

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 629 by Representative Broadwater

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and insert the following:

3 "R.S. 6:333(B)(introductory paragraph) and R.S. 36:451(C) and to enact R.S.
4 6:333(F)(18), R.S. 36:458(H) and"

5 AMENDMENT NO. 2

6 On page 1, at the beginning of line 3, after "R.S. 47:1676" and before "and" delete the
7 comma "," and delete "1676.1,"

8 AMENDMENT NO. 3

9 On page 1, line 6, change "definitions" to "the authority of the attorney general's office in
10 collecting certain debts;"

11 AMENDMENT NO. 4

12 On page 1, line 12, after "regulations;" delete the remainder of the line, and on line 13, delete
13 "payment under certain circumstances;"

14 AMENDMENT NO. 5

15 On page 1, delete lines 14 and 15, and insert "programs; to authorize the"

16 AMENDMENT NO. 6

17 On page 1, line 19, after "information;" and before "to" insert "to authorize the disclosure
18 of certain financial records under certain circumstances;"

19 AMENDMENT NO. 7

20 On page 2, between lines 1 and 2, insert the following:

21 "Section 1. R.S. 6:333(B)(introductory paragraph) is hereby amended and reenacted
22 and R.S. 6:333(F)(18) is hereby enacted to read as follows:

23 §333. Disclosure of financial records; reimbursement of costs

24 * * *

25 B. Notwithstanding any other provision of law to the contrary, except R.S.
26 9:151 et seq., R.S. 13:3921 et seq., Code of Civil Procedure Article 2411 et seq., and
27 R.S. 46:236.1.4, R.S. 47:1676(D)(2), and R.S. 47:1677, no bank or its affiliate shall
28 disclose any financial records to any person other than the customer to whom the
29 financial records pertain, unless such financial records are disclosed:

30 * * *

31 F. The following disclosures by a bank or any affiliate are hereby
32 specifically authorized and, except as otherwise provided in this Subsection, nothing
33 in this Section shall prohibit, restrict, or otherwise apply to:

1 AMENDMENT NO. 18

2 On page 3, line 29, delete "July 1, 2013" and insert "January 1, 2014"

3 AMENDMENT NO. 19

4 On page 4, line 1, change "delinquent" to "final" and after "sixty days." delete the
5 remainder of the line, delete lines 2 and 3, and insert the following:

6 "(2) All agencies shall refer non-final delinquent debts to the attorney
7 general's office for collection when the debt has been delinquent for sixty days
8 pursuant to the referral guidelines established by the attorney general which are
9 incorporated into agreements between the attorney general and other agencies or
10 pursuant to rules promulgated by the attorney general pursuant to the
11 Administrative Procedure Act."

12 AMENDMENT NO. 20

13 On page 4, line 9, after "executive branch" delete the remainder of the line, delete lines
14 10 and 11, insert a period "." and insert:

15 "Agency" shall not mean any governing authority or officer of any local
16 government or political or other subdivision of the state, or any parochial officer
17 who exercises functions coterminous with the municipality in which he performs
18 those functions, unless such governing authority, officer, or parochial officer
19 enters into a formal agreement with the department pursuant to Paragraph (C)(3)
20 of this Section, and then such governing authority, officer, or parochial officer
21 shall be an "agency" for purposes of this Section only to the extent provided for in
22 such formal agreement."

23 AMENDMENT NO. 21

24 On page 4, line 26, after "et seq.:" delete the remainder of the line and from the beginning
25 of line 27, delete "Statutes of 1950, as amended:"

26 AMENDMENT NO. 22

27 On page 4, line 29, after "Louisiana" and before "Security" insert "Employment"

28 AMENDMENT NO. 23

29 On page 5, between lines 4 and 5, insert the following:

30 "(7) "Non-final delinquent debt" means any debt that an agency has
31 notified a debtor is owed but the debt remains unpaid, due, or negotiable for a
32 period of sixty days or more and such debt is not final and the debtor has further
33 administrative or judicial review rights to challenge the validity of the debt or the
34 amount owed."

35 AMENDMENT NO. 24

36 On page 5, at the beginning of line 5, change "(7)" to "(8)"

37 AMENDMENT NO. 25

38 On page 5, at the beginning of line 7, change "(8)" to "(9)"

39 AMENDMENT NO. 26

40 On page 5, line 11, delete "state"

1 AMENDMENT NO. 27

2 On page 5, line 13, delete "state"

3 AMENDMENT NO. 28

4 On page 5, line 17, after "procedures." delete the remainder of the line and insert the
5 following:

6 "All delinquent debts shall be authenticated by the agency or participating
7 political subdivision or officer"

8 AMENDMENT NO. 29

9 On page 5, line 18, after "referred to" delete the remainder of the line, and insert:

10 "the office. All agencies shall refer non-final delinquent debts to the attorney
11 general's office for collection when the debt has been delinquent for sixty days
12 pursuant to the referral guidelines established by the attorney general as
13 incorporated into agreements between the attorney general and other agencies or
14 pursuant to the rules promulgated by the attorney general pursuant to the
15 Administrative Procedure Act. Such non-final delinquent debts shall be
16 authenticated by the agency prior to their referral to the attorney general."

17 AMENDMENT NO. 30

18 On page 5, line 19, delete "state"

19 AMENDMENT NO. 31

20 On page 6, line 2, delete "that are not statewide political subdivisions,"

21 AMENDMENT NO. 32

22 On page 6, line 15, after "services." delete the remainder of the line and delete line 16,
23 and on line 17, delete "Management Review Board."

24 AMENDMENT NO. 33

25 On page 6, line 23, after "debt" and before the period " :" insert a semicolon " ;" and insert
26 "however, the financial institution data match shall only be used in accordance with the
27 provisions of R.S. 47:1677"

28 AMENDMENT NO. 34

29 On page 6, line 25, after "agency's" insert "or participating political subdivision's"

30 AMENDMENT NO. 35

31 On page 6, line 26, after "state" insert "or participating political subdivision"

32 AMENDMENT NO. 36

33 On page 6, line 28, change "state agencies and agencies of political subdivisions" to
34 "agencies and political subdivisions"

35 AMENDMENT NO. 37

36 On page 7, line 8, after "(3)" insert "(a)"

1 AMENDMENT NO. 38

2 On page 7, line 9, after "296.3." delete the remainder of the line, delete lines 10 through
3 18, and insert:

4 "(b)(i) The office may also submit a request for the suspension,
5 revocation or denial of any type of professional or other license, permit, or
6 certification to a Louisiana entity or body that governs, regulates, or issues such
7 licenses, permits or certifications for the exercise or practice of certain
8 professions, trades, or any other kind of work being performed in Louisiana.

9 (ii) In exercising the authority provided for in this Paragraph or in R.S.
10 47:296.2 or 296.3, the office may assume the obligation for the payment of such
11 services in order to collect delinquent debt.

12 (c) The legislature hereby recognizes the judicial power vested in the state
13 supreme court pursuant to Article V, Section I of the Constitution of Louisiana to
14 regulate the practice of law and accordingly, and requests that the supreme court
15 consider rules and regulations relative to attorneys licensed to practice law
16 consistent with the provisions of this Chapter."

17 AMENDMENT NO. 39

18 On page 7, at the end of line 25, delete "equally" and insert "in accordance with an
19 agreement"

20 AMENDMENT NO. 40

21 On page 7, line 26, after "after" delete the remainder of the line, delete lines 27 and 28,
22 and insert "payment of costs set forth in the agreement. Monies collected by the"

23 AMENDMENT NO. 41

24 On page 7, line 29, after "Section" delete the remainder of the line, and on page 8, delete
25 line 1, and insert the following:

26 "shall be used solely and exclusively each fiscal year as follows:

27 (1) Five million dollars per fiscal year for five consecutive fiscal years
28 shall be appropriated by the legislature to the Office of State Police for a training
29 academy class.

30 (2) The remainder of the monies collected after the appropriation provided
31 for in Paragraph (1) of this Subsection shall be transferred to the agencies which
32 referred the delinquent debt to the office in proportion that the amount of the
33 agency's debt collected bears to the total debt collected by the office"

34 AMENDMENT NO. 42

35 On page 8, between lines 2 and 3, insert:

36 "(3) After the five fiscal year period provided for in Paragraph (1) of this
37 Subsection, monies collected by the office pursuant to the provisions of this
38 Section from a debtor for delinquent debt shall be transferred to the referring
39 agency within thirty days after the end of the month in which the monies were
40 collected.

41 (4) Monies received by the referring agency from the office shall be
42 designated as self-generated revenues of the agency."

43 AMENDMENT NO. 43

44 On page 8, at the beginning of line 3, change "F." to "F.(1)" and delete "state"

1 AMENDMENT NO. 44

2 On page 8, line 6, delete "state"

3 AMENDMENT NO. 45

4 On page 8, at the end of line 12, delete "However," and on line 13, change "all" to "(2)
5 All"

6 AMENDMENT NO. 46

7 On page 8, at the end of line 19, insert the following:

8 "Except as provided for in R.S. 47:1508 et seq., or in any other applicable
9 provision of law, information concerning the identity of a debtor, the amount of
10 the debt owed, and the amount of any collections or settlements shall be a public
11 record subject to disclosure under the Public Records Law, R.S. 44:1 et seq.

12 (3) The attorney general shall have access to all data and information
13 compiled which is needed for further debt collection and accounting pursuant to
14 this Section."

15 AMENDMENT NO. 47

16 On page 9, line 3, delete "state"

17 AMENDMENT NO. 48

18 On page 9, at the end of line 5, insert:

19 "The secretary shall include all eligible collection accounts placed with the
20 attorney general's office for all available offsets."

21 AMENDMENT NO. 49

22 On page 9, delete lines 11 through 28

23 AMENDMENT NO. 50

24 On page 10, at the beginning of line 16, insert "an authorized signer only."

25 AMENDMENT NO. 51

26 On page 13, line 19, delete "quarterly"

27 AMENDMENT NO. 52

28 On page 13, at the beginning of line 20, change "Section 3." to "Section 4."