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DIGEST

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SB 131 Reengrossed

2026 Regular Session

Pressly

Present law (R.S. 37:21(B)) provides that the provisions of present law (R.S. 37:21) do not apply to certain professional or occupational licensing boards.

Proposed law provides that the provisions of present law (R.S. 37:21(A)) do not apply to certain professional or occupational licensing boards.

Proposed law provides that 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.

Proposed law provides that a licensee is deemed the prevailing party when the licensee made a written offer of judgment, and the matter is subsequently terminated, dismissed, or resolved without an adverse finding against the licensee; or when 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 proposed law.

Proposed law provides that a result is considered more favorable to the licensee under any of the following circumstances:

- (1) The licensee offered a suspension period, and the final consent order, judgment, or finding imposes a suspension period shorter than or equal to that offered by the licensee.
- (2) The licensee offered a probationary period, and the final consent order, judgment, or finding imposes a probationary period shorter than or equal to that offered by the licensee.
- (3) 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 or equal to that offered by the licensee.
- (4) 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 proposed law, one day of suspension shall be deemed equivalent to 15 days of probation when comparing disciplinary sanctions that include both suspension and probationary periods.
- (5) The final consent order, judgment, or finding imposes a combined suspension and probationary period that is less severe than or equal to that offered by the licensee. For purposes of proposed law, one day of suspension shall be deemed equivalent to 15 days of probation when comparing disciplinary sanctions that include both suspension and probationary periods.

Effective August 1, 2026.

(Amends R.S. 37:21)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Make technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the reengrossed bill:

1. Amend provision relative to when a board is prohibited from collecting attorney fees or costs incurred by the board from a licensee to provide that when that board has initiated a disciplinary proceeding against that licensee and the final disposition results in a consent order, judgment, or finding in which the licensee is the prevailing party, the board shall not collect any fees or costs incurred after a written offer of judgment.
2. Provide relative to when a licensee is deemed the prevailing party of a disciplinary hearing.
3. Provide relative to when a result of a hearing is considered more favorable to a licensee.
4. Provide that provisions of proposed law supersede any agency rule, regulation, or custom regarding attorney fees and costs to the extent such a rule, regulation, or custom is less favorable to the licensee.