governing authority shall conduct a public hearing, after~~
11 ~~giving public notice of its intention to designate an agency. The public hearing shall~~
12 ~~include an evaluation of the administrative and programmatic capabilities of the~~
13 ~~agency or agencies under consideration for designation as the community action~~
14 ~~agency for the area.~~

15 ~~Prior to making such designation, the local governing authority shall consider~~
16 ~~the previous accomplishments of the agency or agencies under consideration for~~
17 ~~designation and the ability of each to conduct community action programs, including~~
18 ~~but not limited to the following service components designed to assist program~~
19 ~~participants to: For purposes of this Part, "community action agency" means an~~
20 ~~entity which was previously designated on the day before the enactment of the Coats~~
21 ~~Human Services Reauthorization Act of 1998 or is designated by the chief executive~~
22 ~~officer of this state, pursuant to Section 676A of the Community Services Block~~
23 ~~Grant Act and has a tripartite board as described in R.S. 23: 64.1 or other mechanism~~
24 ~~as defined by the Community Services Block Grant Act.~~

25 B. Louisiana Works shall be the designated lead agency for the purposes of
26 carrying out state activities as provided for in the Community Services Block Grant
27 Act. Louisiana Works shall develop a state plan with assurances that funds made
28 available to community action agencies shall be used to:

29 (1) Secure and retain meaningful employment.

- 1 (2) Attain an adequate education.
- 2 (3) Make better use of available income.
- 3 (4) Secure and maintain adequate housing.
- 4 ~~(5) Undertake family planning consistent with personal and family goals, and~~
- 5 ~~religious and moral convictions.~~
- 6 ~~(6) Obtain services for the prevention and treatment of habit forming~~
- 7 ~~chemicals and substances, and for rehabilitation services, where needed.~~
- 8 ~~(7)~~(5) Obtain emergency assistance through loans or grants to meet
- 9 immediate and urgent individual and family needs, ~~including health services,~~
- 10 ~~nutritious foods, housing, employment, and related assistance.~~
- 11 ~~(8) Achieve greater participation in the affairs of the community.~~
- 12 ~~(9) Be informed of and obtain income substitutes.~~
- 13 ~~(10)~~(6) Make more frequent and effective use of other programs, public and
- 14 private, that offer services related to the purpose of this Part.

15 B.C. As may be determined necessary or at the request of a legislator or

16 legislative delegation representing a district or districts in which the community

17 action agency provides services, the Joint Legislative Committee on the Budget may

18 direct Louisiana Works, the appropriate state funding agency, or the legislative fiscal

19 office to conduct evaluations of community action agencies providing services ~~under~~

20 pursuant to the provisions of this Part. ~~Such~~ The evaluations may involve specific

21 programs or encompass the entire range of activities, including administration, of

22 any community action agency. ~~Such~~ The evaluations shall be transmitted to the local

23 governing authority, the appropriate legislative delegation, the department, the

24 Senate Committee on Local and Municipal Affairs, the House Committee on

25 Municipal, Parochial and Cultural Affairs, and the Joint Legislative Committee on

26 the Budget.

27 C.D. A community action agency shall:

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (1) Compile information and data which reflects the needs of low income
2 individuals in the geographical area served by the agency and identify the extent to
3 which those needs are unmet by public and private agencies serving the area.

4 (2) Develop and implement programs and projects designed to serve unmet
5 needs of individuals with low income and provide for maximum feasible
6 participation in these programs and projects by eligible individuals.

7 (3) Establish procedures and adopt rules which enable area residents to
8 influence the characters of services provided by community action agencies.

9 (4) Join with and encourage private organizations to undertake activities in
10 support of the community action program that will result in additional use of private
11 resources and capabilities in accomplishing the purposes of this Part.

12 (5) ~~Provide technical assistance to public and private agencies engaged in~~
13 ~~activities related to the community action program to enable them to seek out,~~
14 ~~secure, and administer public and private funds available for their activities.~~

15 ~~(6)~~ Provide other services that are determined by Louisiana Works to be
16 consistent with the purposes of this Part. The department shall establish these
17 requirements in accordance with the Administrative Procedure Act, R.S. 49:950 et
18 seq.

19 D.E. Each community action agency must prepare and submit annually to
20 Louisiana Works, ~~the Senate Committee on Local and Municipal Affairs, the House~~
21 ~~Committee on Municipal, Parochial and Cultural Affairs, and the Joint Legislative~~
22 ~~Committee on the Budget, not later than sixty days prior to the end of the applicable~~
23 ~~fiscal year period used by the community action agency,~~ a budget document which
24 shall present a complete financial plan for the ensuing fiscal year period which has
25 been approved and adopted by the community action agency's governing board body.
26 The chief administrative officer of the community action agency shall be responsible
27 for the preparation of the budget document, which shall include ~~at a minimum the~~
28 ~~following:~~

1 (1) ~~A budget message signed by the chief administrative officer which shall~~
2 ~~present a summary description of the proposed financial plan, policies, and~~
3 ~~objectives.~~

4 (2) A ~~a~~ detailed and comprehensive breakdown of all programs administered
5 with CSBG funds, ~~estimates of all grants and funds received~~, estimates of
6 expenditures itemized by function and object, administrative costs incurred, and
7 contractual services secured, all reported for ~~both the current and succeeding fiscal~~
8 ~~year~~ grant periods. The budget document shall also include a complete listing of all
9 employees and their classifications and salary levels, including any related fringe
10 benefits and shall be signed by the secretary or his designee.

11 E.F. Louisiana Works or the appropriate funding agency shall impose, by
12 rules and regulations, ~~such~~ any requirements and restrictions upon the execution of
13 community action agency budgets which provide for sound fiscal management,
14 internal controls, budgetary compliance, and overall fiscal accountability. These
15 shall, at a minimum, provide for quarterly reporting of actual revenue receipts and
16 expenditures, new or supplementary grants of funds, and all other deviations from
17 the original budget submission. ~~The departments shall report to the Senate~~
18 ~~Committee on Local and Municipal Affairs, the House Committee on Municipal,~~
19 ~~Parochial and Cultural Affairs, and the Joint Legislative Committee on the Budget~~
20 ~~instances identified wherein a community action agency's operations have not~~
21 ~~complied with the requirements of this Section.~~

22 §64.1. Governing Tripartite board

23 A. Each community action agency ~~or private nonprofit organization~~ shall
24 administer its programs through a governing board which shall consist of ~~from~~ a
25 minimum of fifteen to a maximum of thirty-one members who shall be selected by
26 the community action agency ~~or private nonprofit organization~~. Agencies that are
27 serving parishes meeting the definition of rural areas as defined in R.S. 3:313 and
28 receiving an annual Community Service Block Grant allocation of less than eighty
29 thousand and one cent may petition Louisiana Works for a downward exception to

1 the minimum number of board members required. For community action agencies
2 meeting this distinction, the board shall consist of a minimum of nine to a maximum
3 of thirty-one members. Boards requesting this exception shall make a written
4 request to Louisiana Works no less than one hundred eighty days prior to the desired
5 effective date. Each board will be constituted so as to assure that:

6 * * *

7 (2) ~~At least~~ No fewer than one-third of the members of the governing board
8 shall be individuals with low income who reside in the area to be served by the
9 agency, or representatives of those individuals. Persons representing individuals
10 with low income need not themselves have incomes below the level established by
11 Louisiana Works for purposes of this Part; however, these representatives must
12 reside in the same geographic area as the individuals they represent and must be
13 chosen in accordance with democratic selection procedures adequate to assure that
14 they are representatives of the ~~poor~~ low income in the area served.

15 * * *

16 B. Each local governing authority or public agency designated as a
17 community action agency shall establish an advisory board, with advisory powers
18 only, ~~that shall consist of fifteen to thirty-one members~~ which shall be constituted
19 to assure ~~that~~ both of the following:

20 (1) At least one-third of the members are persons chosen from the area
21 served in accordance with democratic selection procedures adequate to assure that
22 they are representative of the ~~poor~~ low-income individuals and families in the area
23 served; ~~or.~~

24 * * *

25 §76. Forecasting

26 * * *

27 C.

28 * * *

29 (4) The principals of the conference shall be as follows:

1 * * *

2 (f) Two members, each of whom shall be a faculty member of a public or
3 private university or college in Louisiana, who shall be ~~econometricians~~ economists
4 and have occupational forecasting expertise or expertise in economic planning and
5 ~~industry/occupation~~ industry-occupation matrix formulation, to be selected by the
6 other five principals of the conference from a list of not less than three nor more than
7 five nominees submitted by the secretary of Louisiana Board of Regents Works.

8 * * *

9 (i) One member selected by the governor from a list of three nominees
10 submitted by the Louisiana Minority Supplier Development Council Chamber of
11 Commerce Foundation.

12 * * *

13 §382. Apprenticeship council

14 A. The secretary shall appoint an apprenticeship council, composed of three
15 representatives each from employer and employee organizations respectively, and
16 of two representatives of the general public. The three employer representatives shall
17 be selected from lists supplied by employer organizations which are participating in
18 bona fide apprenticeship programs. The three employee representatives may be
19 representatives of labor organizations, who have been nominated by state labor
20 federations. The state official in charge of trade and industrial education shall, ex
21 officio, be a member of the council. Each member shall be appointed for a term of
22 three years. Any member appointed to fill a vacancy occurring prior to the expiration
23 of the term of his predecessor shall be appointed for the remainder of the term. Each
24 member may appoint a designee to serve in his stead. Each member who desires to
25 have a designee shall provide written notice to the secretary for approval. The written
26 notice shall name the individual who shall be the official designee until the member
27 or the secretary revokes the designation. Designees in a representative capacity may
28 participate and vote in council meetings. Each member of the council not otherwise
29 compensated by public monies, shall be reimbursed for transportation and shall be

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B. An apprenticeship program shall be registered in any ~~trade~~ occupation or group of ~~trades~~ occupations in accordance with this Chapter and with the standards of United States Department of Labor, Office of Apprenticeship. An apprenticeship program shall cooperate with educational authorities in regard to the education of apprentices; shall establish a schedule of operations; shall establish wage rates and working conditions for apprentices; shall specify the ratio of apprentices to journey workers employed in any ~~trade~~ occupation in accordance with this Chapter and the United States Department of Labor, Office of Apprenticeship; and shall adjust apprenticeship disputes.

* * *

§390. Settlement of controversies or complaints

* * *

C. Upon the complaint of any interested person or upon his own initiative, the director of apprenticeship may investigate to determine if there has been a violation of the terms of an apprenticeship agreement made ~~under~~ pursuant to this Chapter and hold hearings, inquiries, and other proceedings necessary to ~~such~~ the investigations and determination. The director of apprenticeship shall investigate programs only as necessary to establish compliance, and then only upon proper notice. The parties to ~~such~~ the agreement shall be given a fair and impartial hearing, after reasonable notice thereof. All hearings, investigations, and determinations shall be made under authority of reasonable rules and procedure prescribed by the secretary with advice from the apprenticeship council, ~~subject to the approval of the~~ secretary.

* * *

§1123. Disputes as to condition or capacity to work; additional medical opinion regarding an examination under supervision of the secretary

If any dispute arises between two physicians as to the condition of the employee, or the employee's capacity to work, the assistant secretary, upon

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1 application of any party, shall order an additional medical opinion regarding an
2 examination of the employee to be made by a medical practitioner selected and
3 appointed by the assistant secretary. The medical examiner shall report his
4 conclusions from the examination to the assistant secretary and to the parties and
5 ~~such~~ the report shall be prima facie evidence of the facts therein stated in any
6 subsequent proceedings ~~under~~ pursuant to this Chapter.

7 * * *

8 §1178. Cost containment meeting; incentive discount

9 A. The office shall develop and implement informational cost containment
10 meetings for all employers, upon request, on the target list compiled pursuant to R.S.
11 23:1177 that shall, at a minimum:

12 * * *

13 B. The office shall inform all eligible employers on the target list ~~of the dates~~
14 ~~and locations of~~ the opportunity to schedule cost containment meetings ~~to be held in~~
15 ~~areas throughout the state, as determined by the office.~~ The employers shall be
16 informed that if a designated representative from the company attends the meeting,
17 the company will be granted a reduction in its experience modifier at the rate
18 determined in R.S. 23:1179(B).

19 * * *

20 E. ~~Procedures to establish proof of attendance of a cost containment meeting~~
21 ~~by designated representatives of eligible employers shall be established by rule by~~
22 ~~the office.~~ Employers who would otherwise be eligible shall be allowed to requalify
23 for this reduction only once every four years.

24 * * *

25 §1310.3. Initiation of claims; voluntary mediation; procedure

26 A. A claim for benefits, the controversion of entitlement to benefits, or other
27 relief ~~under~~ pursuant to the Workers' Compensation Act shall be initiated by the
28 filing of the appropriate form with the office of workers' compensation
29 administration. Mailing, facsimile transmission, or electronic transmission of the

1 form and payment of the filing fee within ~~five~~ seven days of any ~~such~~ mailing or
2 transmission constitutes the initiation of a claim ~~under~~ pursuant to R.S. 23:1209.

3 * * *

4 §1372. Louisiana Workers' Compensation Second Injury Board; creation, domicile,
5 membership

6 The Louisiana Workers' Compensation Second Injury Board, hereinafter referred to
7 as the board, is created. The board, which shall be domiciled in Baton Rouge,
8 Louisiana, shall be composed of five members or their designee, who shall be the
9 secretary of state, the state treasurer, the commissioner of insurance, the secretary of
10 the Louisiana Department of Health ~~Children and Family Services~~, and the assistant
11 secretary of the office of workers' compensation administration.

12 * * *

13 §1378. Determination of liability of fund

14 A.

15 * * *

16 (2) No employer or insurer shall be entitled to reimbursement unless it is
17 clearly established that the employer had actual knowledge of the employee's
18 preexisting permanent partial disability prior to the subsequent injury. For injuries
19 occurring after December 31, 2010, actual knowledge shall be established only by
20 any one of the following circumstances:

21 * * *

22 (c) The employer employs, retains, or re-employs ~~employees from the~~ an
23 employee with a PPD ~~employee registry maintained by Louisiana Works and which~~
24 ~~is created and maintained in accordance with rules promulgated by the office of~~
25 ~~workers' compensation.~~

26 * * *

27 E. Written notice of the decision of the board shall be given to all parties to
28 the hearing and the representatives designated by the party on the reimbursement
29 form submitted to the board. The decision of the board shall be final; however, an

1 appeal therefrom may be taken by any of the parties within thirty days after the date
2 of the decision of the board. If an appeal is taken, the board shall be made party
3 defendant, and service and citation shall be made in accordance with applicable law
4 upon the attorney general or one of his assistants and the assistant secretary of the
5 office of workers' compensation within Louisiana Works. The appeal shall be to the
6 Nineteenth Judicial District Court, parish of East Baton Rouge. All appeals in all
7 ~~such~~ cases shall be tried de novo.

8 * * *

9 §1538. Payroll reports; failure of employer to file; incorrect reports; determination
10 of rates

11 A.(1) If the administrator finds that any employer has failed to file any
12 payroll report or has filed a report which the administrator finds incorrect or
13 insufficient, the administrator may make an estimate of the information required
14 from the employer on the basis of the best evidence reasonably available to him at
15 the time, and notify the employer ~~thereof by registered mail addressed to his last~~
16 ~~known address~~ by mail or electronic delivery to the last known address or electronic
17 contact information on record. Unless the employer files the report or a corrected or
18 sufficient report, as the case may be, no later than twenty days after the ~~mailing of~~
19 ~~the notice~~ date of notification, the administrator may compute ~~such~~ the employer's
20 rate of contribution on the basis of ~~such~~ the estimates, and the rate so determined
21 shall be subject to increase or decrease on the basis of subsequently ascertained
22 information.

23 * * *

24 §1541. Notice of benefits charged against employer's experience rating record;
25 employer's right to contest; application for review; procedure

26 A. The administrator shall, not later than ninety days after the close of each
27 calendar quarter, render a statement to each employer of benefits paid each
28 individual and charged to his experience-rating record. These benefit charges are
29 conclusive and binding upon the employer unless he files an application to review

1 the charges setting forth his reasons therefor within thirty days after the ~~mailing of~~
2 ~~the notice~~ date the notification is sent to his last known address or electronic contact
3 information on record.

4 * * *

5 E. The administrator shall notify each employer, no later than December
6 thirty-first of each year, of his rate of contribution for the forthcoming calendar year
7 as determined for any relevant experience-rating year pursuant to this Part. This
8 determination shall be conclusive and binding upon an employer unless within thirty
9 days after the ~~mailing of notice hereof to his last known address~~ date the notification
10 is delivered to the employer's last known address or electronic contact information
11 on record the employer files an application for review and redetermination, setting
12 forth his reasons ~~therefor~~. If the administrator grants ~~such~~ the review, the employer
13 shall be promptly notified ~~thereof~~ and shall be granted an opportunity for a fair
14 hearing, but no employer shall have standing, in any proceeding involving his rate
15 of contribution or contribution liability, to contest the chargeability of any benefits
16 to his experience-rating record as to cases wherein he has previously been notified
17 and had an opportunity for hearing, review, and appeal. The employer shall be
18 promptly notified of the administrator's action which shall become final unless
19 within thirty days after the ~~mailing of notice thereof~~ the date the notification is
20 delivered to his last known or electronic contact information on record address a
21 petition for judicial review is filed in the district court of employer's domicile. In
22 any proceeding ~~under this~~ provided in this Subsection, the findings of the
23 administrator as to facts shall be presumed to be prima facie correct if supported by
24 substantial and competent evidence. These proceedings shall be heard in a summary
25 manner and shall be given precedence over all other civil cases except cases arising
26 ~~under~~ pursuant to Part VI of this Chapter and Chapter 10 of this Title. An appeal
27 may be taken from the decision of the district court in the same manner, but not
28 inconsistent with the provisions of this Chapter as in other civil cases.

1 F.(1) Within thirty days after the ~~mailing~~ date the notification is delivered
2 to his last known address or electronic contact information on record, the employer
3 may contribute any amount to his experience-rating account.

4 * * *

5 §1541.1. Notice of chargeability of benefits to base-period employers; employer's
6 right to contest; appeals; procedure

7 A. The administrator shall issue, upon the commencement of payment of a
8 claim, a determination of chargeability of benefits to base-period employers. The
9 determination shall be conclusive and binding upon any ~~such~~ base-period employer
10 unless he files an appeal, setting forth his reasons within thirty days after the date of
11 mailing notification of any ~~such~~ determination. Legal holidays and days on which
12 the agency is closed shall serve to extend the delay periods. Except as otherwise
13 provided in this Chapter, an appeal shall be considered timely if the appeal is filed
14 during the benefit year in which the determination was issued and the failure to file
15 a timely appeal was the result of an administrative error or a physical inability of the
16 party filing the appeal. The party filing the appeal shall provide competent evidence
17 regarding the administrative error or physical inability. Any appeal filed after the
18 benefit year shall not be considered timely. This Subsection shall not apply if a court
19 ruling is issued before the appeal is filed.

20 B. If appealed, then upon being given the opportunity to be heard, the
21 employer shall be promptly notified of the administrative law judge's action, which
22 shall be final unless the employer files a petition for judicial review in the ~~state~~
23 judicial district court of the employer's domicile within thirty days of the date of
24 mailing notification of an ~~such~~ action. In any court proceeding ~~under~~ pursuant to this
25 Subsection, the findings of the administrative law judge as to facts shall be presumed
26 to be prima facie correct, if supported by substantial and competent evidence. These
27 proceedings shall be heard in summary manner and shall be given precedence over
28 all other civil cases, except cases arising ~~under~~ pursuant to Part VI of this Chapter
29 or Chapter 10 of this Title. An appeal may be further taken from the decision of the

1 state judicial district court in the same manner, but not inconsistent with the
2 provisions of this Chapter, as provided in other civil cases.

3 * * *

4 §1593. Weekly benefits payable; deduction of earnings

5 An eligible individual who is employed in any week shall be paid with
6 respect to such week a benefit equal to his weekly benefit amount less any wages
7 payable to him with respect to such week in excess of fifty percent of his current
8 weekly benefit amount, ~~or fifty dollars, whichever is lower.~~ This benefit, if not a
9 multiple of one dollar, shall be computed to the nearest multiple of one dollar.

10 * * *

11 §1595. Duration of benefits

12 * * *

13 B.(1) The maximum number of weekly benefits that a claimant may be
14 eligible for in a benefit year shall ~~depend on the average of the three most recently~~
15 ~~published state seasonally adjusted unemployment rates preceding the month in~~
16 ~~which the claimant files his first claim for benefits~~ be determined semi-annually,
17 based on the average of the three most recently published state seasonally adjusted
18 unemployment rate available prior to January first and July first of each calendar
19 year. A claimant filing an initial claim for benefits between January first and June
20 thirtieth shall be subject to the maximum duration determined based on the average
21 unemployment rate preceding January first. A claimant filing an initial claim
22 between July first and December thirty-first shall be subject to the maximum
23 duration determined based on the average unemployment rate preceding July first.

24 * * *

25 C. On a ~~biannual~~ semi-annual basis, Louisiana Works shall publish on its
26 website the maximum number of weekly benefits that a claimant may be eligible for
27 in a benefit year, provided for in Subsection B of this Section, ~~for a claimant who has~~
28 ~~filed an initial claim for unemployment benefits in any week in that month.~~ This
29 publication shall occur no later than January first and July first of each calendar year.

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§1599. Waiver of ~~certified~~ mail notification requirement

An employer, his duly authorized representative, or the claimant may waive the right ~~under~~ pursuant to this Chapter to receive written notices or determinations by ~~certified~~ mail. The waiver shall be in writing and shall be ~~mailed or~~ transmitted ~~electronically~~ to the office of unemployment insurance administration within Louisiana Works in a manner prescribed by the department. If the right to receive written notices and determinations by ~~certified~~ mail has been waived, written notices or determinations may be transmitted by ~~first class mail or by~~ electronic delivery. A notice or determination is deemed delivered when it has been mailed or electronically transmitted. Delivery of a notice or determination, whether mailed or electronically transmitted, shall be deemed complete on the date shown on the notice. Delivery to the last known address or electronic contact information on record shall constitute sufficient notice.

* * *

§1601. Disqualification for benefits

An individual shall be disqualified for benefits:

* * *

(8)(a) For the week, or fraction thereof, with respect to which the individual makes a false statement or representation knowing it to be false, or knowingly fails to disclose a material fact in obtaining or increasing benefits, whether or not the individual is successful in obtaining or increasing benefits, or otherwise due to his fraud receives any amount as benefits ~~under~~ pursuant to this Chapter to which the individual was not entitled, for the remainder of the benefit year subsequent to the commission of the fraudulent act and continuing until the benefits so obtained plus any penalty imposed in accordance with R.S. 23:1714 are repaid, or ~~until ten years have elapsed from the date of disqualification~~ the claim for repayment has prescribed, whichever comes first.

1 (b) All benefits paid with respect to such weeks shall be immediately due
 2 and on demand paid in accordance with department regulations to the administrator
 3 for the fund, and ~~such~~ the individual shall not be entitled to further benefits until
 4 repayment has been made or the claim for repayment has prescribed. If information
 5 indicating that a claimant has earned any unreported wages for weeks claimed is
 6 obtained by the administrator, prior to the administrator rendering a determination
 7 on the issue, the claimant shall be notified by mail or other delivery method,
 8 including electronic delivery. The claimant shall have seven days from the date of
 9 mailing to respond, or if notice is not by mail, then the claimant shall have seven
 10 days from the delivery date of ~~such~~ the notice to respond as directed by the
 11 department.

* * *

12 §1624. Monetary determination and notice of claim

13 ~~An agent designated by the administrator shall take the claim.~~ A
 14 determination of eligibility made on the basis of base period wage credits shall be
 15 made promptly and shall include a statement as to whether benefits are payable, the
 16 week with respect to which benefits shall commence, the weekly benefit amount
 17 payable and the maximum duration of benefits. Within thirty days of the date the
 18 claim was filed, notice of this monetary determination shall be mailed or
 19 electronically delivered to the claimant and, if the claimant is eligible, to the last
 20 employer or employing unit and to all of the base period employers or mailed to their
 21 last known address or electronic contact information on record. For any
 22 determination that begins a statutory period for appeal, protest, or other action,
 23 delivery by mail or electronic transmission shall satisfy the notice requirements.
 24 Delivery, whether mailed or electronically transmitted, shall be deemed complete on
 25 the date shown on the notice. Delivery to the last known address or electronic
 26 contact information on record shall constitute sufficient notice.

* * *

27 §1625. Notice of determination on claims

1 If a disqualification is alleged, or appears to exist, notice of the determination
2 together with the reasons therefor shall be promptly delivered to the claimant and to
3 the employer from whose employment the disqualification issue arose ~~or mailed to~~
4 using their the last known address or electronic contact information on record. For
5 any determination that begins a statutory period for appeal, protest, or other action,
6 delivery by mail or electronic transmission shall satisfy the notice requirements.
7 Delivery, whether mailed or electronically transmitted, shall be deemed complete on
8 the date shown on the notice. Delivery to the last known address or electronic
9 contact information on record shall constitute sufficient notice.

* * *

§1626. Redetermination; notice

* * *

13 B. The administrator may reconsider a nonmonetary determination whenever
14 he finds that benefits have been allowed or denied on the basis of misrepresentation
15 or that an error in interpretation of fact or application of law has occurred or
16 whenever either of the parties entitled to notice of determination as specified in R.S.
17 23:1625 protests the decision within fifteen days from the date of the determination.
18 Legal holidays and days on which the agency is closed shall serve to extend the
19 delay period. The administrator shall make findings and conclusions and on the
20 basis thereof affirm, modify, or reverse the determination. Notice of ~~such~~ the
21 redetermination shall be promptly given to the parties specified in R.S. 23:1625. If
22 the administrator finds that the evidence at hand does not justify redetermination of
23 a protested determination, he may, upon notification of the parties specified in R.S.
24 23:1625, transfer the protest, without further determination, to the appeal referee for
25 appeal proceedings. In the event that an appeal involving an original determination
26 is pending at the time a redetermination is issued, the appeal, unless withdrawn, shall
27 be treated as an appeal from the redetermination.

28 C. Furthermore, the administrator shall reconsider a final determination or
29 decision to pay benefits whenever he finds that ~~such~~ the determination or decision

1 or any other methods prescribed by the department within fifteen days after the date
2 of notification ~~or of mailing~~ of a decision of an appeal referee, ~~by any party entitled~~
3 ~~to notice of such decision, if such appeal is either mailed, as evidenced by the~~
4 ~~postmarked date, or is delivered by any such party.~~ An appeal filed by any such
5 party shall be allowed as of right if ~~such~~ the decision was not unanimous, or if the
6 determination was not affirmed by the appeal referee. Legal holidays and days on
7 which the agency is closed shall serve to extend the delay periods. Upon review on
8 its own motion or upon appeal, the board of review may, on the basis of the evidence
9 previously submitted in ~~such~~ the case, or upon the basis of ~~such~~ any additional
10 evidence as it may direct be taken, affirm, modify, or reverse the findings and
11 conclusions of the appeal referee. The board of review may remove to itself or
12 transfer to another appeal referee the proceedings on any claims pending before an
13 appeal referee. Any proceedings so removed to the board of review prior to the
14 completion of a fair hearing shall be heard by the board of review in accordance with
15 the requirements of this Chapter with respect to proceedings before an appeal
16 referee.

17 B. The board of review shall make a determination and notify all parties of
18 its decision, including its findings and conclusions in support thereof, within sixty
19 days from the date an appeal is received or initiated by the board. Notices shall be
20 mailed to the party's last known address unless the party has consented to electronic
21 delivery, in which case the notice may be transmitted electronically to the contact
22 information on record. Should the board of review, within sixty days from the date
23 an appeal is received or initiated, direct that additional evidence be taken, the board
24 of review shall make a determination and notify all parties of its decision, including
25 its findings and conclusions in support thereof, within sixty days from the date it
26 receives the additional evidence. ~~Such~~ The decision shall be final unless, within
27 fifteen days after ~~the mailing of notice thereof~~ the date of notification of the board's
28 decision to the party's last known address, or, ~~in the absence of such mailing, within~~
29 ~~fifteen days after the delivery of such notice~~ or electronic contact information on

1 record, a proceeding for judicial review is initiated pursuant to R.S. 23:1634. Upon
 2 denial by the board of review of an application for appeal from the decision of an
 3 appeal referee, the decision of the appeal referee shall be deemed to be a decision of
 4 the board of review within the meaning of this Section for purposes of judicial
 5 review and shall be subject to judicial review within the time and in the manner
 6 provided for with respect to decision of the board of review, except that the time for
 7 initiating ~~such~~ a review shall run from the date of notice of the order of the board of
 8 review denying the application for appeal.

9 C. Except as otherwise provided for in this Chapter, an appeal shall be
 10 considered timely if the appeal is filed during the benefit year in which the
 11 determination was issued and the failure to file a timely appeal was the result of an
 12 administrative error or a physical inability of the party filing the appeal. The party
 13 filing the appeal shall provide competent evidence regarding the administrative error
 14 or physical inability. Any appeal filed after the benefit year shall not be considered
 15 timely. This Subsection shall not apply if a court ruling is issued before the appeal
 16 is filed.

17 * * *

18 §1714. Penalties

19 A. A civil penalty shall be assessed if benefits are determined to have been
 20 overpaid as a result of a fraud disqualification made pursuant to R.S. 23:1601(8) in
 21 the amount of ~~twenty dollars or twenty-five percent, whichever is greater,~~ fifty
 22 percent of the total overpayment amount. Except as otherwise provided in
 23 Subsection C of this Section and any provisions of law in this state relating to the
 24 deposit, administration, release, or disbursement of money in the possession or
 25 custody of this state to the contrary notwithstanding, fifteen percent of each ~~such~~
 26 overpayment amount recovered shall be deposited with the Secretary of the Treasury
 27 of the United States of America to the credit of the account of this state in the
 28 Unemployment Trust Fund established and maintained pursuant to 42 U.S.C.A.
 29 §1101, et seq., as amended, and ten percent of each ~~such~~ overpayment amount

1 recovered shall be deposited in the penalty and interest account established by R.S.
2 23:1513 and used to offset collection expenses.

3 * * *

4 §1749.2. Notice of overpayment delinquency; suspension of license

5 A. ~~The commission~~ Louisiana Works may send ~~by certified mail, return~~
6 ~~receipt requested~~, a notice of overpayment delinquency to an obligor informing the
7 obligor of the ~~commission's~~ department's intention to submit his name to the
8 licensing authority for suspension of his license. If an obligor holds multiple
9 licenses, the ~~commission~~ department may issue a single notice of its intention to
10 submit multiple suspensions.

11 * * *

12 §2051. Designees

13 A. Each council member may appoint a designee to serve in his stead. Each
14 council member who desires to have a designee shall provide written notice ~~of such~~
15 to the chairman of the council for approval by the chairman. ~~Such~~ The written notice
16 shall name the individual who shall be the official designee until the council member
17 or the chairman revokes ~~such~~ the designation. No council member shall be
18 represented in a meeting other than by the official designee.

19 * * *

20 Section 2. R.S. 36:301 is hereby amended and reenacted as follows:

21 §301. Louisiana Works; creation; domicile; composition; purposes and functions

22 * * *

23 C.(1) Louisiana Works shall be composed of ~~the executive office of the~~
24 ~~secretary~~, the office of management and finance, the office of workforce
25 development, the office of unemployment insurance administration, the office of
26 workers' compensation administration, and ~~such~~ any other offices as shall be created
27 by law. The Louisiana Workforce Investment Council, as more specifically provided
28 in R.S. 23:2042 et seq., shall be placed within the ~~executive office of the secretary~~
29 office of management and finance under the purview of the secretary.

1 * * *

2 Section 3. R.S. 23:41 through 49, 1178(D), 1226(C)(2), and 1601(10)(b) are hereby
3 repealed in their entirety.

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 923 Original 2026 Regular Session Berault

Abstract: Provides relative to the continuing of technical corrections and revisions of provision of Title 23 of the La. Revised Statutes

Proposed law provides legislative intent to provide a comprehensive, streamlined social services and workforce delivery system that incorporates integrated case management models for customers and their families served by multiple departments and program.

Proposed law defines "integrated case management", "integrated service plan", "service integration".

Present law provides that the provisions of present law are intended to maximize community participation in the administration and implementation of programs designed to develop employment opportunities for individuals with low income and to ameliorate the impact of the income level on their physical and mental well-being.

Proposed law instead provides the provisions of present law are intended to assistance to local communities by working through a network of community action agencies to support employment in order to reduce poverty, revitalize low-income communities, and stabilize low-income families and individuals in rural and urban areas to become fully self-sufficient.

Present law provides that to accomplish this purpose, the legislature enacts this Part for the purpose of establishing a procedure for the designation of community action agencies; fixing the responsibilities of community action agencies; defining community action programs; and establishing a formula for the allocation of community service block grant funds.

Proposed law retains present law.

Proposed law amends the definitions of "community action agency", "community action program", "low income", "One Door".

Present law requires the parish governing authority to annual designate a community action agency to administer the applicable provisions of this present law.

Present law requires that prior to the designation, the parish governing authority to conduct a public hearing, after giving public notice of its intention to designate an agency.

Proposed law repeals present law.

Present law requires the public hearing to include an evaluation of the administrative and programmatic capabilities of the agency or agencies under consideration for designation as the community action agency for the area. Present law also requires consideration of previous accomplishments of the agency or agencies under consideration for designation.

Proposed law repeals present law.

Proposed law defines a community action agency as an entity which was previously designated or is designated by federal law, present law and proposed law (R.S. 23:64.1), or other mechanism defined by federal law.

Proposed law states that La. Works shall be the designated lead agency for the purposes of carrying out state activities as provided for in the Community Services Block Grant Act.

Proposed law requires La. Works to develop a state plan with assurances that funds made available to community action agencies shall be used to:

- (1) Secure and retain meaningful employment.
- (2) Attain an adequate education.
- (3) Make better use of available income.
- (4) Secure and maintain adequate housing.
- (5) Obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs.
- (6) Make more frequent and effective use of other programs, public and private, that offer services related to the purpose of present law and proposed law.

Present law requires each community action agency or private nonprofit organization to administer its programs through a governing board which shall consist of from 15 to a maximum of 31 members who shall be selected by the community action agency or private nonprofit organization.

Proposed law instead requires each community action agency to administer its programs through a governing board which shall consist of a minimum 15 to a maximum of 31 members who shall be selected by the community action agency.

Proposed law allows agencies that are serving parishes and meet the definition of rural areas as defined in present law (R.S. 3:313), and receiving an annual Community Service Block Grant allocation of less than \$80,001 to petition La. Works for a downward exception to the minimum number of board members required.

Proposed law requires the board of community action agencies that meet the aforementioned exception, to consist of a minimum of nine to a maximum of 31 members. Proposed law further requires boards that meet this exception to make a written request to La. Works no later than 180 days prior to the desired effective date.

Present law requires the secretary of La. Works to appoint an apprenticeship council, composed of three representatives each from employer and employee organizations respectively, and of two representatives of the general public.

Proposed law retains present law.

Present law requires the three employer representatives to be selected from lists supplied by employer organizations which are participating in bona fide apprenticeship programs.

Present law provides that the three employee representatives may be representatives of labor organizations, who have been nominated by state labor federations.

Proposed law retains present law.

Present law requires each member to be appointed for a term of three years.

Proposed law retains present law.

Proposed law allows each member to appoint a designee to serve in his stead.

Proposed law requires each member who desires to have a designee to provide written notice to the secretary of La. Works for approval. Proposed law further requires the written notice to name the individual who will be the official designee until the member or the secretary revokes the designation.

Proposed law allows designees to participate and vote in council meetings.

Present law allows reimbursement for transportation and compensation to each member of the council for each day spent in attendance at meetings of the apprenticeship council.

Present law requires an apprenticeship program to be registered in any trade or group of trades in accordance with state and federal law. Present law further requires an apprenticeship program to cooperate with educational authorities in regard to the education of apprentices; to establish a schedule of operations; to establish wage rates and working conditions for apprentices; to specify the ratio of apprentices to journey workers employed in any trade in accordance present law and proposed law; to adjust apprenticeship disputes.

Proposed law changes references of the word trade to occupation. Proposed law otherwise retains present law.

Present law requires, if any dispute arises as to the condition of the employee, the assistant secretary of the office of workers' compensation administration (OWCA), upon application of any party, to order an additional medical opinion regarding an examination of the employee to be made by a medical practitioner selected and appointed by the assistant secretary.

Proposed law clarifies that the dispute as one arising between two physicians. Proposed law otherwise retains present law.

Present law requires the medical examiner to report his conclusions from the examination to the assistant secretary of OWCA and to the parties.

Proposed law retains present law.

Present law states that the medical examiner's report shall be prima facie evidence of the facts stated in any subsequent proceeding under present law.

Proposed law retains present law.

Present law requires OWCA to inform all eligible employers on the target list as provided in present law (R.S. 23:1177) of the dates and locations of cost containment meetings.

Proposed law instead requires OWCA to inform all eligible employers on the target list of the opportunity to schedule cost containment meetings.

Present law provides the procedures to establish proof of attendance of a cost containment meeting by designated representatives of eligible employers shall be established by rule by the office.

Proposed law repeals present law.

Present law provides that a claim for benefits, the controversion of entitlement to benefits, or other relief pursuant to present law shall be initiated by the filing of the appropriate form with OWCA.

Proposed law retains present law.

Present law provides that mailing, facsimile transmission, or electronic transmission of the form and payment of the filing fee within five days of any mailing or transmission constitutes the initiation of a claim pursuant to present law (R.S. 23:1209).

Proposed law changes the time to from five to seven days. Proposed law otherwise retains present law.

Present law requires the La. Workers' Compensation Second Injury Board (the board) to be domicile in Baton Rouge. Present law further requires the board to be composed of five members or their designees, and that membership shall be made up of the secretary of state, the state treasurer, the commissioner of insurance, the secretary of Dept. of Children and Family Services (DCFS), and the assistant secretary of OWCA.

Proposed law replaces the secretary of DCFS with the secretary of La. Dept. of Health. Proposed law otherwise retains present law.

Present law provides that if the secretary of La. Works finds that any employer has failed to file any payroll report or has filed an incorrect or insufficient report, the secretary may make an estimate of the information required from the employer on the basis of the best evidence reasonably available to him at the time, and notify the employer by registered mail addressed to his last known address.

Proposed law instead requires notification to be sent by mail or electronic delivery to the last known address or electronic contact information on record.

Present law provides that unless the employer files the report or a corrected or sufficient report no later than 20 days after the mailing of the notice, the secretary may compute the employer's rate of contribution on the basis of the estimates, and the rate so determined shall be subject to increase or decrease on the basis of subsequently ascertained information.

Proposed law changes the reference of mailing the notice to the date of notification. Proposed law otherwise retains present law.

Present law requires the secretary to, no later than 90 after the close of each calendar quarter, render a statement to each employer of benefits paid each individual and charged to his experience-rating record.

Proposed law retains present law.

Present law provides that these benefit charges are conclusive and binding upon the employer unless he files an application to review the charges setting forth his reasons within 30 days after the mailing of the notice to his last known address.

Proposed law instead provides that these benefit charges are conclusive and binding upon the employer unless he files an application to review the charges setting forth his reasons therefor within thirty days after the date the notification is sent to his last known address or electronic contact information on record.

Present law requires the secretary of La. Works to notify each employer, no later than Dec. 31 of each year, of his rate of contribution for the forthcoming calendar year as determined for any relevant experience-rating year pursuant to present law.

Proposed law retains present law.

Present law provides that this determination shall be conclusive and binding upon an employer unless, within 30 days after the mailing of notice to his last known address, the employer files an application for review and redetermination setting forth his reasons.

Proposed law instead provides that determination shall be conclusive and binding upon an employer unless, within 30 days after the date the notification is delivered to the employer's last known address or electronic contact information on record, the employer files an application for review and redetermination setting forth his reasons.

Present law provides that the maximum number of weekly benefits that a claimant may be eligible for in a benefit year shall depend on the average of the three most recently published state seasonally adjusted unemployment rates preceding the month in which the claimant files his first claim for benefits.

Proposed law instead provides that the maximum number of weekly benefits that a claimant may be eligible for in a benefit year shall be determined semi-annually, based on the average of the three most recently published state seasonally adjusted unemployment rate available prior to Jan. 1st and July 1st of each calendar year.

Proposed law further provides that a claimant filing an initial claim for benefits between Jan. 1st and June 30th shall be subject to the maximum duration determined based on the average unemployment rate preceding Jan. 1st.

Proposed law provides that a claimant filing an initial claim between July 1st and Dec. 31st shall be subject to the maximum duration determined based on the average unemployment rate preceding July 1st.

Present law provides that a determination of eligibility made on the basis of base period wage credits shall be made promptly and shall include a statement as to whether benefits are payable, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration of benefits.

Proposed law retains present law.

Present law provides that within 30 days of the date the claim was file, notice of this monetary determined shall be delivered to the claimant and, if the claimant is eligible, to the last employer or employing until and to all of the base period employer or mailed to their last known address.

Proposed law clarifies that the notice shall be mailed or electronically delivered and also provides that the notice can be sent to the electronic contact information on record. Proposed law otherwise retains present law.

Proposed law provides that for any determination that begins a statutory period for appeal, protest, or other action, delivery by mail or electronic transmission shall satisfy the notice requirements.

Proposed law provides that delivery, whether mailed or electronically transmitted, shall be deemed complete on the date shown on the notice. Proposed law further provides that delivery to the last known address or electronic contact information on record shall constitute sufficient notice.

Present law enforces a civil penalty on an individual who was disqualified for fraudulently overpaid unemployment benefits. Present law provides that the civil penalty shall be in the amount of \$20 or 25%, whichever is greater, of the total overpayment amount.

Proposed law instead changes the penalty to be 50% of the total overpayment amount. Proposed law otherwise retains present law.

Present law provides that La. Works shall be composed of the executive office of the secretary, the office of management and finance, the office of workforce development, the office of unemployment insurance administration, the office of workers' compensation administration, and any other offices as shall be created by law.

Proposed law removes the executive office of the secretary as one of the offices to be maintained inside La. Works. Proposed law otherwise present law.

Present law provides that the La. Workforce Investment Council (the council), as provided in present law (R.S. 23:2042 et seq.), shall be placed within the executive office of the secretary.

Proposed law instead requires the council to be placed within the office of management and finance under the purview of the secretary.

Present law provides that for the creation and establishment of the La. State Board of Boiler Inspector Examiners, which shall be placed inside La. Works.

Proposed law repeals present law.

Present law provides that the board shall consist of four members, one of whom shall be the chief inspector of the boiler inspection division, La Works, and the other three shall be special inspectors holding commissions as inspectors of steam boilers issued by the La. Works.

Proposed law repeals present law.

Present law provides that all members of the board of boiler inspector examiners, except the chief inspector, shall be appointed by the secretary, and shall serve at his pleasure, without compensation.

Proposed law repeals present law.

Present law requires the board of boiler inspector examiners to conduct written examinations for all persons desiring to secure certificates of competency and commissions as boiler inspectors in this state. Present law requires the examinations to be held at times and places as may be designated by the board, and designed to test the applicant's knowledge of the construction, installation, maintenance and repair of steam boilers and their appurtenances.

Proposed law repeals present law.

Present law requires examinations to be given by the board to persons to be employed by any company authorized to insure boilers against explosions in this state, or inspectors of steam boilers employed by the boiler inspection division of La. Works. Present law requires applicants to have no less than three years of experience in the design, construction, or operation of high pressure boilers as mechanical engineer, steam engineer, boilermaker, or boiler inspector.

Proposed law repeals present law.

Present law provides that individuals who hold certificates of competency as inspectors of steam boilers for states or cities having a standard of examination substantially equal to that of this state, or certificates as inspectors of steam boilers from the National Board of Boiler and Pressure Vessel Inspectors, shall not be required to take the examination.

Proposed law repeals present law.

Present law provides that any person who successfully passing the examination provided in present law (R.S. 23:44 and 23:45) or who holds a certificate of competency as an inspector of boilers for a state or a city that has a standard of examination substantially equal to that of this state, or a certificate as an inspector of boilers from the National Board of Boiler and Pressure Vessel Inspectors, shall be certified to the secretary.

Proposed law repeals present law.

Present law provides that a fee of \$40 shall be charged by the secretary for the issuance of the initial certificate of competency and commission along with an identification card denoting that the person whose name appears thereon has been issued a certificate and is therefore a certified boiler inspector.

Proposed law repeals present law.

Present law provides that a fee of \$20 shall be charged each year thereafter for renewal of the identification card. Present law further provides that the fees collected shall be used to cover the cost of the printing, issuance and handling of said certificates of competency and commission and identification cards, and the fees shall be retained and disbursed by the secretary.

Proposed law repeals present law.

Present law provides that no person shall perform or attempt to perform the work or duties of a boiler inspector unless he possesses a certificate of competency and commission and a valid identification card signifying possession.

Proposed law repeals present law.

Present law provides a fine of \$100 and no more than \$250, or imprisonment for not less than 30 days no more than 90 days on anyone who violates the provisions of present law.

Proposed law repeals present law.

Present law provides that any eligible employer who has been given notice of a cost containment meeting, and fails to attend shall be fined an amount equaling 2% of the La. workers' compensation premium for the succeeding policy year. Present law further provides that the fine shall be payable to the secretary of La. Works and be remitted to the state treasurer for deposit in the Office of Workers' Compensation Administrative Fund.

Proposed law repeals present law.

Present law provides that prior to the workers' compensation judge adjudicating an injured employee to be permanently and totally disabled, the workers' compensation judge shall determine whether there is reasonable probability that, with appropriate training or education, the injured employee may be rehabilitated to the extent that the employee can achieve suitable gainful employment and whether it is in the best interest of the individual to undertake the training or education.

Proposed law repeals present law.

Present law provides that upon requalification of a claimant's unemployment benefits, the claimant's benefits, as computed pursuant to the provisions of present law (R.S. 23:1592 and R.S. 23:1595), shall be discounted by 50% for the remainder of his benefit year.

Proposed law repeals present law.

(Amends R.S. 23:4, 61, 62, 63, 64.1(A)(intro. para.) and (2) and (B)(intro. para.) and (1), 76(C)(4)(f) and (i), 382(A) and (B), 384(A), 385(B), 390(C), 1123, 1178(A)(intro. para.), (B), and (E), 1310.3(A), 1372, 1378(A)(2)(c) and (E), 1538(A)(1), 1541(A), (E), and (F)(1), 1541.1(A) and (B), 1593, 1595(B)(1) and (C), 1599, 1601(8)(a) and (b), 1624, 1625, 1626(B) and (C), 1627, 1629(A), 1630, 1714(A), 1749.2(A), 2051(A) and R.S. 36:301(C)(1); Adds R.S. 23:1.1; Repeals R.S. 23:41-49, 1178(D), 1226(C)(2), and 1601(10)(b))