

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)]

SB 171 Engrossed

2019 Regular Session

Hewitt

Present law (R.S. 49:1401) provides that a legislative mandate for an executive branch agency to produce a report expires five years after legislative approval of the mandate. Requires the producing agency to notify the legislature of the impending expiration. Authorizes the legislative committees with jurisdiction over the producing agency to extend the mandate for an additional five years by an affirmative vote of each committee. Provides for the first reports to expire July 1, 2019.

Proposed law retains the five-year expiration. Delays the first expiration until July 1, 2021.

Proposed law defines "agency" for purposes of proposed law to mean any department, office, division, or other entity or an officer within the executive branch of state government.

Proposed law requires the producing agency to notify the receiving agency or entity of the impending expiration by Oct. 1st two calendar years (21 months) before expiration. Authorizes the receiving executive-branch agency or entity to extend the mandate for five years. Requires the receiving agency or entity to report to the producing agency, the legislature, and the Law Institute by Jan. 1st of the calendar year (18 months) before expiration whether or not the designated recipient extends the mandate.

Proposed law provides that if the agency producing the report fails to submit the Oct. 1st notification or if the receiving agency or entity fails to submit the Jan. 1st notification, the mandate shall continue for five additional years.

Proposed law further provides that a report to the legislature, the Senate, or the House of Representatives, or to a legislative officer, committee, or other legislative entity or a report with no designated recipient may be extended an additional five years by an enactment of the legislature or by the same procedure that originally mandated the report.

Proposed law subjects any mandate extended an additional five years to the expiration provisions at the end of that extension.

Proposed law excludes reports required to be submitted to the House and Governmental Affairs Committee from the expiration provisions in present law and proposed law.

Present law requires each board or commission authorized to issue a license, permit, or certificate under Title 37 of the La. Revised Statutes of 1950 to submit quarterly reports to the appropriate legislative oversight committees and to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs. Further requires the reports to contain certain information about the complaints received regarding board actions or procedures. Protects confidential, personally identifiable, or otherwise sensitive information in the reports from being publicly disclosed. Present law further requires each such board or commission to post on its website and give notice to each applicant and licensee about the ability to submit complaints about actions or procedures of the board or commission to the House and Senate governmental affairs committees, along with the contact information for each committee.

Proposed law provides that the quarterly reports from each board and commission shall be submitted to the division of administration instead of the House and Senate governmental affairs committees and provides that the complaints regarding board or commission actions or procedures shall be directed to the division of administration instead of the House and Senate governmental affairs committees.

Effective June 30, 2019.

(Amends R.S. 37:23.2 and R.S. 49:1401)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. For a report to a legislative entity or a report with no designated recipient, require legislative action to continue the mandate.
2. Specify that a Jan. 1st notification to the legislature shall include the Oct. 1st notification the producing agency provides to an executive-branch recipient agency.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill:

1. Exclude reports required to be submitted to the House and Governmental Affairs Committee from the expiration provisions.
2. Relative to reports and notifications by certain licensing boards and commissions and complaints about such boards and commissions, provide that quarterly reports by such a board or commission regarding complaints be submitted to the division of administration rather than the House and Senate governmental affairs committees.