

HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 131 by Senator Pressly

AMENDMENT NO. 1

On page 3, delete lines 14 through 22 and insert in lieu thereof the following:

"D.(1) When a professional or occupational board initiates a disciplinary proceeding against a licensee and the final disposition of the proceeding results in a consent order, judgment, or finding in which the licensee is the prevailing party, the board shall not collect from the licensee any attorney fees or costs incurred by the board after a written offer of judgment.

(2) For purposes of this Subsection, a licensee is deemed the prevailing party when:

(a) The licensee made a written offer of judgment, and the matter is subsequently terminated, dismissed, or resolved without an adverse finding against the licensee.

(b)(i) The consent order, judgment, or finding results in a disposition more favorable to the licensee than the terms previously offered by the licensee pursuant to this Subsection.

(ii) A result is considered more favorable to the licensee under any of the following circumstances:

(aa) The licensee offered a suspension period, and the final consent order, judgment, or finding imposes a suspension period shorter than that offered by the licensee.

(bb) The licensee offered a probationary period, and the final consent order, judgment, or finding imposes a probationary period shorter than that offered by the licensee.

(cc) The licensee offered payment of a monetary fine, and the final consent order, judgment, or finding imposes only a monetary fine in an amount less than that offered by the licensee.

(dd) The licensee offered a suspension of licensure, and the final consent order, judgment, or finding imposes no suspension of licensure, regardless of whether the final disposition includes a fine, probation, or both. For purposes of this Subitem, one day of suspension shall be deemed equivalent to fifteen days of probation when comparing disciplinary sanctions that include both suspension and probationary periods.

(ee) The final consent order, judgment, or finding imposes a combined suspension and probationary period that is less severe than that offered by the licensee. For purposes of this Subitem, one day of suspension shall be deemed equivalent to fifteen days of probation when comparing disciplinary sanctions that include both suspension and probationary periods.

(3) The provisions of this Subsection supersede any agency rule, regulation, custom, or practice governing the payment of attorney fees and costs to the extent that such rule, regulation, custom, or practice is less favorable to the licensee."