
DIGEST

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HB 923 Reengrossed

2026 Regular Session

Berault

Abstract: Provides relative to the continuous of technical corrections and revisions of provision of Title 23 of the La. Revised Statutes of 1950.

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 programs.

Proposed law defines "integrated case management", "integrated service plan", and "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 that the provisions of present law are intended to assist 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 present law 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", and "One Door".

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

Present law requires that, prior to the designation, the parish governing authority 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 do any of the following:

- (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 that shall consist of from a minimum of 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 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 that 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; and to adjust apprenticeship disputes.

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

Present law requires that, 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 that 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 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 domiciled 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 days after the close of each calendar quarter, render a statement to each employer of benefits paid to 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 within 30 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. 31st 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 rates 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 filed, notice of this monetary determination shall be delivered to the claimant and, if the claimant is eligible, to the last employer or employing unit and to all of the base period employers 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 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 a 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 passes 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 on the certificate 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 for renewal of the identification card. Present law further provides that the fees collected shall be used to cover the cost of the printing, issuing, and handling of all 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, for 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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Make technical changes.