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Executive Orders

EXECUTIVE ORDER JML 25-130

Modernization and Efficiency of the Louisiana Foster Care System

WHEREAS, R.S. 46:281 *et seq.* grants broad powers and authority to the Louisiana Department of Children and Family Services (“Department”) to contract with persons or entities to provide foster care services to children within the Louisiana Foster Care system;

WHEREAS, R.S. 46:286.13 grants foster parents certain rights by the Department to support their role as the primary caregiver of abused and neglected children within the Louisiana Foster Care system;

WHEREAS, Louisiana’s Foster Care system relies on the participation of prospective foster parents to provide safe and nurturing homes to foster children in Louisiana’s care;

WHEREAS, it is in the best interest of the State of Louisiana to ensure that the Department efficiently manages the recruitment, training, certification, licensing, and ongoing compliance of caregivers within the Louisiana Foster Care system;

WHEREAS, it is in the best interest of the State of Louisiana to recruit new foster caregivers, to retain current caregivers within the Foster Care system, and to take measures to reduce instances of foster family homes turnover;

WHEREAS, it is in the best interest of the State of Louisiana to provide foster parents and caregivers with the support and resources to ensure the safety and wellbeing of Louisiana foster children;

WHEREAS, it is in the best interest of the State of Louisiana to provide foster parents and caregivers with the support and resources to mitigate the stress and potential burnout associated with caring for foster children;

WHEREAS, the State of Louisiana recognizes the importance of fostering traditional family values within its foster care system and is committed to advancing these values by providing training and support to foster families, ensuring every child is raised in a safe, stable, and nurturing environment.

NOW THEREFORE I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: The Secretary of the Department of Children and Family Services (“Secretary”) shall review all licensing processes and procedures to strengthen and enhance efficiency in the Louisiana Foster Care system.

Section 2: The Secretary, in consultation with relevant stakeholders, shall develop and advance initiatives to increase participation, recruitment, and retention of foster parents and caregivers within the State, including but not limited to foster parent licensing software, platforms, or online portals.

Section 3: In furtherance of these initiatives, the Secretary, in consultation with relevant stakeholders, shall ensure the following rights enumerated in R.S. 46:286.13 are advanced and protected including but not limited to the right to:

A. Respect and Equal Treatment—Foster parents have the right to be treated with dignity, respect, trust, and consideration as key members of the child’s care team. They are entitled to uniform treatment and access to information across the state.

B. Clear Expectations and Explanations—Foster parents have the right to a clear explanation of everyone’s roles and responsibilities, along with evaluation and feedback of their own performance. The Department must provide written information outlining foster parent rights and duties.

C. Access to Information—Foster parents have the right to all known information about a child that affects the child’s care, health, and safety, or that of the foster family.

D. Training and Support—Foster parents have the right to necessary training and support, to enable them to meet the needs of children in their care.

E. Timely Communication—Foster parents have the right to be informed in a timely manner about available support services, case planning meetings, legal proceedings, and other decision-making events and to participate in these as allowed by law.

F. Participation in Decision Making—Foster parents have the right to actively participate in developing the child’s case plan, educational plan, and other service-related decisions.

G. Family Loss and Separation Assistance—Foster parents have the right to 24-hour access to agency staff for emergencies, support during transitions when a child leaves their home, and access to advocacy services.

H. Information—Foster Parents have the right to receive information concerning agency policies and procedures related to their role as a foster parent or to the child in their care, and information contained in the foster parents’ record, as allowed by law.

I. Placement and Adoption Preference—Foster parents have the right to be considered first for placement of a child previously in their care, and for adoption if that child becomes eligible and no relative placement is available.

J. Advocacy Support—Foster parents have the right to allow a member of the Louisiana Advocacy Support Team accompany them in meetings with departmental staff during investigations or grievance procedures.

Section 4: The Secretary shall develop a plan to strengthen the Department's capacity to train, license, and provide effective oversight of caregivers in the Louisiana Foster Care System.

Section 5: No later than July 1, 2026, the Secretary shall provide a report to the Governor detailing (1) the reforms that are planned to be introduced or that will continue into the upcoming year and thereafter; the extent to which the Department has identified and addressed existing deficiencies and increased efficiencies within the foster care system, and (3) outlining any statutory or regulatory changes that may be necessary to implement these recommendations.

Section 6: All departments, commissions, boards, agencies, and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in the implementation of this Order.

Section 7: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 7th day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#068

EXECUTIVE ORDER JML 25-131

Renewal of State of Disaster Smitty's Supply Fire

WHEREAS, the Governor is responsible for meeting the dangers to the state and people presented by emergencies and disasters;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency or disaster by executive order which has the force and effect of law;

WHEREAS, pursuant to R.S. 29:274 (B)(1), Governor Jeff Landry declared a state of emergency on October 10, 2025, in JML 25-117, which is in effect through Sunday, November 9, 2025;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency or disaster to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules

or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster;

WHEREAS, a declaration of emergency or disaster activates the state's emergency response and recovery program under the command of the director of the Governor's Office of Homeland Security and Emergency Preparedness;

WHEREAS, the Governor's Office of Homeland Security and Emergency Preparedness is responsible for determining the requirements of the state and its political subdivisions for food, clothing, and other necessities and supplies in a designated disaster area;

WHEREAS, Smitty's Supply Inc. in Tangipahoa parish caught fire on August 24, 2025, resulting in a fire that burned for several days and released thousands of gallons of petroleum products into the surrounding areas;

WHEREAS, soon after the fire began, the U.S. Environmental Protection Agency ("EPA") took the lead on both fire suppression and measures to prevent the spillage of additional pollutants into the environment;

WHEREAS, cleanup crews continue active operations across multiple sites, employing containment booms, skimmers, and vacuum trucks to capture and remove recoverable waste from the Tangipahoa River and affected ponds, while ongoing work at the Smitty's Supply facility focuses on containing and recovering waste on-site;

WHEREAS, the EPA has served as the lead agency for remediation in the affected area and has utilized its federal contractors to execute cleanup and recovery operations;

WHEREAS, the Democratic Party's failure to reach a federal funding agreement has resulted in a shutdown of the United States Government as of October 1, 2025, and the White House has indicated that the shutdown will impact federal contracts;

WHEREAS, the White House has announced that funding for all cost-based federal contracts will cease during the government shutdown;

WHEREAS, the EPA has communicated that it will cease all on-site activities effective October 15, 2025;

WHEREAS, Tangipahoa Parish requires assistance from the State of Louisiana to continue active operations to capture and remove recoverable waste from the Tangipahoa River and affected ponds and to contain and recover waste.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of disaster is hereby declared to exist as a result of the emergency conditions that currently threaten the property of Louisiana.

Section 2: Pursuant to R.S. 29:724 (A)(3), the designated emergency area is the Parish of Tangipahoa.

Section 3: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) and the Secretary of the Department of Environmental Quality (DEQ) are hereby authorized to undertake any activity authorized by law which they deem appropriate in response to this declaration.

Section 4: Pursuant to La. R.S. 29:724(D)(1), the Louisiana Procurement Code (La. R.S. 39:1551, et seq.) and Louisiana Public Bid Law (La. R.S. 38:2211, et seq.) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this disaster, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: Pursuant to La. R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this disaster.

Section 7: This Order is effective upon signature and shall continue in effect from Friday, November 7, 2025 until Sunday, December 7, 2025 unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 7th day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#069

EXECUTIVE ORDER JML 25-132

Renewal of State of Emergency
Office of Broadband Development and Connectivity

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, et seq., confers upon the Governor of the State of Louisiana emergency powers to address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency or disaster by executive order which has the force and effect of law;

WHEREAS, pursuant to R.S. 29:274 (B)(1), Governor Jeff Landry declared a state of emergency on June 20, 2025, in JML 25-071, which is in effect through Sunday, July 20, 2025;

WHEREAS, JML 25-071 has been renewed and extended every thirty (30) days through JML 25-116 which is in effect through Sunday, November 9, 2025;

WHEREAS, La. R.S. 29:724 authorizes the Governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, the Office of Broadband Development and Connectivity was created to, among other things, promote and encourage broadband adoption for households that have not accessed services, to encourage the assistance of the private sector, including broadband service providers, to effectuate the deployment and access to broadband and other connectivity services to all residents of the state, and to apply for, receive, and administer grants or financial assistance from persons or government agencies;

WHEREAS, the State of Louisiana, through the Office of Broadband Development and Connectivity, has long been a model for broadband expansion for the country by establishing the State's first broadband deployment program, the Granting Unserved Municipalities Broadband Opportunities ("GUMBO") grant program;

WHEREAS, the Office of Broadband Development and Connectivity ("ConnectLA") currently provides administrative duties and compliance processes for the GUMBO 1.0 grant program, set to serve over 60,000 locations with high-speed, reliable, internet service using up \$176 million in Capital Projects Funds from the U.S. Treasury by December 2026;

WHEREAS, the State of Louisiana and ConnectLA embarked on a challenge to continue to bridge the digital divide by participating in the Broadband, Equity, Access, and Deployment ("BEAD") program administered by the U.S. Department of Commerce;

WHEREAS, the Notice of Funding Opportunities that was released by the U.S. Department of Commerce stipulated numerous steps and requirements to unlock \$1.355 billion in funds to be allocated to the State of Louisiana through this program;

WHEREAS, the State of Louisiana became the first state in the nation to receive approval of the Initial Proposal document from the U.S. Department of Commerce in December of 2023;

WHEREAS, this approval from the U.S. Department of Commerce set a one year timeline to complete a Final Proposal and provided the state the ability to complete its competitive grant process to serve the remaining locations within the state with broadband services;

WHEREAS, the State of Louisiana had become the first in the nation to release results from the program in November of 2024 and secure federal approval in January of 2025 for the Final Proposal, representing a comprehensive BEAD plan totaling \$1.355 billion, through the GUMBO 2.0 program;

EXECUTIVE ORDER JML 25-133

Flags at Half-Staff—Officer Marc Brock

WHEREAS, this historic investment represents a generational opportunity to deliver high-speed internet access to approximately 140,000 unserved or underserved locations across all 64 parishes;

WHEREAS, the U.S. Department of Commerce recently completed a review of the BEAD program to offer changes to streamline the program for all state broadband offices across the nation;

WHEREAS, a new policy notice was released on June 6, 2025, to expedite the BEAD award process and ensure all states have completed a “Benefit of the Bargain” grant round;

WHEREAS, the State of Louisiana must complete all new actions and redo the entirety of the bidding process within a 90 day timeframe from the release of the policy notice guidance from the U.S. Department of Commerce, with all results due by September 4, 2025;

WHEREAS, strict compliance with the requirements set forth in La. R.S. 51:2370.21, et seq., do not permit ConnectLa to complete the entirety of this process as required by the U.S. Department of Commerce by September 4, 2025.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, et seq., a state of emergency is hereby declared to exist as a result of the emergency conditions that currently threaten the safety and property of the citizens in Louisiana.

Section 2: Pursuant to La. R.S. 29:724(D)(1), the following provisions are hereby suspended: La. R.S. 51:2370.21-2370.35 and LAC 4:XXI.Chapters 11-17.

Section 3: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 4: This Order is effective from Friday, November 7, 2025, and shall continue in effect until Sunday, December 7, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 7th day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#070

WHEREAS, Officer Marc Brock tragically lost his life in the line of duty on November 14, 2025;

WHEREAS, he was born on August 14, 2000, to Shirley Brock and Demario Thomas;

WHEREAS, he graduated from North Caddo Magnet High School in 2018, where he played football, baseball, and track, and began his legacy of selflessness and service by participating in multiple service organizations;

WHEREAS, he later attended Bossier Parish Community College, where he majored in Criminal Justice;

WHEREAS, he served at the Vivian Police Department first as a public communications officer, and later when he donned his badge as a police officer;

WHEREAS, he loved his job and his coworkers, always coming in early, leaving late, and working additional shifts whenever needed to help his fellow officers;

WHEREAS, he truly exemplified a servant’s heart and a love for neighbor through his dedicated service in the community;

WHEREAS, his passions included coaching as the Offensive and Defensive Line Coach at North Caddo Magnet High School for several years, as well as coaching little league football and baseball at the Vivian’s Athletic Association, volunteering his time to support the youth of our community;

WHEREAS, his selflessness and love were seen in many ways, just one being the donations he would organize for children in need;

WHEREAS, he loved traveling the state to watch LSU and Saints games with his aunt, brother, and mom;

WHEREAS, he fell in love with Kambreigh, his fiancée, with whom he shared many wonderful memories and whom he was eagerly anticipating marrying in the spring;

WHEREAS, he was well known for his kindness, generosity, compassion, gentle humor, loyalty to his friends and family, and unwavering love;

WHEREAS, his dedication to his duties and his community was remarkable, and his integrity and bravery set a high standard in both his law enforcement career and his personal life;

WHEREAS, he will be remembered as a coach, a devoted family man, and a dedicated law enforcement officer;

WHEREAS, he was preceded in death by his maternal great-grandparents, Clayton L. and Shirley T. Murry; maternal grandfather, Robert Brock; maternal great-uncles Steven Murry and Edwin Brock; and paternal grandfather Michael June, Sr.;

WHEREAS, he is survived by his mother Shirley Brock-Dennis and husband Marcus Dennis; his father, Demario Thomas and wife Natalie; his siblings Aiden Brock, Dakarya “Koko” Thomas, Destiny Adger, and Isaac

Osborn; his maternal grandmother, Bonny Brock and paternal grandmothers Mary Thomas and Patricia June; his very special aunt, Angela “GG” Channell; extended special family Kyle Rambin and Grayson Brooks; fiancée Kambreigh Smith; along with many great aunts, uncles, and cousins; close knit law enforcement and coaching family; and beloved friends who loved him throughout his life;

WHEREAS, he will be remembered for standing on the Thin Blue Line, along with so many others who have made the ultimate sacrifice in protecting our communities;

WHEREAS, his unwavering commitment to protecting and serving others is inspiring to all who knew him;

WHEREAS, his legacy of kindness and selflessness will continue to live on for all who knew him;

WHEREAS, Officer Marc Brock is a true hero, whose life and sacrifice will forever inspire and resonate within our community.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: As an expression of respect and to honor Officer Marc Brock, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise until sunset on November 22, 2025.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, November 22, 2025.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 20th day of November 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#071

EXECUTIVE ORDER JML 25-134

State of Emergency Maximum Security Camp J Repairs and Operation Louisiana State Penitentiary

WHEREAS, the Governor is responsible for meeting the dangers to the state and people presented by emergencies and disasters;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency or disaster by executive order, which has the force and effect of law;

WHEREAS, pursuant to R.S. 29:274 (B)(1), Governor Jeff Landry declared a state of emergency on July 25, 2025, in JML 25-084, which is in effect through Friday, November 21, 2025;

WHEREAS, La. R.S. 29:724 authorizes the Governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, a declaration of emergency or disaster activates the state’s emergency response and recovery program under the command of the director of the Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”);

WHEREAS, La. R.S. 29:274(D)(2) permits the Governor during a declared state of emergency the capacity to utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster or emergency;

WHEREAS, La. R.S. 29:274(D)(3) authorizes the Governor during a declared state of emergency the capability to transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services;

WHEREAS, La. R.S. 29:274(D)(4) gives the Governor during a declared state of emergency the ability to make provisions for the availability and use of temporary emergency housing;

WHEREAS, the Louisiana State Penitentiary lacks adequate bed capacity to accommodate violent offenders who require the highest degree of security and will be transferred to its facilities;

WHEREAS, Camp J, within the Louisiana State Penitentiary, was designed to provide that maximum security, but Camp J has deteriorated into a condition that creates a significant threat of injury to individuals and property who enter or are in and around its premises;

WHEREAS, in the first seven months of 2017, dozens of weapons were found at Camp J due to security malfunctions;

WHEREAS, within just one year, approximately 85 corrections officers assigned to Camp J had resigned, retired, or were terminated due to the complex challenges presented there;

WHEREAS, locks for the cells in Camp J malfunctioned, allowing offenders to jam cell doors and circumvent security checks, which resulted in a decision to close Camp J in 2018;

WHEREAS, the security conditions of Camp J present a threat of injury and a threat to the lives of offenders housed or working within Camp J as well as employees, contractors, or members of the public who may be within Camp J at any time;

WHEREAS, Camp J and the surrounding infrastructure requires facility improvements and maintenance to adequately hold any violent offenders and to protect the lives of any employees, contractors, or members of the public who may be within Camp J at any time;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist that currently threatens the lives, safety, and property of the citizens in Louisiana.

Section 2: Pursuant to R.S. 29:724(A)(3), the designated emergency area, which is or may be affected, shall include Camp J and surrounding infrastructure, within the Louisiana State Penitentiary.

Section 3: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) and the Secretary of the Department of Public Safety and Corrections are hereby authorized to undertake any activity authorized by law that they deem appropriate in response to this declaration.

Section 4: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, any other emergency amendments to existing contracts, or any public work necessary to respond to this emergency.

Section 5: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 6: This Order is effective upon signature and shall remain in effect from Friday, November 21, 2025, until Sunday, December 21, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 21st day of November 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#072

EXECUTIVE ORDER JML 25-135

Renewal of State of Emergency—Hurricane Ida

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters,

including those caused by fire, flood, earthquake, or other natural or manmade causes, in order to ensure that preparations of this state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, Governor John Bel Edwards declared a state of emergency in response to the imminent threat posed by Hurricane Ida on August 26, 2021, in Proclamation Number 165 JBE 2021;

WHEREAS, Proclamation Number 165 JBE 2021 has been renewed and extended every thirty (30) days through JML 25-121, which is in effect through Sunday, November 23, 2025;

WHEREAS, Hurricane Ida made landfall on the Louisiana coast as a major hurricane on Sunday, August 29, 2021, bringing devastating winds, widespread power-outages, and severe damage to Louisiana and its citizens.

WHEREAS, on August 27, 2021, President Joseph R. Biden approved an Emergency Declaration for the State of Louisiana, authorizing appropriate assistance under Title V of the Stafford Act, to be coordinated by the United States Department of Homeland Security and the Federal Emergency Management Agency;

WHEREAS, on August 29, 2021, President Biden approved a Major Disaster Declaration for the State of Louisiana, authorizing individual and public assistance for all impacted parishes;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, damage from this storm continues to pose a threat to citizens and communities across the Gulf Coast and create conditions that place lives and property in the state in jeopardy;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the threat of emergency conditions that threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency,

unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations continue to be suspended for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: Pursuant to R.S. 29:724(D)(1), the provisions of R.S. 39:126 regarding prior approval of change orders continue to be suspended.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

Section 7: This Order is effective upon signature and shall continue in effect from Friday, November 21, 2025 to Sunday, December 21, 2025, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 21st day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#073

EXECUTIVE ORDER JML 25-136

Renewal of State of Emergency Threat of Subsidence, Subsurface Instability, and Presence of Hydrocarbons in Sulphur Mines Salt Dome Area

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation Number 160 JBE 2023;

WHEREAS, Proclamation Number 160 JBE 2023 has been renewed and extended every thirty (30) days through JML 25-122 which is in effect through Sunday, November 23, 2025;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, local, state, and federal agencies began monitoring subsurface seismic activity occurring in the vicinity of the Sulphur Mines salt dome in Calcasieu Parish in December of 2021, with a true seismic monitoring array being ordered by the Office of Conservation, which came online in January of 2023;

WHEREAS, the Office of Conservation began investigating unexplained hydrocarbon bubbling within the area of concern in January of 2023, as well as monitoring seismicity, and the rate of subsidence in the area of concern;

WHEREAS, on Wednesday September 20, 2023, in response to this subsidence and seepage, Commissioner of Conservation, Monique M. Edwards made a declaration of emergency under the authority of Louisiana Revised Statutes 30:1 *et seq.*, ordering the operator of the salt cavern underneath the area of subsidence to undertake all necessary activities to evaluate and abate any deterioration of the cavern's integrity;

WHEREAS, the State anticipates that further assistance may be needed to assist Calcasieu Parish in their response to this continuing threat; and

WHEREAS, it is necessary to continue the measures provided in Proclamation Number 160 JBE 2023 to further protect the health and safety of the citizens of Louisiana;

NOW THEREFORE I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 *et seq.*, a state of emergency is hereby declared to exist in the Parish of Calcasieu, as a result of seismic activity, lost cavern integrity, increased hydrocarbon bubbling, and accelerated subsidence, that collectively indicate a potential for structural failure that could potentially threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness is hereby authorized to undertake any activity authorized by law which he deems appropriate in response to this declaration.

Section 3: All departments, commissions, boards, agencies, and officers of the State or any political subdivision thereof, are authorized and directed to cooperate in actions, the State may take in response to this incident.

Section 4: This Order is effective upon signature and shall continue in effect from Friday, November 21, 2025, through Sunday, December 21, 2025, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 21st day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#074

EXECUTIVE ORDER JML 25-137

Emergency Operations Plan

WHEREAS, the State of Louisiana must be prepared to respond and recover in a coordinated, effective, and efficient manner to all the emergencies and disasters to which it is subjected;

WHEREAS, the State of Louisiana must be organized in such a way as to effectively bring available state, federal, and private resources together to support the response and recovery efforts of our local communities;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act in R.S. 29:722(7) has declared it necessary to authorize and provide for cooperation in emergency or disaster prevention, mitigation, preparedness, response, and recovery;

WHEREAS, it is the policy of the State of Louisiana for all homeland security and emergency preparedness functions to follow the principles outlined in the National Incident Management System, or its successor, as set forth in R.S. 29:722(C); and

WHEREAS, the State of Louisiana will best achieve effective coordinated emergency planning by updating the state’s current emergency operations order through the replacement of Executive Order Number JML 24-97, issued on June 28, 2024, and by the Governor’s Office of Homeland Security and Emergency Preparedness updating its emergency operations plan.

NOW THEREFORE, I, JEFF LANDRY, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and the laws of the state of Louisiana, do hereby order and direct as follows:

Section 1:

A. The Director of the Governor’s Office of Homeland Security and Emergency Preparedness, State of Louisiana, (hereafter “Director”), shall direct the State of Louisiana’s emergency and/or disaster operations.

B. The Director, or the Director’s designee, shall also coordinate the activities of all non-state agencies, departments, and/or organizations involved in emergency management within the State of Louisiana.

Section 2:

A. This Executive Order shall constitute the State of Louisiana Emergency Operations Plan (“Plan”), which shall be binding on all departments, commissions, boards, agencies, organizations, and employees of the State of Louisiana, and on all local governments or political subdivisions of the state authorized or directed to conduct homeland security and emergency management operations.

B. The Director shall supplement the provisions of the Plan by prescribing rules, regulations, and procedures. Once adopted, the supplement shall also be binding on all departments, commissions, boards, agencies, organizations, and employees of the State of Louisiana, and on all local governments or political subdivisions of the state authorized or directed to conduct homeland security and emergency management operations.

C. Any supplement or subsequent changes to the plan shall continue to follow the principles outlined in the National Incident Management System, or its successor, and also provide for the emergency operations that may be implemented should an emergency and/or disaster strike the State of Louisiana or an area within the State of Louisiana.

Section 3:

A. The Director shall control the activation and/or implementation of the Plan and the conclusion and/or deactivation of the Plan.

B. The Director shall also control the activation and deactivation of the state Emergency Operations Center (hereafter “Center”).

C. The activation of the Center shall constitute the implementation of the Plan.

Section 4: The departments, offices, agencies, and organizations of the State of Louisiana government have primary and support responsibilities for the following Emergency Support Functions (ESF) and Recovery Support Functions (RSF):

ESF	Annex	Department/Agency	Primary /Support
ESF 1	Transportation	Department of Transportation and Development	P
		Louisiana National Guard	S
		Department of Agriculture and Forestry	S
		Department of Corrections	S
		Department of Education	S
		Louisiana Department of Health	S
		Louisiana State Police	S
		Department of Wildlife and Fisheries	S
		Department of Children and Family Services	S
		Non-Governmental Organizations (NGO)	S
ESF 2	Cyber -Communications	Governor’s Office of Homeland Security and Emergency Preparedness	P
		Louisiana National Guard	P
		Louisiana State Police	P
		Division of Administration	P
		Department of Agriculture and Forestry	S
		Department of Corrections	S
		Department of Culture, Recreation & Tourism	S

ESF	Annex	Department/Agency	Primary /Support
		Department of Economic Development	S
		Department of Education	S
		Department of Environmental Quality	S
		Department of the Treasury	S
		Department of Conservation and Energy	S
		Office of Elderly Affairs	S
		Office of the Lieutenant Governor	S
		Office of the Attorney General	S
		Office of the Governor	S
		Louisiana Oil Spill Coordinators Office	S
		Louisiana State University System	S
		Louisiana Department of Health	S
		Department of Justice	S
		Louisiana Workforce Commission	S
		Louisiana Public Service Commission	S
		Louisiana Board of Regents	S
		Louisiana Commissioner of Insurance	S
		Louisiana Optical Network Initiative (LONI Network)	S
		Louisiana Cyber Innovation Center	S
		LSU-SDMI	S
		Department of Revenue	S
		Department of Children and Family Services	S
		Department of Transportation & Development	S
		Department of Wildlife and Fisheries	S
		Non-Governmental Organizations (NGO)	S
		Secretary of State	S
ESF 3	Public Works & Engineering	Department of Transportation & Development	P
		Louisiana Coastal Protection and Restoration Authority	P
		Governor – Division of Administration	S
		Louisiana Department of Health	S
		Department of Conservation and Energy	S
		Department of Environmental Quality	S
		Louisiana National Guard	S
		Non-Governmental Organizations (NGO)	S
ESF 4	Firefighting	Department of Agriculture and Forestry	P
		State Fire Marshal	P
		Louisiana National Guard	S
		Department of Environmental Quality	S
		Department of Transportation and Development	S
		Department of Wildlife and Fisheries	S
		Non-Governmental Organizations (NGO)	S
ESF 5	Emergency Management	Governor’s Office of Homeland Security and Emergency Preparedness	P
		Louisiana National Guard	S
		Department of Agriculture and Forestry	S
		Department of Corrections	S
		Department of Culture, Recreation & Tourism	S
		Department of Economic Development	S
		Department of Education	S
		Department of Environmental Quality	S
		Governor – Division of Administration	S
		Governor – Office of Disability Affairs	S
		Governor – Office of Elderly Affairs	S
		Governor – Office of Indian Affairs	S
		Louisiana Oil Spill Coordinators Office	S
		Louisiana State University System	S
		Louisiana Department of Health	S
		Department of Justice	S
		Louisiana Workforce Commission	S
		Department of Conservation and Energy	S
		Louisiana Public Service Commission	S
		Louisiana Board of Regents	S
		Office of the Lieutenant Governor	S
		Office of the Lieutenant Governor- Volunteer Louisiana	S
		Department of Revenue	S
		Secretary of State	S
		Department of Children and Family Services	S
		Louisiana State Police	S

ESF	Annex	Department/Agency	Primary /Support
		Department of Transportation & Development	S
		Department of the Treasury	S
		Department of Wildlife and Fisheries	S
		Louisiana Coastal Protection and Restoration Authority	S
		Department of Public Safety	S
		State Fire Marshal	S
		Non-Governmental Organizations (NGO)	S
ESF 6	Mass Care, Housing and Human Services	Louisiana Department of Health	P
		Louisiana Workforce Commission	P
		Department of Corrections	S
		Governor's Office of Homeland Security and Emergency Preparedness	S
		Louisiana Housing Corporation	S
		Louisiana National Guard	S
		Department of Agriculture and Forestry	S
		Department of Culture, Recreation and Tourism	S
		Department of Economic Development	S
		Department of Education	S
		Department of Environmental Quality	S
		State Fire Marshal	S
		Governor – Office of Disability Affairs	S
		Governor – Office of Elderly Affairs	S
		Department of Children and Family Services	S
		Louisiana State University System and Ag Center	S
		Department of Insurance	S
		Department of Labor	S
		Department of Conservation and Energy	S
		Louisiana Public Service Commission	S
		Louisiana Board of Regents	S
		Department of Veterans Affairs	S
		Department of Revenue	S
		Department of Transportation and Development	S
		Department of Wildlife and Fisheries	S
		Louisiana State Police	S
		Office of the Lieutenant Governor	S
		State Treasurer	S
		Non-Governmental Organizations (NGO)	S
ESF 7	Resources Support	Governor's Office of Homeland Security and Emergency Preparedness	P
		Louisiana National Guard	P
		Department of Agriculture & Forestry	S
		Department of Culture, Recreation and Tourism	S
		Department of Economic Development	S
		Department of Environmental Quality	S
		Governor – Division of Administration	S
		Louisiana State University System	S
		Louisiana Department of Health	S
		Louisiana Workforce Commission	S
		Department of Conservation and Energy	S
		Louisiana Board of Regents	S
		Department of Children and Family Services	S
		Louisiana State Police	S
		Office of the Lieutenant Governor	S
		Department of Transportation & Development	S
		Department of the Treasury	S
		Non-Governmental Organizations (NGO)	S
ESF 8	Public Health & Medical Services	Louisiana Department of Health	P
		Louisiana National Guard	S
		Department of Agriculture and Forestry	S
		Department of Corrections	S
		Department of Children and Family Services	S
		Department of Environmental Quality	S
		Louisiana State University System	S
		Louisiana Board of Regents	S
		State Fire Marshal	S
		Louisiana Workforce Commission	S
		Department of Transportation & Development	S
		Department of Veterans Affairs	S
		Non-Governmental Organizations (NGO)	S

ESF	Annex	Department/Agency	Primary /Support
ESF 9	Search & Rescue	Department of Wildlife and Fisheries	P
		State Fire Marshal	P
		Louisiana National Guard	S
		Department of Agriculture and Forestry	S
		Louisiana Department of Health	S
		Department of Corrections	S
		Department of Culture, Recreation, & Tourism	S
		Louisiana State Police	S
		Department of Transportation and Development	S
		Louisiana State University Fire and Emergency Training Institute	S
		Department of Revenue - Office of Alcohol and Tobacco Control	S
		Office of the Lieutenant Governor	S
		Non-Governmental Organizations (NGO)	S
		ESF 10	Oil Spill, Hazardous Materials and Radiological
Department of Environmental Quality	P		
Louisiana Oil Spill Coordinators Office	P		
Governor's Office of Homeland Security and Emergency Preparedness	S		
Louisiana Coastal Protection and Restoration Authority	S		
Louisiana National Guard	S		
Department of Agriculture and Forestry	S		
State Fire Marshal	S		
Louisiana State University System	S		
Louisiana Department of Health	S		
Department of Conservation and Energy	S		
Department of Transportation and Development	S		
Department of Wildlife and Fisheries	S		
Non-Governmental Organizations (NGO)	S		
ESF 11	Agriculture	Department of Agriculture & Forestry	P
		Louisiana National Guard	S
		Department of Corrections	S
		Department of Environmental Quality	S
		Louisiana Department of Health	S
		Louisiana Board of Regents	S
		Louisiana National Guard	S
		Louisiana State Police	
		Louisiana State University System	S
		Department of Transportation and Development	S
		Governor's Office of Homeland Security and Emergency Preparedness	S
		Department of Wildlife and Fisheries	S
		Southern University and Ag Center	S
		Non-Governmental Organizations (NGO)	S
ESF 12	Energy and Utilities	Department of Conservation and Energy/Intrastate Natural Gas	P
		Louisiana Public Service Commission/Power	P
		Louisiana Department of Health	P
		Louisiana Department of Environmental Quality	S
		(Wastewater Utilities)	S
		Department of Agriculture & Forestry	S
		Louisiana National Guard	S
		Non-Governmental Organizations (NGO)	S
ESF 13	Public Safety and Security	Louisiana State Police	P
		Department of Justice	P
		Department of Agriculture and Forestry	S
		Department of Corrections	S
		Department of Culture, Recreation and Tourism	S
		Department of Revenue - Office of Alcohol and Tobacco Control	S
		Department of Transportation and Development	S
		Department of Wildlife and Fisheries	S
		Louisiana National Guard	S
		Office of Juvenile Justice	S
		Office of the Lieutenant Governor	S
Office of the State Fire Marshal	S		
ESF 14	In accordance with the National Disaster Recovery Framework, ESF 14 will be organized into Recovery Support Functions (RSF).	Governor's Office of Homeland Security and Emergency Preparedness	P

ESF	Annex	Department/Agency	Primary /Support
		(GOHSEP)	
ESF 15	Emergency Public Information	Governor's Office of Homeland Security and Emergency Preparedness	P
		Louisiana National Guard	S
		Senate and House Legislative Liaisons	S
		Department of Agriculture and Forestry	S
		Department of Corrections	S
		Department of Culture, Recreation & Tourism	S
		Office of the Lieutenant Governor	S
		Department of Economic Development	S
		Department of Education	S
		Department of Environmental Quality	S
		State Fire Marshal	S
		Governor – Division of Administration	S
		Governor – Office of Disability Affairs	S
		Governor – Office of Elderly Affairs	S
		Governor – Office of Financial Institutions	S
		Governor – Office of Indian Affairs	S
		Louisiana Oil Spill Coordinators Office	S
		Louisiana State University System	S
		Louisiana Department of Health	S
		Department of Justice	S
		Department of Insurance	S
		Louisiana Workforce Commission	S
		Department of Conservation and Energy	S
		Louisiana Public Service Commission	S
		Louisiana Board of Regents	S
		Department of Revenue	S
		Department of Children and Family Services	S
		Secretary of State	S
		Louisiana State Police	S
		Department of Transportation and Development	S
		Department of the Treasury	S
		Department of Wildlife and Fisheries	S
		Louisiana Coastal Protection and Restoration Authority	S
		Non-Governmental Organizations (NGO)	S
ESF 16	Military Support to Civilian Affairs	Louisiana National Guard	P
RSF 1	Community Planning and Capacity Building	Office of Community Development	P
		Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP)	S
		Governor's Office of Disability Affairs	S
		Governor's Office of Elderly Affairs	S
		Louisiana Economic Development	S
		Louisiana Workforce Commission	S
		Department of Agriculture and Forestry	S
		Department of Insurance	S
		Department of Revenue	S
		University of Louisiana at Lafayette/NIMSAT	S
		Louisiana State University/SDMI	S
		Office of Financial Institutions	S
		Office of the Lieutenant Governor-Volunteer Louisiana	S
		Department of Education	S
		Louisiana VOAD	S
		Department of Transportation and Development	S
RSF 2	Economic	Louisiana Economic Development	P
		Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP)	S
		Louisiana Workforce Commission	S
		Department of Agriculture and Forestry	S
		Department of Insurance	S
		Department of Revenue	S
		University of Louisiana at Lafayette/NIMSAT	S
		Louisiana State University/SDMI	S
		Office of Financial Institutions	S
		Office of the Lieutenant Governor	S
		Department of Education	S

ESF	Annex	Department/Agency	Primary /Support
		Department of Transportation and Development	S
		LSU/Southern Agriculture Centers	S
		Department of Environmental Quality	S
		Louisiana Sea Grant@ LSU	S
		Louisiana Housing Corporation	S
		Louisiana Department of Health	S
		Louisiana VOAD	S
		Governor's Office of Disability Affairs	S
		Governor's Office of Elderly Affairs	S
RSF 3	Health and Social Services	Louisiana Department of Health	P
		Department of Children and Family Services	P
		Department of Education	P
		Louisiana State University Health Sciences	S
		Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP)	S
		Louisiana Board of Regents	S
		Office of Community Development	S
		Louisiana VOAD	S
		Office of the Lieutenant Governor	S
		Governor's Office of Disability Affairs	S
		Governor's Office of Elderly Affairs	S
		Governor's Office – Children's Cabinet	S
		Louisiana Housing Corporation	S
		Louisiana Workforce Commission	S
		Louisiana Board of Regents	S
		Louisiana Department of Corrections	S
		Louisiana Department of Environmental Quality	S
		Louisiana Department of Revenue	S
		Louisiana United Way & 211	S
		Feeding Louisiana	S
RSF 4	Housing	Louisiana Housing Corporation	P
		Louisiana Department of Health	S
		Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP)	S
		Louisiana Economic Development	S
		Louisiana VOAD	S
		Office of the Lieutenant Governor-Volunteer Louisiana	S
		Governor's Office of Disability Affairs	S
		Governor's Office of Elderly Affairs	S
RSF 5	Infrastructure Systems	Department of Transportation and Development	P
		Coastal Protection and Restoration Authority	P
		Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP)	S
		Office of Community Development	S
		Office of Financial Institutions	S
		Department of Agriculture and Forestry	S
		Department of Insurance	S
		Public Service Commission	S
		Louisiana Economic Development	S
		Department of Environmental Quality	S
		Department of Conservation and Energy	S
		Department of Corrections	S
		Department of Public Safety	S
		Louisiana Oil Spill Coordination Officer	S
		Office of the State Fire Marshall	S
		Louisiana Housing Corporation	S
		Louisiana Department of Health	S
		Louisiana Department of Education	S
		Louisiana National Guard	S
		Governor's Office of Disability Affairs	S
		Governor's Office of Elderly Affairs	S
RSF 6	Natural and Cultural Resources	Louisiana Department of Wildlife and Fisheries	P
		Coastal Protection and Restoration Authority	P
		Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP)	S
		Department of Conservation and Energy	S

ESF	Annex	Department/Agency	Primary /Support
		Department of Environmental Quality	S
		Department of Culture, Recreation, and Tourism	S
		Department of Agriculture and Forestry	S
		Office of the Lieutenant Governor	S
		Office of Community Development	S
		Secretary of State	S
		Governor's Office of Disability Affairs	S
		Governor's Office of Elderly Affairs	S

Section 5: The head of each department, office, agency, and organization identified in Section 4 of this Order shall designate both an emergency coordinator and an alternate coordinator to act on the department's behalf during an emergency situation, and furnish the Director with their names and all phone numbers. The head shall also designate a Continuity of Operations Plan (COOP) coordinator who will prepare and maintain plans, procedures, arrangements, and agreements to ensure that the organization will continue to carry out its mission in an emergency or disaster.

Section 6: The head of each department assigned emergency support or recovery support responsibilities in Section 4 of this Order shall assist its primary department in the preparation of their procedures and/or any other documents necessary to support the Plan.

Section 7: The head of each department assigned a primary and/or a support responsibility in Section 4 of this Order will:

- A. Staff the State Emergency Operations Center and or Joint Field Office with personnel during training exercises and emergencies as requested by the Director;
- B. Maintain and operate a 24-hour response capability in the department headquarters, or in the department's designated Emergency Operations Center, when the Plan is implemented;
- C. Participate in exercises of the Plan when scheduled by the Director;
- D. Participate in, and conduct, training essential to the implementation of the department's assigned emergency service;
- E. Conduct an annual internal review to update the details of their department's implementing procedures and advise the Director of needed modifications of their implementing procedures; and
- F. Maintain logs, records, and reporting systems required by all state and federal laws, rules, and regulations.

Section 8: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in the implementation of this Order.

Section 9: This Order supersedes and replaces Executive Order Number JML 24-97, issued on June 28, 2024, and Executive Order Number JML 24-97 is hereby terminated.

Section 10: This Order is effective upon signature and shall remain in effect until amended, modified, terminated,

or rescinded by the governor or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 25th day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#075

EXECUTIVE ORDER JML 25-138

Flags at Half-Staff—Sheriff Mike Cazes

WHEREAS, former West Baton Rouge Sheriff Michael Brian "Mike" Cazes passed away on November 24, 2025;

WHEREAS, he was born on March 16, 1956;

WHEREAS, he dedicated his entire life to serving his community, and his life reflects the unwavering and remarkable service he offered to others;

WHEREAS, his service in law enforcement consisted of over 40 years of hard work and dedication and many different roles, including reserve deputy, jailer, patrol deputy, Port Allen City Marshal, administrative assistant to the sheriff, chief criminal deputy, and, finally, as sheriff for 20 years, before recently retiring;

WHEREAS, as sheriff, he extended his service of his community into many different leadership roles, including as president of the Louisiana Sheriffs' Association;

WHEREAS, he was revered for his commitment to justice and the legal system, which was celebrated by his induction into the Louisiana Justice Hall of Fame;

WHEREAS, his community is grateful for his service and gift of self, and that appreciation was forever memorialized in West Baton Rouge Parish naming Mike Cazes Road in his honor;

WHEREAS, he truly exemplified outstanding law enforcement as a disciplined, compassionate, and selfless law enforcement officer;

WHEREAS, he will be remembered for his deep, local roots and his ability to connect with the many people of his community through his wisdom, courage, and unwavering resolve;

WHEREAS, Sheriff Cazes' life exemplified the courage and commitment of those who stand on the Thin Blue Line, a symbol of the brave men and women who dedicate their lives to protecting our communities;

EXECUTIVE ORDER JML 25-139

State of Emergency—City of Tallulah Water System

WHEREAS, he will be remembered for inspiring countless lives and for championing justice, integrity, and community well-being, along with his purpose, leadership, and service;

WHEREAS, through his unwavering dedication, sacrifice, and leadership, he made a lasting impact on law enforcement, both in West Baton Rouge and in Louisiana;

WHEREAS, he exemplified a selfless spirit and a servant’s heart, tirelessly uplifting others and perpetually giving both his time and talents to those in need;

WHEREAS, he was a family man, who loved and adored his children, grandchildren, and great-granddaughter;

WHEREAS, his legacy will inspire future generations and continue to live on in all who knew him;

WHEREAS, he was preceded in death by his parents, Joseph Marion Sr. and Elizabeth “Betty” Templett Cazes; and brother, Patrick Kevin “Pat” Cazes;

WHEREAS, he is survived by his wife of 41 years, Stephanie Jarreau Cazes; their three children, Chrissy Cazes Simoneaux (Dale), Michelle Cazes Olinde (Ryan), Brian Cazes (Laurie); grandchildren, Daleigh Simoneaux (Brock), Ryler Simoneaux, Peyton Olinde, Preston Olinde, Allie Johnson, Anna Grace Johnson, and Ashlynn Johnson; great-granddaughter, AudreyAnn Bourg; siblings, Joseph Marion “Jim” Cazes Jr. and his wife Grace, Mary Kathleen “Kathy” Cazes Wilbert and her husband Calvin “Pat” Jr., David Cazes and his wife Denise; along with numerous nieces and nephews.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: As an expression of respect and to honor Sheriff Mike Cazes, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise until sunset on Friday, November 28, 2025.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, Friday, November 28, 2025.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 26th day of November 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#076

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, a state of emergency was declared through Executive Order No. 25-018;

WHEREAS, Executive Order No. 25-018 has been renewed and extended every thirty (30) days through JML 25-125, which is in effect through Sunday, November 30, 2025;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters, in order to ensure that preparations by the State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency or disaster by executive order which has the force and effect of law;

WHEREAS, La. R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, a declaration of emergency activates the state’s emergency response and recovery program under the command of the director of the Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”);

WHEREAS, the City of Tallulah has approximately 8,601 persons that depend on the Tallulah Water System;

WHEREAS, the Louisiana Department of Health has determined that the Tallulah Water System is continuously at risk of failure and unable to provide safe and accessible water to the residents of Tallulah on a consistent basis;

WHEREAS, the failure of the Tallulah Water System would impact the health and safety of the citizens of the City of Tallulah;

WHEREAS, the failure of the Tallulah Water System would greatly impact the operability and sustainability of critical infrastructure within the City;

WHEREAS, the State of Louisiana desires to avoid the failure of the Tallulah Water System and to protect the city’s citizens and critical infrastructure;

WHEREAS, there is a need to continue Executive Order Number JML 25-125 because the designated certified operator is still working to repair the Tallulah Water System in order to provide safe and accessible water to the residents of Tallulah on a consistent basis.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721 *et seq.*, and more specifically, La. R.S. 29:724, a state of emergency is hereby declared to exist within the City of Tallulah in the Parish of Madison.

Section 2: The Director of GOHSEP and the Louisiana Department of Health are hereby authorized to undertake any activity authorized by law deemed appropriate in response to this declaration;

Section 3: Pursuant to R.S. 29:724(D)(I), the Louisiana Procurement Code, (R.S. 39:1551, *et seq.*), and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*), and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 4: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this event.

Section 5: This Order is effective Wednesday, November 26, 2025, and shall continue in effect until Friday, December 26, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 26th day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#077

EXECUTIVE ORDER JML 25-140

Renewal of State of Emergency—Cybersecurity Incidents

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies, including those caused by breach of cybersecurity, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to R.S. 29:724(B)(1), Governor John Bel Edwards declared a state of emergency on December 28, 2023, in Proclamation Number 236 JBE 2023 in response to the threat of intentional cybersecurity breaches of public entities throughout the State of Louisiana;

WHEREAS, Proclamation Number 263 JBE 2023 has been renewed and extended every thirty (30) days through JML 25-126, which is in effect through Sunday, November 30, 2025;

WHEREAS, there have been severe, intentional cybersecurity breaches of public entities throughout the State of Louisiana;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, it is necessary for the State to continue to work cooperatively to mitigate any damages, current or future from cybersecurity breaches and to address cybersecurity vulnerabilities in current systems;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the imminent threat to the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in actions the state may take in response to the effects of this cybersecurity event.

Section 5: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are further authorized and directed to take all actions necessary to preserve the security and confidentiality of any data related to this emergency,

including the execution of Memoranda of Understanding (MOUs), Non-Disclosure Agreements (NDAs), and/or any other related documents.

Section 6: Any departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, that may be affected by this cybersecurity emergency are directed to work with state officials to ensure there is a coordinated response to this event and are further directed to comply with the requirements of the Database Security Breach Notification Law, R.S. 51:3071 *et seq.*

Section 7: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551 *et seq.*), Louisiana Public Bid Law (R.S. 38:2211, *et seq.*), and the Louisiana Information Technology Procurement Code (R.S. 39:196-200), and their corresponding rules and regulations are hereby suspended if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with this emergency.

Section 8: This Order is effective upon signature and shall continue in effect from Wednesday, November 26, 2025, to Friday, December 26, 2025, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 26th day of November, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#078

EXECUTIVE ORDER JML 25-141

Renewal of State of Disaster—Smitty’s Supply Fire

WHEREAS, the Governor is responsible for meeting the dangers to the state and people presented by emergencies and disasters;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency or disaster by executive order which has the force and effect of law;

WHEREAS, pursuant to R.S. 29:274 (B)(1), Governor Jeff Landry declared a state of emergency on October 10, 2025, in Executive Order JML 25-117;

WHEREAS, Executive Order JML 25-117 has been renewed and extended every thirty (30) days through JML 25-131 which is in effect through Sunday, December 7, 2025.

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency or disaster to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster;

WHEREAS, a declaration of emergency or disaster activates the state’s emergency response and recovery program under the command of the director of the Governor’s Office of Homeland Security and Emergency Preparedness;

WHEREAS, the Governor’s Office of Homeland Security and Emergency Preparedness is responsible for determining the requirements of the state and its political subdivisions for food, clothing, and other necessities and supplies in a designated disaster area;

WHEREAS, Smitty’s Supply Inc. in Tangipahoa parish caught fire on August 24, 2025, resulting in a fire that burned for several days and released thousands of gallons of petroleum products into the surrounding areas;

WHEREAS, soon after the fire began, the U.S. Environmental Protection Agency (“EPA”) took the lead on both fire suppression and measures to prevent the spillage of additional pollutants into the environment;

WHEREAS, cleanup crews continue active operations across multiple sites, employing containment booms, skimmers, and vacuum trucks to capture and remove recoverable waste from the Tangipahoa River and affected ponds, while ongoing work at the Smitty’s Supply facility focuses on containing and recovering waste on-site;

WHEREAS, the EPA has served as the lead agency for remediation in the affected area and has utilized its federal contractors to execute cleanup and recovery operations;

WHEREAS, the Democratic Party’s failure to reach a federal funding agreement has resulted in a shutdown of the United States Government as of October 1, 2025, and the White House has indicated that the shutdown will impact federal contracts;

WHEREAS, the White House has announced that funding for all cost-based federal contracts will cease during the government shutdown;

WHEREAS, the EPA has communicated that it will cease all on-site activities effective October 15, 2025;

WHEREAS, Tangipahoa Parish requires assistance from the State of Louisiana to continue active operations to capture and remove recoverable waste from the Tangipahoa River and affected ponds and to contain and recover waste.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of disaster is hereby declared to exist as a result of the emergency conditions that currently threaten the property of Louisiana.

Section 2: Pursuant to R.S. 29:724 (A)(3), the designated emergency area is the Parish of Tangipahoa.

Section 3: The Director of the Governor’s Office of Homeland Security and Emergency Preparedness

(GOHSEP) and the Secretary of the Department of Environmental Quality (DEQ) are hereby authorized to undertake any activity authorized by law which they deem appropriate in response to this declaration.

Section 4: Pursuant to La. R.S. 29:724(D)(1), the Louisiana Procurement Code (La. R.S. 39:1551, et seq.) and Louisiana Public Bid Law (La. R.S. 38:2211, et seq.) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this disaster, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: Pursuant to La. R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this disaster.

Section 7: This Order is effective upon signature and shall continue in effect from Friday, December 5, 2025 until Sunday, January 4, 2026 unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 5th day of December, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#079

EXECUTIVE ORDER JML 25-142

Bond Allocation 2025 Ceiling

WHEREAS, Section 146 of the Internal Revenue Code of 1986 (hereafter the "Act"), as amended (hereafter the "Code"), restricts the total principal amount of certain private activity bonds (hereafter the "Bonds") that exclude interest from gross income for federal income tax purposes under Section 103 of the Code;

WHEREAS, Act No. 51 of the 1986 Regular Session of the Louisiana Legislature (hereafter "Act No. 51 of 1986") authorizes the Governor to allocate the volume limit applicable to the Bonds (hereafter the "ceiling") among the

State and its political subdivisions in such a manner as the Governor deems to be in the best interest of the State of Louisiana;

WHEREAS, pursuant to the Act and Act No. 51 of 1986, Executive Order No. JML 2024-123 was issued to establish:

- (A) the manner in which the ceiling shall be determined,
- (B) the method to be used in allocating the ceiling,
- (C) the application procedure for obtaining an allocation of Bonds subject to such ceiling, and
- (D) a system of record keeping for such allocations; and

WHEREAS, the Louisiana Housing Corporation (hereafter the "Corporation") has applied for an allocation of the 2025 ceiling to be used in connection with providing funds for the acquisition, construction, rehabilitation, and equipping of residential rental housing for individuals and families of low and moderate income.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: The bond issues, as described in this Section, shall be and are hereby granted allocations from the 2025 ceiling in the amounts shown:

Amount of Allocation	Name of Issuer	Name of Project
\$8,250,000	Louisiana Housing Corporation	Wildwood Townhomes Series 2025

Section 2: The allocations granted herein shall be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's Private Activity Volume Cap" submitted in connection with the bond issues described in Section 1.

Section 3: The allocations granted herein shall be valid and in full force and effect through December 30, 2025; therefore, any unused amount of the 2025 ceiling allocation shall be deemed returned as of December 31, 2025.

Section 4: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 5th day of December, 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2512#080

Emergency Rules

DECLARATION OF EMERGENCY

**Office of the Governor
Division of Administration
Tax Commission**

Ad Valorem Taxation
(LAC 61:V.Chapters 2-33)

The Louisiana Tax Commission exercised the provisions of the Administrative Procedure Act, R.S. 49:962, and pursuant to its authority under R.S. 47:1837, adopted the following additions, deletions and amendments to the Real/Personal Property Rules and Regulations. This Emergency Rule is hereby adopted on the day of promulgation.

This Emergency Rule is necessary in order for ad valorem tax assessment tables to be disseminated to property owners and local tax assessors no later than the statutory valuation date of record of January 1, 2026. Cost indexes required to finalize these assessment tables are not available to this office until late October 2025. The effective date of this Emergency Rule is January 1, 2026.

Pursuant to the Administrative Procedure Act, this Emergency Rule shall be in effect for a maximum of 120 days or until adoption of the final Rule or another Emergency Rule, whichever occurs first.

Title 61

REVENUE AND TAXATION

Part V. Ad Valorem Taxation

Chapter 2. Policies and Procedures for Assessment and Change Order Practices

§213. Assessment Policies and Procedures

A. All property within the state of Louisiana shall be assessed at a percentage of Fair Market Value or Use Value, as the law provides, and either placed on the regular tax rolls, exempt rolls, or adjudicated tax rolls. Assessors shall value property at Fair Market Value and then assessed valuations shall be based upon the percentage classification requirements of the Louisiana Constitution, Article VII, Section 18(B).

B. All property shall be appraised and valued in accordance with the Constitution at intervals of not more than four years. This quadrennial cycle reappraisal date is determined by the Louisiana Tax Commission.

C. "Sales chasing" and "sales listing chasing" is expressly prohibited, "Sales chasing" is the procedure by which an individual property assessment is based solely upon the price the property sold for. "Sales listing chasing" is the procedure by which and individual property assessment is based solely upon the listed sales price of the property.

D. The assessors shall submit applicable reporting forms to all taxpayers located within their parish, whether taxable or exempt, to ensure equity and uniformity in the assessment and valuation of all properties utilizing proper reporting data. Reporting form should include the items outlined in

Section 211.C. for property subject to an ITEP contract. If a taxpayer fails to report or files a false report, the assessors should apply those penalties provided for in state law.

E. Any publicly available information and data, including market sales, cost, and income data, is deemed to have been presented to the assessor prior to the deadline for filing a complaint with the Board of Review provided for in R.S. 47:1992. Such information includes, but is not limited to:

1. aerial or other photography;
2. any Louisiana public record, including those of the Clerks of Court or other political subdivisions, including but not limited to building permits, conveyance records, city directories, occupancy permits, or demolition permits, and the Department of Natural Resources, including but not limited to data from the Strategic Online Natural Resource Information System (SONRUS);
3. CAMA and/or mapping records;
4. public records;
5. legal news publications;
6. newspaper publication;
7. 911 Emergency Response System records;
8. occupational licenses;
9. occupancy permits;
10. physical inspections;
11. publicly available sales data, including but not limited to multiple listings reports (e.g. Multiple Listing Service and DeedFax);
12. utility records;
13. voter registrations;
14. cost data or cost guides and their related sources, including but not limited to N.A.D.A., Manufactured Housing Appraisal Guide and Marshall and Swift Cost Manual;
15. publicly available income data or income guides and their related sources, including but not limited to reports from the National Apartment Association, Trends reports, the HOST Almanac, and Multiple Listing Service.

F. The LTC recommends that the assessor preserve a copy of all documents and written communication submitted by a taxpayer and shall maintain an individual file for each assessment/taxpayer for at least four years and shall record the date each document was received. In addition to a copy of any documents, the LTC recommends that the assessor also maintain a log of all non-written communication from a taxpayer, including the date of the communication, a brief summary of the communication, and the name and contact information of the persons privy to the communication, which shall be maintained in the individual file for such assessment/taxpayer. Such documents, written communication, and log of non-written communication shall be confidential and not available to the public.

G. When performing a valuation of any affordable rental housing property, the assessor shall not consider any of the following in determining fair market value:

1. Income tax credits available to the property under Section 42 of the Internal Revenue Code.

2. Below-market interest rate on financing obtained under the Home Investment Partnership Program under the Cranston-Gonzales National Affordable Housing Act, or the Federal Home Loan Bank Affordable Housing Program established pursuant to the Financial Institution Reform, Recovery, and Enforcement Act of 1989.

3. Any other federal, state, or similar program intended to provide or finance affordable rental housing to persons of low or moderate income and requiring restricted occupancy and rental rates based on the income of the persons occupying such housing.

H. The fair market value of real property determined by the commission in connection with a review of the correctness of an assessment under R.S. 47:1989 shall be utilized by the assessor for assessment purposes in the subsequent tax years until reappraisal in a future mandated reappraisal year, unless there has been a change in the physical condition of the property that would justify reappraisal or a change in value. Nothing in this subparagraph shall be interpreted or applied to limit an assessor's ability or obligation to reduce an assessment due to a change in the condition of the property or under R.S. 47:1978 or R.S. 47:1978.1.

NOTE: Also see, Chapter 1, §111.D. thru D.3. and Chapter 3, §303.C.4. thru C.4.c.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution of 1974, Article VII, Section 18, et seq., R.S. 47:1703, R.S. 47:1703.1, R.S.47:1703.C., R.S. 47:1837, R.S. 47:1951, et seq., R.S. 47:1952, R.S. 47:1953, R.S. 47:1955, R.S. 47:1956, R.S. 47:1957, R.S. 47:1959, R.S. 47:1961, R.S. 47:1971, R.S. 47:1972, R.S. 47:2306, R.S. 47:2323, R.S. 47:2324, R.S. 47:2325, R.S. 47:2329, R.S. 47:2330, and R.S. 47:2331.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 31:703 (March 2005), LR 34:678 (March 2008), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 43:649 (April 2017), LR 46:560 (April 2020), LR 48:1519 (June 2022), LR 49:1037 (June 2023), LR 52:

Chapter 3. Real and Personal Property
§307. Personal Property Report Forms

A. - A.11. ...

12. LAT Form VF, a LAT Verification Form, which should be furnished to all personal property taxpayers. The LAT Verification Form shall be submitted when a personal property taxpayer submits materials and/or documents in addition to its LAT filing(s). When such additional materials or documents are submitted, the LAT Verification Form shall be signed and submitted by a bona fide representative of the personal property taxpayer who has personal knowledge and information in order to verify the accuracy of the information contained in the additional materials or documents submitted along with the taxpayer's LAT filing(s) under penalty of perjury. Generally, the LAT Verification Form should not be signed by a third party tax representative, rather the LAT Verification Form should be signed by an executive or employee of the personal property taxpayer who has personal knowledge of the information submitted,

B. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837, R.S. 47:2324 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Tax Commission, LR 2:358 (November 1976), amended by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February

1982), LR 13:764 (December 1987), LR 16:1063 (December 1990), LR 21:186 (February 1995), amended by the Department of Revenue, Tax Commission, LR 33:489 (March 2007), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 45:533 (April 2019), LR 48:1522 (June 2022), LR 49:1039 (June 2023), LR 52:

Chapter 7. Watercraft

§701. Guidelines for Ascertaining Fair Market Value of Watercraft

A. - C.9. ...

10. *Hopper Barge*—a hopper barge is a non-mechanical vessel that cannot move around by itself, unlike some other types of barges. Hopper barges are designed to carry materials, like rocks, sand, soil and rubbish, for dumping into the ocean, a river or lake for land reclamation. Hopper barges are seen in two distinctive types: raked hopper or box hopper barges. The raked hopper barges move faster than the box hoppers; they are both designed for movement of dry bulky commodities. This definition does not include Shale Hopper Barges.

C.11. - C.33. ...

34. *Shale Hopper Barge*—a shale hopper barge is a specialized, heavily regulated vessel used in the oil and gas industry to contain and transport non-hazardous oilfield waste like liquid mud and shale cuttings from drilling sites to an approved processing facility. These barges function as deck barges with added open hoppers to hold the waste, ensuring it's kept secure and can be disposed of properly, adhering to strict environmental regulations enforced by the US Coast Guard.

AUTHORITY NOTE: Promulgated in accordance with the La. Const. of 1974, Article VII, §18 and §21, R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:922 (November 1984), LR 12:36 (January 1986), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 20:198 (February 1994), amended by the Department of Revenue, Tax Commission, LR 24:479 (March 1998), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 44:579 (March 2018), LR 47:457 (April 2021), LR 50:366 (March 2024).

§703. Tables—Watercraft

A. Motorized Floating Equipment

1. Floating Equipment—Motor Vessels

Table 703.A.1 Floating Equipment—Motor Vessels				
Cost Index (Average)		Average Economic Life 12 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2025	0.977	1	94	.92
2024	1.009	2	87	.88
2023	1.023	3	80	.82
2022	1.041	4	73	.76
2021	1.223	5	66	.81
2020	1.330	6	58	.77
2019	1.337	7	50	.67
2018	1.385	8	43	.60
2017	1.433	9	36	.52
2016	1.461	10	29	.42
2015	1.449	11	24	.35
2014	1.463	12	22	.32
2013	1.482	13	20	.30

2. Floating Equipment—Motor Vessels

B. Non-Motorized Floating Equipment

1. Floating Equipment—Barges (Non-Motorized)

Cost Index

Table 703.B.1 Floating Equipment—Barges (Non-Motorized)				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2025	0.977	1	97	.95
2024	1.009	2	93	.94
2023	1.023	3	90	.92
2022	1.041	4	86	.90
2021	1.223	5	82	1.00
2020	1.330	6	78	1.04
2019	1.337	7	74	.99
2018	1.385	8	70	.97

Table 703.B.1 Floating Equipment—Barges (Non-Motorized)				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2017	1.433	9	65	.93
2016	1.461	10	60	.88
2015	1.449	11	55	.80
2014	1.463	12	50	.73
2013	1.482	13	45	.67
2012	1.494	14	40	.60
2011	1.537	15	35	.54
2010	1.585	16	31	.49
2009	1.573	17	27	.42
2008	1.618	18	24	.39
2007	1.682	19	22	.37
2006	1.774	20	21	.37
2005	1.856	21	20	.37

2. Floating Equipment—Barges (Non-Motorized)

Table 703.B.2 Floating Equipment—Barges (Non-Motorized)								
Barge Type/Size	Day Rate	Base Cost	2023-2020	2019-2016	2015-2012	2011-2008	2007-2004	2003 and Earlier
Physical Depreciation			0.915	0.76	0.575	0.375	0.23	0.2
Deck								
120x30	200	\$240,000	\$219,600	\$182,400	\$138,000	\$90,000	\$55,200	\$48,000
140X40	350	\$450,000	\$411,750	\$342,000	\$258,750	\$168,750	\$103,500	\$90,000
180X54	450	\$900,000	\$823,500	\$684,000	\$517,500	\$337,500	\$207,000	\$180,000
250X72 Non Class	600	\$1,500,000	\$1,372,500	\$1,140,000	\$862,500	\$562,500	\$345,000	\$300,000
250X72 Class	800	\$2,700,000	\$2,470,500	\$2,052,000	\$1,552,500	\$1,012,500	\$621,000	\$540,000
260X72 Non Class	500	\$1,600,000	\$1,464,000	\$1,216,000	\$920,000	\$600,000	\$368,000	\$320,000
260X72 Class	900	\$2,900,000	\$2,653,500	\$2,204,000	\$1,667,500	\$1,087,500	\$667,000	\$580,000
300X100 Non Class	1500	\$3,100,000	\$2,836,500	\$2,356,000	\$1,782,500	\$1,162,500	\$713,000	\$620,000
300X100 Class	2000	\$5,000,000	\$4,575,000	\$3,800,000	\$2,875,000	\$1,875,000	\$1,150,000	\$1,000,000
400X100 Non Class	4000	\$6,500,000	\$5,947,500	\$4,940,000	\$3,737,500	\$2,437,500	\$1,495,000	\$1,300,000
400X100 Class	6000	\$10,900,000	\$9,973,500	\$8,284,000	\$6,267,500	\$4,087,500	\$2,507,000	\$2,180,000
Dredge								
8" Cutter	N/A	\$550,000	\$503,250	\$418,000	\$316,250	\$206,250	\$126,500	\$110,000
10" Cutter	N/A	\$650,000	\$594,750	\$494,000	\$373,750	\$243,750	\$149,500	\$130,000
14" Cutter	N/A	\$900,000	\$823,500	\$684,000	\$517,500	\$337,500	\$207,000	\$180,000
16" Cutter	N/A	\$1,300,000	\$1,189,500	\$988,000	\$747,500	\$487,500	\$299,000	\$260,000
20" Cutter	N/A	\$2,500,000	\$2,287,500	\$1,900,000	\$1,437,500	\$937,500	\$575,000	\$500,000
24" Cutter	N/A	\$3,800,000	\$3,477,000	\$2,888,000	\$2,185,000	\$1,425,000	\$874,000	\$760,000
Transport								
120X30	150	\$230,000	\$210,450	\$174,800	\$132,250	\$86,250	\$52,900	\$46,000
140X40	300	\$325,000	\$297,375	\$247,000	\$186,875	\$121,875	\$74,750	\$65,000
180X54	425	\$775,000	\$709,125	\$589,000	\$445,625	\$290,625	\$178,250	\$155,000
250X72 Non Class	550	\$1,400,000	\$1,281,000	\$1,064,000	\$805,000	\$525,000	\$322,000	\$280,000
250X72 Class	750	\$3,100,000	\$2,836,500	\$2,356,000	\$1,782,500	\$1,162,500	\$713,000	\$620,000
260X72 Non Class	575	\$1,500,000	\$1,372,500	\$1,140,000	\$862,500	\$562,500	\$345,000	\$300,000
260X72 Class	850	\$3,200,000	\$2,928,000	\$2,432,000	\$1,840,000	\$1,200,000	\$736,000	\$640,000
300X72 Non Class	1000	\$3,800,000	\$3,477,000	\$2,888,000	\$2,185,000	\$1,425,000	\$874,000	\$760,000
300X72 Class	2000	\$5,500,000	\$5,032,500	\$4,180,000	\$3,162,500	\$2,062,500	\$1,265,000	\$1,100,000
400X100 Non Class	2500	\$6,500,000	\$5,947,500	\$4,940,000	\$3,737,500	\$2,437,500	\$1,495,000	\$1,300,000
400X100 Class	6500	\$12,000,000	\$10,980,000	\$9,120,000	\$6,900,000	\$4,500,000	\$2,760,000	\$2,400,000

Table 703.B.2 Floating Equipment—Barges (Non-Motorized)								
Barge Type/Size	Day Rate	Base Cost	2023-2020	2019-2016	2015-2012	2011-2008	2007-2004	2003 and Earlier
Physical Depreciation			0.915	0.76	0.575	0.375	0.23	0.2
Crane								
120X30	350	\$1,500,000	\$1,372,500	\$1,140,000	\$862,500	\$562,500	\$345,000	\$300,000
150X50	450	\$1,900,000	\$1,738,500	\$1,444,000	\$1,092,500	\$712,500	\$437,000	\$380,000
180X60	550	\$2,500,000	\$2,287,500	\$1,900,000	\$1,437,500	\$937,500	\$575,000	\$500,000
250X72	750	\$4,000,000	\$3,660,000	\$3,040,000	\$2,300,000	\$1,500,000	\$920,000	\$800,000
300X100	850	\$6,500,000	\$5,947,500	\$4,940,000	\$3,737,500	\$2,437,500	\$1,495,000	\$1,300,000
Oil								
10K	450	\$1,900,000	\$1,738,500	\$1,444,000	\$1,092,500	\$712,500	\$437,000	\$380,000
30K	750	\$3,200,000	\$2,928,000	\$2,432,000	\$1,840,000	\$1,200,000	\$736,000	\$640,000
80K	1500	\$7,000,000	\$6,405,000	\$5,320,000	\$4,025,000	\$2,625,000	\$1,610,000	\$1,400,000
120K	2500	\$8,500,000	\$7,777,500	\$6,460,000	\$4,887,500	\$3,187,500	\$1,955,000	\$1,700,000
Spar (Holds)								
175X26 (1000 Tons)	400	\$1,900,000	\$1,738,500	\$1,444,000	\$1,092,500	\$712,500	\$437,000	\$380,000
195X35 (2200 Tons)	450	\$2,200,000	\$2,013,000	\$1,672,000	\$1,265,000	\$825,000	\$506,000	\$440,000
290X35 (3000 Tons)	550	\$3,500,000	\$3,202,500	\$2,660,000	\$2,012,500	\$1,312,500	\$805,000	\$700,000
Shugart								
10X5X2	50	\$75,000	\$68,625	\$57,000	\$43,125	\$28,125	\$17,250	\$15,000
20X10X4	75	\$85,000	\$77,775	\$64,600	\$48,875	\$31,875	\$19,550	\$17,000
40X12X5	100	\$150,000	\$137,250	\$114,000	\$86,250	\$56,250	\$34,500	\$30,000
Spud								
90X20	130	\$300,000	\$274,500	\$228,000	\$172,500	\$112,500	\$69,000	\$60,000
100X25	175	\$325,000	\$297,375	\$247,000	\$186,875	\$121,875	\$74,750	\$65,000
110x30	200	\$350,000	\$320,250	\$266,000	\$201,250	\$131,250	\$80,500	\$70,000
120X30	350	\$750,000	\$686,250	\$570,000	\$431,250	\$281,250	\$172,500	\$150,000
140X40	450	\$1,200,000	\$1,098,000	\$912,000	\$690,000	\$450,000	\$276,000	\$240,000
140X45	600	\$1,600,000	\$1,464,000	\$1,216,000	\$920,000	\$600,000	\$368,000	\$320,000
180X54	800	\$2,000,000	\$1,830,000	\$1,520,000	\$1,150,000	\$750,000	\$460,000	\$400,000
200x60	1000	\$2,200,000	\$2,013,000	\$1,672,000	\$1,265,000	\$825,000	\$506,000	\$440,000
250X72	1200	\$2,500,000	\$2,287,500	\$1,900,000	\$1,437,500	\$937,500	\$575,000	\$500,000
Pile Driver								
120X30	200	\$1,500,000	\$1,372,500	\$1,140,000	\$862,500	\$562,500	\$345,000	\$300,000
150X50	250	\$1,800,000	\$1,647,000	\$1,368,000	\$1,035,000	\$675,000	\$414,000	\$360,000
180X60	450	\$2,000,000	\$1,830,000	\$1,520,000	\$1,150,000	\$750,000	\$460,000	\$400,000
250X72	600	\$2,500,000	\$2,287,500	\$1,900,000	\$1,437,500	\$937,500	\$575,000	\$500,000
300X100	700	\$3,500,000	\$3,202,500	\$2,660,000	\$2,012,500	\$1,312,500	\$805,000	\$700,000
Hopper (Holds)								
175X26 (1000 Tons)	275	\$2,300,000	\$2,104,500	\$1,748,000	\$1,322,500	\$862,500	\$529,000	\$460,000
195X35 (2200 Tons)	325	\$2,700,000	\$2,470,500	\$2,052,000	\$1,552,500	\$1,012,500	\$621,000	\$540,000
290X35	450	\$4,500,000	\$4,117,500	\$3,420,000	\$2,587,500	\$1,687,500	\$1,035,000	\$900,000
Shale Hopper (Holds)								
175X26 (1000 Tons)	275	\$1,500,000	\$1,372,500	\$1,140,000	\$862,500	\$562,500	\$345,000	\$300,000
195X35 (2200 Tons)	325	\$1,700,000	\$1,555,500	\$1,292,000	\$977,500	\$637,500	\$391,000	\$340,000
290X35 (3000 Tons)	450	\$1,900,000	\$1,738,500	\$1,444,000	\$1,092,500	\$712,500	\$437,000	\$380,000
Tank								
195'X35' (10K)	400	\$1,700,000	\$1,555,500	\$1,292,000	\$977,500	\$637,500	\$391,000	\$340,000
200'X53' (10K)	400	\$1,700,000	\$1,555,500	\$1,292,000	\$977,500	\$637,500	\$391,000	\$340,000
297'X54' (30K)	700	\$3,200,000	\$2,928,000	\$2,432,000	\$1,840,000	\$1,200,000	\$736,000	\$640,000

**Table 703.B.2
Floating Equipment—Barges (Non-Motorized)**

Barge Type/Size	Day Rate	Base Cost	2023-2020	2019-2016	2015-2012	2011-2008	2007-2004	2003 and Earlier
Physical Depreciation			0.915	0.76	0.575	0.375	0.23	0.2
350'X65' (80K)	1200	\$4,800,000	\$4,392,000	\$3,648,000	\$2,760,000	\$1,800,000	\$1,104,000	\$960,000
400'X85' (120K)	3500	\$9,500,000	\$8,692,500	\$7,220,000	\$5,462,500	\$3,562,500	\$2,185,000	\$1,900,000
Pressure								
250X50 (16,000 Barrels)	2000	\$3,200,000	\$2,928,000	\$2,432,000	\$1,840,000	\$1,200,000	\$736,000	\$640,000
Keyway								
120X30	200	\$200,000	\$183,000	\$152,000	\$115,000	\$75,000	\$46,000	\$40,000
140X40	400	\$360,000	\$329,400	\$273,600	\$207,000	\$135,000	\$82,800	\$72,000
180X54	500	\$720,000	\$658,800	\$547,200	\$414,000	\$270,000	\$165,600	\$144,000
250X72 Non Class	400	\$1,440,000	\$1,317,600	\$1,094,400	\$828,000	\$540,000	\$331,200	\$288,000
250X72 Class	600	\$2,320,000	\$2,122,800	\$1,763,200	\$1,334,000	\$870,000	\$533,600	\$464,000
260X72 Non Class	400	\$1,520,000	\$1,390,800	\$1,155,200	\$874,000	\$570,000	\$349,600	\$304,000
260X72 Class	800	\$2,560,000	\$2,342,400	\$1,945,600	\$1,472,000	\$960,000	\$588,800	\$512,000
300X100 Non Class	1200	\$2,560,000	\$2,342,400	\$1,945,600	\$1,472,000	\$960,000	\$588,800	\$512,000
300X100 Class	2400	\$5,120,000	\$4,684,800	\$3,891,200	\$2,944,000	\$1,920,000	\$1,177,600	\$1,024,000
400X100 Non Class	3000	\$4,800,000	\$4,392,000	\$3,648,000	\$2,760,000	\$1,800,000	\$1,104,000	\$960,000
400X100 Class	6000	\$9,600,000	\$8,784,000	\$7,296,000	\$5,520,000	\$3,600,000	\$2,208,000	\$1,920,000
Industrial								
120X30	200	\$250,000	\$228,750	\$190,000	\$143,750	\$93,750	\$57,500	\$50,000
140X40	400	\$450,000	\$411,750	\$342,000	\$258,750	\$168,750	\$103,500	\$90,000
180X54	600	\$900,000	\$823,500	\$684,000	\$517,500	\$337,500	\$207,000	\$180,000
250X72 Non Class	400	\$1,800,000	\$1,647,000	\$1,368,000	\$1,035,000	\$675,000	\$414,000	\$360,000
250X72 Class	600	\$2,900,000	\$2,653,500	\$2,204,000	\$1,667,500	\$1,087,500	\$667,000	\$580,000
260X72 Non Class	400	\$1,900,000	\$1,738,500	\$1,444,000	\$1,092,500	\$712,500	\$437,000	\$380,000
260X72 Class	800	\$3,000,000	\$2,745,000	\$2,280,000	\$1,725,000	\$1,125,000	\$690,000	\$600,000
300X100 Non Class	1200	\$3,200,000	\$2,928,000	\$2,432,000	\$1,840,000	\$1,200,000	\$736,000	\$640,000
300X100 Class	2400	\$6,400,000	\$5,856,000	\$4,864,000	\$3,680,000	\$2,400,000	\$1,472,000	\$1,280,000
400X100 Non Class	3000	\$6,000,000	\$5,490,000	\$4,560,000	\$3,450,000	\$2,250,000	\$1,380,000	\$1,200,000
400X100 Class	6000	\$12,000,000	\$10,980,000	\$9,120,000	\$6,900,000	\$4,500,000	\$2,760,000	\$2,400,000
Pontoon								
30X11X2	100	\$6,500.00	\$5,947.50	\$4,940.00	\$3,737.50	\$2,437.50	\$1,495.00	\$1,300.00
60X15X3	200	\$15,000.00	\$13,725.00	\$11,400.00	\$8,625.00	\$5,625.00	\$3,450.00	\$3,000.00
40X12X3	150	\$12,000.00	\$10,980.00	\$9,120.00	\$6,900.00	\$4,500.00	\$2,760.00	\$2,400.00
Dry Dock								
100'	N/A	\$1,900,000	\$1,738,500	\$1,444,000	\$1,092,500	\$712,500	\$437,000	\$380,000
200'	N/A	\$2,600,000	\$2,379,000	\$1,976,000	\$1,495,000	\$975,000	\$598,000	\$520,000
300'	N/A	\$3,900,000	\$3,568,500	\$2,964,000	\$2,242,500	\$1,462,500	\$897,000	\$780,000
500'	N/A	\$6,500,000	\$5,947,500	\$4,940,000	\$3,737,500	\$2,437,500	\$1,495,000	\$1,300,000
Quarter								
10 Person	200	\$40,000	\$36,600	\$30,400	\$23,000	\$15,000	\$9,200	\$8,000
25 Person	300	\$50,000	\$45,750	\$38,000	\$28,750	\$18,750	\$11,500	\$10,000
50 Person	450	\$100,000	\$91,500	\$76,000	\$57,500	\$37,500	\$23,000	\$20,000
300 Person	550	\$1,500,000	\$1,372,500	\$1,140,000	\$862,500	\$562,500	\$345,000	\$300,000
500 Person	650	\$4,000,000	\$3,660,000	\$3,040,000	\$2,300,000	\$1,500,000	\$920,000	\$800,000
Utility Barge								
30X11X2	50	\$9,500.00	\$8,692.50	\$7,220.00	\$5,462.50	\$3,562.50	\$2,185.00	\$1,900.00
40X12X3	100	\$22,000.00	\$20,130.00	\$16,720.00	\$12,650.00	\$8,250.00	\$5,060.00	\$4,400.00
60X15X3	200	\$38,000.00	\$34,770.00	\$28,880.00	\$21,850.00	\$14,250.00	\$8,740.00	\$7,600.00

Table 703.B.2 Floating Equipment—Barges (Non-Motorized)								
Barge Type/Size	Day Rate	Base Cost	2023-2020	2019-2016	2015-2012	2011-2008	2007-2004	2003 and Earlier
Physical Depreciation			0.915	0.76	0.575	0.375	0.23	0.2
Freight								
120X30	200	\$240,000	\$219,600	\$182,400	\$138,000	\$90,000	\$55,200	\$48,000
140X40	350	\$450,000	\$411,750	\$342,000	\$258,750	\$168,750	\$103,500	\$90,000
160X50	400	\$530,000	\$484,950	\$402,800	\$304,750	\$198,750	\$121,900	\$106,000
180X54	450	\$900,000	\$823,500	\$684,000	\$517,500	\$337,500	\$207,000	\$180,000
250X72 Non Class	600	\$1,500,000	\$1,372,500	\$1,140,000	\$862,500	\$562,500	\$345,000	\$300,000
250X72 Class	800	\$2,700,000	\$2,470,500	\$2,052,000	\$1,552,500	\$1,012,500	\$621,000	\$540,000
260X72 Non Class	500	\$1,600,000	\$1,464,000	\$1,216,000	\$920,000	\$600,000	\$368,000	\$320,000
260X72 Class	900	\$2,900,000	\$2,653,500	\$2,204,000	\$1,667,500	\$1,087,500	\$667,000	\$580,000
300X100 Non Class	1500	\$3,100,000	\$2,836,500	\$2,356,000	\$1,782,500	\$1,162,500	\$713,000	\$620,000
300X100 Class	2000	\$5,000,000	\$4,575,000	\$3,800,000	\$2,875,000	\$1,875,000	\$1,150,000	\$1,000,000
400X100 Non Class	4000	\$6,500,000	\$5,947,500	\$4,940,000	\$3,737,500	\$2,437,500	\$1,495,000	\$1,300,000
400X100 Class	6000	\$10,900,000	\$9,973,500	\$8,284,000	\$6,267,500	\$4,087,500	\$2,507,000	\$2,180,000

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:924 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:204 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:479 (March 1998), LR 25:312 (February 1999), LR 26:506 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:487 (March 2004), LR 31:715 (March 2005), LR 32:430 (March 2006), LR 33:490 (March 2007), LR 34:678 (April 2008), LR 35:492 (March 2009), LR 36:772 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1394 (May 2011), LR 38:802 (March 2012), LR 39:490 (March 2013), LR 40:530 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:652 (April 2017), LR 44:579 (March 2018), LR 45:533 (April 2019), LR 46:560 (April 2020), LR 47:460 (April 2021), LR 48:1522 (June 2022), LR 49:1040 (June 2023), LR 50:355 (March 2024), LR 51:380 (March 2025), LR 52:

§705. Tables—Vessels

A. Vessels—Crew-OSV/Supply-Utility

1. Table 705.A.1

Table 705.A.1 Vessels—Crew-OSV/Supply-Utility				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2025	0.977	1	97	.95
2024	1.009	2	93	.94
2023	1.023	3	90	.92
2022	1.041	4	86	.90
2021	1.223	5	82	1.00
2020	1.330	6	78	1.04
2019	1.337	7	74	.99
2018	1.385	8	70	.97
2017	1.433	9	65	.93
2016	1.461	10	60	.88
2015	1.449	11	55	.80

Table 705.A.1 Vessels—Crew-OSV/Supply-Utility				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2014	1.463	12	50	.73
2013	1.482	13	45	.67
2012	1.494	14	40	.60
2011	1.537	15	35	.54
2010	1.585	16	31	.49
2009	1.573	17	27	.42
2008	1.618	18	24	.39
2007	1.682	19	22	.37
2006	1.774	20	21	.37
2005	1.856	21	20	.37

2. Table 705.A.2

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 33:490 (March 2007), LR 35:493 (March 2009), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 47:465 (April 2021), LR 49:1045 (June 2023), LR 50:360 (March 2024), LR 51:381 (March 2025), LR 52:

Chapter 9. Oil and Gas Properties
§901. Guidelines for Ascertaining the Fair Market Value of Oil and Gas Properties

A. - B.3. ...

C. Explanations

Ad Valorem Tax Allowance—the estimated tax rate levied by local taxing bodies on the taxable value of property, expressed as a percentage deduction from the DCF.

Additional Equipment—equipment on a well site not typical for production of similar wells.

Annualized—the conversion of a short-term figure or calculation into an annual or yearly rate.

Average Depth—the simple average of the depth of the wells included in the LAT-12 filing.

Capital Expense (Capex)—the major investments a company incurs to either maintain, restore, or increase

production or efficiency (see Workover). Capex is generally considered non-recurring in nature because it is not a direct operating expense that affects net operating income. Instead, capital expenditures are capitalized into a depreciable asset for accounting purposes. However, capex, or some portion thereof, can be included in a DCF appraisal to the extent deemed necessary for the operator to achieve a forecasted production amount. Otherwise, capex is solely a past expense that shouldn't be explicitly recognized in a forecast of future net income. See discussion of expense forecast in §907.B.3 below.

Custody Transfer—in the oil and gas industry, refers to the passing of oil or gas from one entity to another for the other's immediate charge or control, accomplished for example by a custody transfer meter for gas and a lease automatic custody transfer (LACT) unit for oil or other liquids, installed downstream of the wellhead or central gathering location such as a tank battery.

Decline Curve Analysis—a common means of predicting future oil well or gas well production based on past production history utilizing empirical reservoir engineering equations which assume production decline is proportional to reservoir pressure decline. When used in conjunction with DCF appraisal methodology which considers the economics of this potential future production, a well's expected ultimate recovery (EUR) and remaining reserves can be reliably estimated.

Discounted Cash Flow (DCF) Analysis—Discounted Cash Flow (DCF) is a valuation method used to analyze the economics and current or potential value of an investment based on its expected future cash flows. Although technically different from an accounting perspective, net operating income can be used as a proxy for cash flow. As a widely accepted technique of the income approach to value, DCF analysis is most useful when past and expected future cash flows will vary over time, either up or down, as opposed to the direct capitalization technique which assumes a stabilized income is available or can be estimated. A DCF appraisal involves the interaction of four basic parameters: production, price, expense, and discount rate. The first three parameters combine to create a forecasted net income stream, whereas the fourth parameter converts this future net income to a present worth equal to estimated fair market value. Cash flow projection in a DCF can proceed along any chosen time increments; yearly ("year-by-year") projections are mathematically convenient and widely used for long-lived assets related to oil and gas production.

Discount Rate—the discount rate refers to the rate of interest used in a discounted cash flow (DCF) analysis to determine the present value of predicted future cash flows. Because these cash flows are non-guaranteed, the rate should include not only the time cost of money but also all components of risk that relate to the valuation in the marketplace for oil and gas assets. The discount rate typically exceeds the weighted average cost of capital (WACC) which is the minimum rate needed to justify the cost of a new venture, because future cash flows from a project or investment must meet or exceed the capital outlay needed to fund the project or investment in the present. See discussion of discount rate in §907.B.4 below.

Disposal Well—well used for injection of waste fluids or solids into an underground formation for more or less permanent storage.

Economic Limit—in a year-by-year DCF appraisal, describes the future point in time in which forecasted net income becomes negative due to allowed direct costs of operation (not counting capital expense, if any) exceeding forecasted revenues. Economic limit can vary between properties and is most often considered a result of each property's DCF appraisal, not a known input parameter itself.

Field—the general geographic region situated over one or more subsurface oil and gas reservoirs or "pools." Fields can abut or even overlay each other if two or more vertically aligned reservoirs are assigned separate field names by the state's regulatory body.

Flowing Well—a well that produces oil and/or gas to the surface by its own reservoir pressure instead of utilizing mechanical inducement such as a downhole pump, pumping unit, compressor or gas lift.

Gathering Line/System—small to medium diameter pipelines that transport oil or gas from a central point of receipt to a transmission line or mainline. A gathering system can include compression and treatment facilities.

Inactive Wells—wells that are non-producing or "shut-in." Shut-in status becomes effective on the date the application for shut-in status is filed, consistent with the Louisiana Office of Conservation requirements.

Injection Wells—wells completed as single or wells reclassified by the Louisiana Office of Conservation after a conversion of another well. Injection wells are used for gas and water injection oil and gas formation for production purposes, as well as, disposal wells.

Lease—a legal instrument or agreement between the operator (lessee) and a landowner (lessor) which gives the operator the right to explore for and produce mineral resources such as oil and gas. Also, the term often used interchangeable with property.

Lease/Flow Lines—typically smaller diameter pipelines that directly connect one or more wells to a central accumulation point, manifold, or process equipment including all check, safety, and allocation meters up to the point of custody transfer such as a LACT unit or sales meter.

Lease Operating Expense (LOE)—the costs incurred after drilling and completion activities have ended and production activities have begun. In a DCF appraisal, LOE represents all costs deemed necessary and reasonably prudent for a property to produce oil and/or gas in the amounts desired. Allowed LOE includes direct recurring costs for items such as labor, contract services, equipment, materials and supplies, treatment and processing of gases and fluids to the point of custody transfer, and overhead. LOE can also include capital expenditures when appropriate. See discussion of expense forecast in §907.B.3 below.

LUW Code—an identification code assigned to a well by the Louisiana Office of Conservation located on a particular lease, unit, or a gas lease well.

Multiple Completions—wells consisting of more than one producing zone. Deepest or primary completion may or may not be the base well number depending upon the Louisiana Office of Conservation permits and classification.

Number of Wells—the total well count included in the DCF appraisal.

Price Adjustment Factor—the factor derived to adjust the prior year average price to a more current market price, as of the assessment date.

Primary Product—the permitted majority product (oil or gas) produced from a well.

Production—the yield or amount of hydrocarbons of an oil or gas well as reported to the Louisiana Office of Conservation. In a DCF appraisal, production is the manufactured product that is projected to be sold and create a future revenue stream. See Decline Curve Analysis.

Production Depth—is the depth from the surface to the active lower perforation in each producing zone in which the well is completed. As an example - a well completed in three separate zones is a triple completion and will have three different production depths as determined by the depth of the active lower perforation for each completion.

Production Rate Decline—the rate at which the production level of oil and gas assets change (typically reduce) over time. See Decline Curve Analysis.

Production Train—the production train includes all the leasehold equipment on site, including the oil and gas wells themselves, required for the production of oil, gas, and related hydrocarbon commodities, subject to ad valorem taxation. Production train does not include equipment downstream from the wellhead or pumping unit that primarily serves to dispose of water or otherwise reduce costs of operation or increase the price of the commodity being sold. The production train includes, but is not limited to, water supply wells, platforms, pad sites, tanks, process facilities such as separators, heater treaters, amine units, etc., injection wells for enhancement of oil and gas production volumes, and all improvements directly related to production activities. The production train can include inactive equipment but not ancillary equipment not directly related to production of the oil and gas wells being appraised.

Pumping Well—a well which is not a flowing well and from which oil is produced by use of any type of artificial lifting method such as a pump. Pumps are required when the formation pressure is not sufficient to allow fluids to flow to the surface.

Recompletion—any downhole operation to an existing oil or gas well that is conducted to establish production of oil or gas from any geological interval not currently completed or producing in said existing oil or gas well.

Royalty Interest—royalty interest in the oil and gas industry refers to ownership of a portion of a resource or the revenue it produces. A company or person that owns a royalty interest does not bear any operational costs needed to produce the resource, yet they still own a portion of the resource or revenue it produces.

Sales Meter—sales meter is a meter at which custody transfer takes place.

Salvage Leasehold Equipment Value—the estimated net cash value of the equipment included in the production train either when production ceases or becomes uneconomic to produce commercially.

Severance Tax Allowance—the estimated tax rate levied by the state on removal (severance) of oil and gas from the ground, expressed as a percentage deduction from the DCF.

Single Completions—

a. well originally completed as a single;

b. well reclassified by the Louisiana Office of Conservation after a conversion of multiple completed well to a single producing zone.

Start Rate—the daily average production level of oil or gas at the beginning of the appraisal. The start rate can be the average of a brief period of time surrounding the assessment date (January 1 of the current tax year) or the actual daily production rate as of January 1. The rate should be based on all information known and related to the actual expected production as of the assessment date. See discussion of production forecast in §907.B.1 below.

Starting Price—the actual average price received by the well/LUW/field in the immediately prior year or available 12 months. See discussion of price forecast in §907.B.2 below.

Tax Year—the year of assessment as of January 1 of any annual period.

Typical Equipment—See Production Train.

Water Wells—wells used for production purposes only - both fresh and salt water supply.

Well Serial Number—in Louisiana, the permanent identification number assigned to a well by Department of Natural Resources upon approval of the Application for (or to Renew) Permit to Drill for Minerals (MD-10R).

Working Interest (WI)—the estate or rights created from a lease agreement that grants oil and gas companies the right to explore for, drill, and produce natural resources such as oil and gas from a designated area of land. The owners of a lease's working interest (typically, the operator and contractually related parties) incur all expenses of a well's physical creation and operation and therefore own the well, as opposed to royalty interest owners who do not own any portion of the well. For DCF purposes described in this chapter, WI is the sum of all working interest net revenue interest decimals included in the LAT-12 reporting, well/LUW/field.

Workovers—major repairs or modifications which restore or enhance production from a well. An example of a typical workover is cleaning out a well that has sanded up whereas the tubing is pulled and the casing and bottom of the hole is washed out with mud. Workovers can also involve more complex recompletion procedures such as redrilling or hydraulic fracturing (fracking) of the oil or gas formation. Workovers often involve an operator incurring capital expenditures (capex) which may or may not be applicable to a forecast of future net income. See discussion of expense forecast in §907.B.3 below.

D. Well Fair Market Value Classifications. LUW (Lease, Unit, or Well) code is a six-digit code assigned by the Office of Conservation for the purpose of recording production. Each individual well must be listed separately by ward, field name and Louisiana Office of Conservation field code number, location (Sec.-Twp.-Range), lease name, well serial number, lease well number, well type and production depth (active lower perforation of each zone), in accordance with guidelines established by the Tax Commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 2:359 (November 1976), amended by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), LR 9:69 (February 1983), LR 17:1213 (December

1991), LR 19:212 (February 1993), LR 31:717 (March 2005), LR 33:492 (March 2007), LR 35:495 (March 2009), LR 36:773 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 43:652 (April 2017), LR 49:1046 (June 2023), LR 51:381 (March 2025), LR 52:

§905. Reporting Procedures

A. - A.1.b. ...

c. total decimal ownership of the working interest (WI) in the assets to be assessed (typically +/- 0.75000, if the decimal is unavailable for any reason, the default is .800000);

A.1.d. - B.6.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 19:212 (February 1993), amended by the Department of Revenue, Tax Commission, LR 24:480 (March 1998), LR 49:1048 (June 2023), LR 50:361 (March 2024), LR 52:

§907. Valuation of Oil, Gas, and Other Wells

A. - B.3.b. ...

c. as a default, the percentage increase or decrease for each forecasted year of the cash flow appraisal will be calculated at one-third (1/3) of the percentage increase or decrease in price for that year relative to the previous year price, referencing the price of the property’s primary hydrocarbon being produced. However, when circumstances clearly dictate a departure from this protocol is necessary to achieve a more accurate forecast, operating expenses can be increased or decreased at a different percentage through year 5 of the cash flow.

B.3.d. - B.4.c. ...

C. In the event the DCF appraisal results in a zero economic life and/or zero or negative discounted net income, a minimum amount of value will be established for the leasehold equipment (production train) associated with the oil and gas well(s) represented by the DCF, applying the appropriate schedule value in Table 907.C-3 to the average production depth of the wells represented by the DCF.

1. In the event the DCF appraisal results in a positive value but less than the minimum equipment value as derived using Table 907.C-3, the assessed value will be based on the minimum equipment value as established by Table 907.C-3.

2. Oil and Gas Well Discount Rates

Primary Product	Discount Rate (%)
Oil Well	15%
Gas Well	15%
Leasehold Equipment	6%

3. Minimum Leasehold Equipment Value

Onshore/Offshore	Average Production Depth (feet)	Value Per Foot (\$)
Onshore	1 – 1,499	0.50
Onshore	1,500 – 2,499	0.75
Onshore	2,500 – 9,999	1.00
Onshore	10,000 or greater	1.50
Offshore *	All Depths	2.00

*Includes production platforms/barges.

4. Serial Number to Percent Good Conversion Chart

Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2025	254960	Higher	97
2024	254511	254959	93
2023	253984	254510	90
2022	253176	253983	86
2021	252613	253175	82
2020	252171	252612	78
2019	251497	252170	74
2018	250707	251496	70
2017	249951	250706	65
2016	249476	249950	60
2015	248832	249475	55
2014	247423	248831	50
2013	245849	247422	45
2012	244268	245848	40
2011	242592	244267	35
2010	240636	242591	31
2009	239277	240635	27
2008	236927	239276	24
2007	234780	236926	22
2006	232639	234779	21
2005	Lower	232638	20 *
VAR.	900000	Higher	50

*Reflects residual or floor rate.

NOTE: For any serial number categories not listed above, use year well completed to determine appropriate percent good. If spud date is later than year indicated by serial number; or, if serial number is unknown, use spud date to determine appropriate percent good.

D. Surface Equipment

1. Listed below is the cost-new of major items used in the production, storage, transmission and sale of oil and gas. Any equipment not shown shall be assessed on an individual basis.

2. All surface equipment, including other property associated or used in connection with the oil and gas industry in the field of operation, must be rendered in accordance with guidelines established by the Tax Commission and in accordance with requirements set forth on LAT Form 12- Personal Property Tax Report - Oil and Gas Property.

3. Surface equipment will be assessed in 5 major categories, as follows:

- a. oil and gas equipment (surface equipment not considered leasehold equipment);
- b. tanks (surface equipment not considered leasehold equipment);
- c. inventories (material and supplies);
- d. field improvements (docks, buildings, etc.);
- e. other property (not included above).

4. The cost-new values listed below are to be adjusted to allow depreciation by use of the appropriate percent good listed in Table 907.C-4. When determining the value of equipment associated with a single well, use the age of that well to determine the appropriate percent good. When determining the value of equipment used on multiple wells, the average age of the wells within the lease/field will determine the appropriate year to be used for this purpose.

a. January 1, 2016 the allowance of depreciation by use of the appropriate percent good will be based on the actual age of the equipment, if known or available, and will apply only to surface equipment with an original purchase cost of \$2,500 or more.

5. Functional and/or economic obsolescence shall be considered in the analysis of fair market value as substantiated by the taxpayer in writing. Consistent with Louisiana R.S. 47:1957, the assessor may request additional documentation.

6. Sales, properly documented, should be considered by the assessor as fair market value, provided the sale meets all tests relative to it being a valid sale.

7. Surface Equipment—Property Description

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Actuators—(see Metering Equipment)	
Automatic Control Equipment—(see Safety Systems)	
Automatic Tank Switch Unit—(see Metering Equipment)	
Barges - Concrete—(assessed on an individual basis)	
Barges - Storage—(assessed on an individual basis)	
Barges - Utility—(assessed on an individual basis)	
Barges - Work—(assessed on an individual basis)	
Communication Equipment—(see Telecommunications)	
Dampeners—(see Metering Equipment—"Recorders")	
Desorbers—(no metering equipment included):	
125#	141,800
300#	156,350
500#	177,930
Destroilets—(see Metering Equipment—"Regulators")	
Desurgers—(see Metering Equipment—"Regulators")	
Desilters—(see Metering Equipment—"Regulators")	
Diatrollers—(see Metering Equipment—"Regulators")	
Docks, Platforms, Buildings—(assessed on an individual basis)	
Dry Dehydrators (Driers)—(see Scrubbers)	
Engines-Unattached—(only includes engine and skids): Per Horsepower	440
Evaporators—(assessed on an individual basis)	
Expander Unit—(no metering equipment included): Per Unit	52,010
Flow Splitters—(no metering equipment included):	
48 In. Diameter Vessel	25,320
72 In. Diameter Vessel	33,550
96 In. Diameter Vessel	51,420
120 In. Diameter Vessel	73,040
Fire Control System—(assessed on an individual basis)	
Furniture and Fixtures—(assessed on an individual basis) (Field operations only, according to location.)	
Gas Compressors-Package Unit—(Skids, scrubbers, cooling system, and power controls. No metering or regulating equipment.):	
1 - 49 HP	930
50 - 99 HP	1,870
100 - 999 HP	1,520
1,000 - 1,499 HP	1,160
1,500 HP and Up	1,030
Gas Coolers—(no metering equipment);	
5,000 MCF/D	39,960
10,000 MCF/D	45,000
20,000 MCF/D	139,990
50,000 MCF/D	317,620
100,000 MCF/D	520,190
Generators—Package Unit only -(no special installation) Per K.W.	300

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Glycol Dehydration-Package Unit—(Including pressure gauge, relief valve and regulator. No other metering equipment.):	
Up to 4.0 MMCF/D	28,050
4.1 to 5.0 MMCF/D	31,280
5.1 to 10.0 MMCF/D	60,310
10.1 to 15.0 MMCF/D	83,910
15.1 to 20.0 MMCF/D	114,220
20.1 to 25.0 MMCF/D	148,520
25.1 to 30.0 MMCF/D	282,110
30.1 to 50.0 MMCF/D	315,130
50.1 to 75.0 MMCF/D	392,030
75.1 and Up MMCF/D	452,340
Heaters—(Includes unit, safety valves, regulators and automatic shut-down. No metering equipment.):	
Steam Bath—Direct Heater:	
24 In. Diameter Vessel - 250,000 BTU/HR Rate	9,730
30 In. Diameter Vessel - 500,000 BTU/HR Rate	12,220
36 In. Diameter Vessel - 750,000 BTU/HR Rate	14,780
48 In. Diameter Vessel - 1,000,000 BTU/HR Rate	21,860
60 In. Diameter Vessel - 1,500,000 BTU/HR Rate	26,990
Water Bath—Indirect Heater:	
24 In. Diameter Vessel - 250,000 BTU/HR Rate	8,300
30 In. Diameter Vessel - 500,000 BTU/HR Rate	11,390
36 In. Diameter Vessel - 750,000 BTU/HR Rate	14,850
48 In. Diameter Vessel - 1,000,000 BTU/HR Rate	21,030
60 In. Diameter Vessel - 1,500,000 BTU/HR Rate	26,920
Steam—(Steam Generators):	
24 In. Diameter Vessel - 250,000 BTU/HR Rate	10,630
30 In. Diameter Vessel - 450,000 BTU/HR Rate	13,270
36 In. Diameter Vessel - 500 to 750,000 BTU/HR Rate	19,910
48 In. Diameter Vessel - 1 to 2,000,000 BTU/HR Rate	22,840
60 In. Diameter Vessel - 2 to 3,000,000 BTU/HR Rate	25,860
72 In. Diameter Vessel - 3 to 6,000,000 BTU/HR Rate	40,860
96 In. Diameter Vessel - 6 to 8,000,000 BTU/HR Rate	49,080
Heat Exchange Units-Skid Mounted—(see Production Units)	
Heater Treaters—(Necessary controls, gauges, valves and piping. No metering equipment included.):	
Heater - Treaters - (non-metering):	
4 x 20 ft.	21,260
4 x 27 ft.	27,370
6 x 20 ft.	28,650
6 x 27 ft.	36,030
8 x 20 ft.	45,910
8 x 27 ft.	53,740
10 x 20 ft.	60,690
10 x 27 ft.	71,410
L.A.C.T. (Lease Automatic Custody Transfer)—see Metering Equipment)	
JT Skid (Low Temperature Extraction)—(includes safety valves, temperature controllers, chokes, regulators, metering equipment, etc.—complete unit.):	
Up to 2 MMCF/D	52,770
Up to 5 MMCF/D	75,390
Up to 10 MMCF/D	180,940
Up to 20 MMCF/D	301,550
Liqua Meter Units—(see Metering Equipment)	
Manifolds—(see Metering Equipment)	
Material and Supplies-Inventories—(assessed on an individual basis)	
Meter Calibrating Vessels—(see Metering Equipment)	
Meter Prover Tanks—(see Metering Equipment)	
Meter Runs—(see Metering Equipment)	
Meter Control Stations—(not considered Communication Equipment) - (assessed on an individual basis)	

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Metering Equipment	
Actuators—hydraulic, pneumatic and electric valves	8,210
Controllers—time cycle valve - valve controlling device (also known as Intermittent)	2,560
Fluid Meters:	
1 Level Control	
24 In. Diameter Vessel - 1/2 bbl. Dump	6,250
30 In. Diameter Vessel - 1 bbl. Dump	8,070
36 In. Diameter Vessel - 2 bbl. Dump	11,160
2 Level Control	
20 In. Diameter Vessel - 1/2 bbl. Dump	5,880
24 In. Diameter Vessel - 1/2 bbl. Dump	7,080
30 In. Diameter Vessel - 1 bbl. Dump	8,890
36 In. Diameter Vessel - 2 bbl. Dump	11,980
L.A.C.T. and A.T.S. Units:	
30 lb. Discharge	39,510
60 lb. Discharge	45,000
Manifolds—Manual Operated:	
High Pressure	
per well	30,980
per valve	10,490
Low Pressure	
per well	15,000
per valve	4,970
Manifolds—Automatic Operated:	
High Pressure	
per well	56,020
per valve	18,470
Low Pressure	
per well	39,960
per valve	13,490
NOTE: Automatic Operated System includes gas hydraulic and pneumatic valve actuators, (or motorized valves), block valves, flow monitors-in addition to normal equipment found on manual operated system. No Metering Equipment Included.	
Meter Runs—piping, valves and supports—no meters:	
2 In. piping and valve	8,440
3 In. piping and valve	9,500
4 In. piping and valve	11,470
6 In. piping and valve	15,980
8 In. piping and valve	24,000
10 In. piping and valve	31,960
12 In. piping and valve	39,960
14 In. piping and valve	54,420
16 In. piping and valve	71,090
18 In. piping and valve	88,060
20 In. piping and valve	114,430
22 In. piping and valve	144,220
24 In. piping and valve	176,570
Metering Vessels (Accumulators):	
1 bbl. calibration plate (20 x 9)	4,900
5 bbl. calibration plate (24 x 10)	5,270
7.5 bbl. calibration plate (30 x 10)	7,390
10 bbl. calibration plate (36 x 10)	9,190
Recorders (Meters)—Includes both static element and tube drive pulsation dampener-also one and two pen operations.	
per meter	3,400
Solar Panel (also see Telecommunications)	
per unit (10' x 10')	440

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Pipe Lines—Lease Lines	
Steel	
2 In. nominal size - per mile	24,570
2 1/2 In. nominal size - per mile	33,090
3 and 3 1/2 In. nominal size - per mile	42,220
4, 4 1/2 and 5 In. nominal size - per mile	72,600
6 In. nominal size - per mile	106,600
Poly Pipe	
2 In. nominal size - per mile	13,490
2 1/2 In. nominal size - per mile	18,180
3 In. nominal size - per mile	23,220
4 In. nominal size - per mile	39,880
6 In. nominal size - per mile	58,570
Plastic-Fiberglass	
2 In. nominal size - per mile	20,960
3 In. nominal size - per mile	35,880
4 In. nominal size - per mile	61,670
6 In. nominal size - per mile	90,530
NOTE: Allow 90 percent obsolescence credit for lines that are inactive, idle, open on both ends and dormant, which are being carried on corporate records solely for the purpose of retaining right of ways on the land and/or due to excessive capital outlay to refurbish or remove the lines.	
Pipe Stock—(assessed on an individual basis)	
Pipe Stock - Exempt—Under La. Const., Art. X, §4 (19-C)	
Production Units:	
Class I - per unit—separator and 1 heater—500 MCF/D	26,540
Class II - per unit—separator and 1 heater—750 MCF/D	35,350
Production Process Units—These units are by specific design and not in the same category as gas compressors, liquid and gas production units or pump-motor units. (Assessed on an individual basis.)	
Pumps—In Line	
per horsepower rating of motor	370
Pump-Motor Unit—pump and motor only	
Class I - (water flood, s/w disposal, p/l, etc.)	
Up to 300 HP - per HP of motor	440
Class II - (high pressure injection, etc.)	
301 HP and up per HP of motor	540
Pumping Units-Conventional and Beam Balance—(unit value includes motor) - assessed according to API designation.	
16 D	8,670
25 D	16,290
40 D	20,350
57 D	27,140
80 D	45,310
114 D	47,120
160 D	63,400
228 D	68,820
320 D	87,000
456 D	103,290
640 D	125,070
912 D	132,310
NOTE: For "Air Balance" and "Heavy Duty" units, multiply the above values by 1.30.	
Regenerators (Accumulator)—(see Metering Equipment)	
Regulators:	
per unit	3,470

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Safety Systems	
Onshore And Marsh Area	
Basic Case:	
well only	6,930
well and production equipment	8,000
with surface op. ssv, add	11,980
Offshore 0 - 3 Miles	
Wellhead safety system (excludes wellhead actuators)	
per well	19,980
production train	49,990
glycol dehydration system	30,010
P/L pumps and LACT	69,970
Compressors	43,950
Wellhead Actuators (does not include price of the valve)	
5,000 psi	4,970
10,000 psi and over	7,460
NOTE: For installation costs - add 25 percent	
Sampler—(see Metering Equipment—"Fluid Meters")	
Scrubbers—Two Classes	
Class I - Manufactured for use with other major equipment and, at times, included with such equipment as part of a package unit.	
8 In. Diameter Vessel	4,220
10 In. Diameter Vessel	6,020
12 In. Diameter Vessel	6,860
Class II - Small "in-line" scrubber used in flow system usually direct from gas well. Much of this type is "shop-made" and not considered as major scrubbing equipment.	
8 In. Diameter Vessel	1,960
12 In. Diameter Vessel	2,560
NOTE: No metering or regulating equipment included in the above.	
Separators—(no metering equipment included)	
Horizontal—Filter /1,440 psi (High Pressure)	
6-5/8" OD x 5'-6"	6,180
8-5/8" OD x 7'-6"	6,710
10-3/4" OD x 8'-0"	9,420
12-3/4" OD x 8'-0"	12,660
16" OD x 8'-6"	20,350
20" OD x 8'-6"	30,080
20" OD x 12'-0"	31,660
24" OD x 12'-6"	42,670
30" OD x 12'-6"	62,280
36" OD x 12'-6"	74,030
Separators—(no metering equipment included)	
Vertical 2—Phase /125 psi (Low Pressure)	
24" OD x 7'-6"	7,000
30" OD x 10'-0"	7,550
36" OD x 10'-0"	15,760
Vertical 3—Phase /125 psi (Low Pressure)	
24" OD x 7'-6"	7,390
24" OD x 10'-0"	8,370
30" OD x 10'-0"	11,610
36" OD x 10'-0"	16,510
42" OD x 10'-0"	19,160
Horizontal 3—Phase /125 psi (Low Pressure)	
24" OD x 10'-0"	10,930
30" OD x 10'-0"	14,020
36" OD x 10'-0"	15,310
42" OD x 10'-0"	24,420

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Vertical 2—Phase /1440 psi (High Pressure)	
12-3/4" OD x 5'-0"	4,150
16" OD x 5'-6"	6,180
20" OD x 7'-6"	11,760
24" OD x 7'-6"	14,250
30" OD x 10'-0"	21,710
36" OD x 10'-0"	28,120
42" OD x 10'-0"	45,000
48" OD x 10'-0"	53,080
54" OD x 10'-0"	80,360
60" OD x 10'-0"	100,500
Vertical 3 - Phase /1440 psi (High Pressure)	
16" OD x 7'-6"	7,240
20" OD x 7'-6"	12,660
24" OD x 7'-6"	14,700
30" OD x 10'-0"	22,690
36" OD x 10'-0"	29,030
42" OD x 10'-0"	47,350
48" OD x 10'-0"	54,890
Horizontal 2—Phase /1440 psi (High Pressure)	
16" OD x 7'-6"	7,080
20" OD x 7'-6"	11,390
24" OD x 10'-0"	15,530
30" OD x 10'-0"	23,900
36" OD x 10'-0"	30,300
42" OD x 15'-0"	61,510
48" OD x 15'-0"	70,940
Horizontal 3—Phase /1440 psi (High Pressure)	
16" OD x 7'-6"	10,930
20" OD x 7'-6"	12,220
24" OD x 10'-0"	17,790
30" OD x 10'-0"	25,320
36" OD x 10'-0"	36,490
36" OD x 15'-0"	40,780
Offshore Horizontal 3—Phase /1440 psi (High Pressure)	
30" OD x 10'-0"	52,550
36" OD x 10'-0"	50,140
36" OD x 12'-0"	72,750
36" OD x 15'-0"	75,920
42" OD x 15'-0"	117,830
Skimmer Tanks—(see Flow Tanks in Tanks section)	
Stabilizers—per unit	7,760
Sump/Dump Tanks—(See Metering Equipment -"Fluid Tanks")	
Tanks—no metering equipment	
Flow Tanks (receiver or gunbarrel)	
50 to 548 bbl. Range (average tank size - 250 bbl.)	48.50
Stock Tanks (lease tanks)	
100 to 750 bbl. Range (average tank size - 300 bbl.)	37.80
Storage Tanks (Closed Top)	
1,000 barrel	32.10
1,500 barrel	28.40
2,000 barrel	27.60
2,001 - 5,000 barrel	25.30
5,001 - 10,000 barrel	23.80
10,001 - 15,000 barrel	22.30
15,001 - 55,000 barrel	15.60
55,001 - 150,000 barrel	11.70
Internal Floating Roof	
10,000 barrel	45.80
20,000 barrel	31.00
30,000 barrel	23.10
50,000 barrel	20.50
55,000 barrel	19.80
80,000 barrel	17.50
100,000 barrel	15.20
*I.E.: (tanks size bbls.) X (no. of bbls.) X (cost-new factor.)	

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Telecommunications Equipment	
Microwave System	
Telephone and data transmission	60,310
Radio telephone	4,520
Supervisory controls:	
remote terminal unit, well	12,890
master station	29,400
towers (installed):	
heavy duty, guyed, per foot	760
light duty, guyed, per foot	60
heavy duty, self supporting, per foot	770
light duty, self supporting, per foot	150
equipment building, per sq. ft.	220
solar panels, per sq. ft.	70
Utility Compressors	
per horsepower - rated on motor	990
Vapor Recovery Unit—no Metering Equipment	
60 MCF/D or less	26,390
105 MCF/D max	37,700
250 MCF/D max	49,760
Waterknockouts—Includes unit, backpressure valve and regulator, but, no metering equipment.	
2' diam. x 16'	7,160
3' diam. x 10'	10,710
4' diam. x 10'	14,780
6' diam. x 10'	24,200
6' diam. x 15'	27,980
8' diam. x 10'	35,050
8' diam. x 15'	40,260
8' diam. x 20'	44,620
8' diam. x 25'	49,680
10' diam. x 20'	58,430

8. Service Stations

Table 907.D-8 Service Stations Marketing Personal Property *Alternative Procedure	
Property Description	\$ Cost New
Air and Water Units:	
Above ground	1,680
Below ground	710
Air Compressors:	
1/3 to 1 H.P.	2,260
1/2 to 5 H.P.	3,820
Car Wash Equipment:	
In Bay (roll over brushes)	60,690
In Bay (pull through)	94,220
Tunnel (40 to 50 ft.)	205,070
Tunnel (60 to 75 ft.)	274,420
Drive On Lifts:	
Single Post	11,080
Dual Post	12,480
Lights:	
Light Poles (each)	1,120
Lights - per pole unit	1,260
Pumps:	
Non-Electronic - self contained and/or remote controlled computer	
Single	4,800
Dual	7,130
Computerized - non-self service, post pay, pre/post pay, self contained and/or remote controlled dispensers	
Single	8,110
Dual	10,930
Read-Out Equipment (at operator of self service)	
Per Hose Outlet	1,780

Table 907.D-8 Service Stations Marketing Personal Property *Alternative Procedure	
Property Description	\$ Cost New
Signs:	
Station Signs	
6 ft. lighted - installed on 12 ft. pole	5,360
10 ft. lighted - installed on 16 ft. pole	9,800
Attachment Signs (for station signs)	
Lighted "self-serve" (4 x 11 ft.)	4,470
Lighted "pricing" (5 x 9 ft.)	4,560
High Rise Signs - 16 ft. lighted - installed on:	
1 pole	16,230
2 poles	21,240
3 poles	23,760
Attachment Signs (for high rise signs)	
Lighted "self-serve" (5 x 17 ft.)	8,630
Lighted "pricing" (5 x 9 ft.)	4,560
Submerged Pumps—(used with remote control equipment, according to number used - per unit)	
	4,790
Tanks—(average for all tank sizes)	
Underground - per gallon	2.80

NOTE: The above represents the cost-new value of modern stations and self-service marketing equipment. Other costs associated with such equipment are included in improvements. Old style stations and equipment should be assessed on an individual basis, at the discretion of the tax assessor, when evidence is furnished to substantiate such action.

*This alternative assessment procedure should be used only when acquisition cost and age are unknown or unavailable. Otherwise, see general business section (Chapter 25) for normal assessment procedure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:480 (March 1998), LR 25:313 (February 1999), LR 26:507 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:488 (March 2004), LR 31:717 (March 2005), LR 32:431 (March 2006), LR 33:492 (March 2007), LR 34:679 (April 2008), LR 35:495 (March 2009), LR 36:773 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1395 (May 2011), LR 38:803 (March 2012), LR 39:490 (March 2013), LR 40:531 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:653 (April 2017), LR 44:580 (March 2018), repromulgated LR 44:917 (May 2018), LR 45:534 (April 2019), LR 46:561 (April 2020), LR 47:465 (April 2021), LR 48:1523 (June 2022), LR 49:1049 (June 2023), LR 50:361 (March 2024), LR 51:384 (March 2025), LR 52:

Chapter 10. Brine Operation Properties §1007. Valuation of Brine Operation Wells

A. The Cost-New schedules below cover only that portion of the well subject to ad valorem taxation. Functional and/or economic obsolescence shall be considered in the analysis of fair market value as substantiated by the taxpayer in writing. Consistent with Louisiana R.S. 47:1957, the assessor may request additional documentation.

B. Instructions for Use of Table 1007.B and 1007.C and Procedure for Arriving at Assessed Value

1. Multiply the appropriate percent good factor based on age of the well as found in Table 1007.D.

2. Cost-New tables.
 - a. Use Table 1007.B to assess all service wells based on producing depth.
 - b. Use Table 1007.C to assess all operation wells based on long-string casing diameter size.
3. Recompleted Wells
 - a. For service wells recompleted, use new long-string casing depth to determine Cost-New amount.
 - b. For operation wells recompleted, use new long-string casing diameter size to determine Cost-New amount.
4. Adjustments for Allowance of Economic Obsolescence
 - a. All inactive (shut-in) wells shall be allowed a 90 percent reduction.
 - b. Deduct any additional obsolescence that has been appropriately documented by the taxpayer, as warranted, to reflect fair market value.
 - c. Sales, properly documented, should be considered by the assessor as fair market value, provided the sale meets all tests relative to it being a valid sale.
5. Multiply depth of well by appropriate 15 percent of Cost-New amount as indicated in Table 1007.B/Table 1007.C.
6. Brine Service Wells: All Regions—Louisiana

Table 1007.B Brine Service Wells All Regions—Louisiana		
Producing Depths	Cost—New by depth, per foot for Brine Service Wells	
	Cost @ 100%	15% Assessed
0 – 1,249 ft.	\$ 163.31	\$ 24.50
1,250 – 2,499 ft.	\$ 120.98	\$ 18.15
2,500 – 3,749 ft.	\$ 118.13	\$ 17.72
3,750 – 4,999 ft.	\$ 104.13	\$ 15.62
5,000 – 7,499 ft.	\$ 142.25	\$ 21.34
7,500 – 9,999 ft.	\$ 194.06	\$ 29.11
10,000 – 12,499 ft.	\$ 264.61	\$ 39.69
12,500 – 14,999 ft.	\$ 347.13	\$ 52.07
15,000 – 17,499 ft.	\$ 562.28	\$ 84.34
17,500 – 19,999 ft.	\$ 686.51	\$ 102.98
20,000 Deeper ft.	\$ 366.58	\$ 54.99

C. Brine Operation Wells: All Regions—Louisiana

Table 1007.C Brine Operation Wells All Regions—Louisiana		
Long-String Casing Diameter Size	Cost—New \$ per foot for Brine Operation Wells	
	Cost @ 100%	15% Assessed
Inches		
4	\$ 722.31	\$ 108.35
5	\$ 868.80	\$ 130.32
6	\$ 1,013.49	\$ 152.02
7	\$ 1,157.10	\$ 173.56
8	\$ 1,300.06	\$ 195.01
9	\$ 1,442.67	\$ 216.40
10	\$ 1,585.11	\$ 237.77
11	\$ 1,727.53	\$ 259.13
12	\$ 1,870.03	\$ 280.50
13	\$ 2,012.68	\$ 301.90
14	\$ 2,155.54	\$ 323.33
15	\$ 2,298.65	\$ 344.80
16	\$ 2,442.05	\$ 366.31
17	\$ 2,585.75	\$ 387.86
18	\$ 2,729.78	\$ 409.47

Table 1007.C Brine Operation Wells All Regions—Louisiana		
Long-String Casing Diameter Size	Cost—New \$ per foot for Brine Operation Wells	
	Cost @ 100%	15% Assessed
Inches		
19	\$ 2,874.15	\$ 431.12
20	\$ 3,018.88	\$ 452.83
21	\$ 3,163.97	\$ 474.59
22	\$ 3,309.42	\$ 496.41
23	\$ 3,455.25	\$ 518.29
24	\$ 3,601.46	\$ 540.22
25	\$ 3,748.04	\$ 562.21
26	\$ 3,895.00	\$ 584.25
27	\$ 4,042.34	\$ 606.35
28	\$ 4,190.06	\$ 628.51
29	\$ 4,338.16	\$ 650.72
30	\$ 4,486.64	\$ 673.00
31	\$ 4,635.49	\$ 695.32
32	\$ 4,784.71	\$ 717.71
33	\$ 4,934.30	\$ 740.15
34	\$ 5,084.27	\$ 762.64
35	\$ 5,234.60	\$ 785.19
36	\$ 5,385.29	\$ 807.79
37	\$ 5,536.34	\$ 830.45
38	\$ 5,687.75	\$ 853.16
39	\$ 5,839.52	\$ 875.93
40	\$ 5,991.64	\$ 898.75

D. Serial Number to Percent Good Conversion

Table 1007.D Serial Number to Percent Good Conversion Chart			
Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2025	254960	Higher	97
2024	254511	254959	93
2023	253984	254510	90
2022	253176	253983	86
2021	252613	253175	82
2020	252171	252612	78
2019	251497	252170	74
2018	250707	251496	70
2017	249951	250706	65
2016	249476	249950	60
2015	248832	249475	55
2014	247423	248831	50
2013	245849	247422	45
2012	244268	245848	40
2011	242592	244267	35
2010	240636	242591	31
2009	239277	240635	27
2008	236927	239276	24
2007	234780	236926	22
2006	232639	234779	21
2005	Lower	232638	20 *
VAR.	900000	Higher	50

*Reflects residual or floor rate.

NOTE: For any serial number categories not listed above, use year completed to determine appropriate percent good. If spud date is later than year indicated by serial number; or, if serial number is unknown, use spud date to determine appropriate percent good.

E. Surface Equipment

1. Listed below is the cost-new of major items potentially used in the brine operation process. Any equipment not shown shall be assessed on an individual basis.

2. All surface equipment, including other property associated or used in connection with brine operations, must be rendered in accordance with guidelines established by the Tax Commission and in accordance with requirements set forth on LAT Form 10—Personal Property Tax Report—Brine Operation Property.

3. Brine operation personal property will be assessed in 7 major categories, as follows:

- a. wells;
- b. operation equipment (surface equipment);
- c. tanks (surface equipment);
- d. lines;
- e. inventories (material and supplies);
- f. field improvements (docks, buildings, etc.);
- g. other property (not included above).

4. The cost-new values listed below are to be adjusted to allow depreciation by use of the appropriate percent good listed in Table 1007.C. When determining the value of equipment associated with a single well, use the age of that well to determine the appropriate percent good. When determining the value of equipment used on multiple wells, the average age of the wells will determine the appropriate year to be used for this purpose.

5. Functional and/or economic obsolescence shall be considered in the analysis of fair market value as substantiated by the taxpayer in writing. Consistent with Louisiana R.S. 47:1957, the assessor may request additional documentation.

6. Sales, properly documented, should be considered by the assessor as fair market value, provided the sale meets all tests relative to it being a valid sale.

7. Surface Equipment—Property Description

Table 1007.E	
Surface Equipment	
Property Description	\$ Cost New
Actuators—(See Metering Equipment)	
Automatic Control Equipment—(See Safety Systems)	
Automatic Tank Switch Unit—(See Metering Equipment)	
Communication Equipment—(See Telecommunications)	
Dampeners—(See Metering Equipment—"Recorders")	
Engines - Unattached—(Only includes engine and skids): Per Horsepower	440
Fire Control System—(Assessed on an individual basis)	
Furniture and Fixtures—(Assessed on an individual basis) (Field operations only, according to location.)	
Generators—Package Unit only—(No special installation) Per K. W.	300
Manifolds—(See Metering Equipment)	
Material and Supplies—Inventories—(Assessed on an individual basis)	
Meter Calibrating Vessels—(See Metering Equipment)	
Meter Prover Tanks—(See Metering Equipment)	
Meter Runs—(See Metering Equipment)	
Meter Control Stations—(not considered Communication Equipment)—(Assessed on an individual basis)	
Metering Equipment Manifolds—Automatic Operated: High Pressure per well per valve Low Pressure per well per valve NOTE: Automatic Operated System includes gas hydraulic and pneumatic valve actuators, (or motorized valves), block valves, flow monitors—in addition to normal equipment found on manual operated system. NO METERING EQUIPMENT INCLUDED.	56,020 18,470 39,960 13,490
Meter Runs - piping, valves and supports—no meters: 2 In. piping and valve 3 In. piping and valve 4 In. piping and valve 6 In. piping and valve 8 In. piping and valve 10 In. piping and valve 12 In. piping and valve 14 In. piping and valve 16 In. piping and valve 18 In. piping and valve 20 In. piping and valve 22 In. piping and valve 24 In. piping and valve Metering Vessels (Accumulators): 1 bbl. calibration plate (20 x 9) 5 bbl. calibration plate (24 x 10) 7.5 bbl. calibration plate (30 x 10) 10 bbl. calibration plate (36 x 10) Recorders (Meters)—Includes both static element and tube drive pulsation dampener—also one and two pen operations. per meter SOLAR PANEL (also see Telecommunications) per unit (10' x 10')	8,440 9,500 11,470 15,980 24,000 31,960 39,960 54,420 71,090 88,060 114,430 144,220 176,570 4,900 5,270 7,390 9,190 3,400 440

Table 1007.E Surface Equipment	
Property Description	\$ Cost New
Pipe Lines - Lease Lines	
Steel	
2 In. nominal size—per mile	24,570
2 ½ In. nominal size—per mile	33,090
3 and 3 ½ In. nominal size—per mile	42,220
4, 4 ½ and 5 In. nominal size—per mile	72,600
6 In. nominal size—per mile	106,600
Poly Pipe	
2 In. nominal size—per mile	13,490
2 ½ In. nominal size—per mile	18,180
3 In. nominal size—per mile	23,220
4 In. nominal size—per mile	39,880
6 In. nominal size—per mile	58,570
Pipe Lines—Lease Lines (Cont'd)	
Plastic—Fiberglass	
2 In. nominal size—per mile	20,960
3 In. nominal size—per mile	35,880
4 In. nominal size—per mile	61,670
6 In. nominal size—per mile	90,530
NOTE: Allow 90% obsolescence credit for lines that are inactive, idle, open on both ends and dormant, which are being carried on corporate records solely for the purpose of retaining right of ways on the land and/or due to excessive capital outlay to refurbish or remove the lines.	
Pipe Stock—(Assessed on an individual basis)	
Pipe Stock—Exempt—Under La. Const., Art. X, §4 (19-C)	
Pumps—In Line	
per horsepower rating of motor	370
Pump—Motor Unit—pump and motor only	
Class I—(water flood, s/w disposal, p/l, etc.)	
Up to 300 HP—per HP of motor	440
Class II—(high pressure injection, etc.)	
301 HP and up—per HP of motor	540
Regenerators (Accumulator)—(See Metering Equipment)	
Regulators	
per unit	3,470
Skimmer Tanks—(See Flow Tanks in Tanks section)	
Sump/Dump Tanks—(See Metering Equipment -"Fluid Tanks")	

Table 1007.E Surface Equipment	
Property Description	\$ Cost New
Tanks—No metering equipment	Per Barrel*
Flow Tanks (receiver or gunbarrel)	
50 to 548 bbl. Range	48.50
average tank size—250 bbl.	
Stock Tanks (lease tanks)	
100 to 750 bbl. Range	37.80
average tank size—300 bbl.	
Storage Tanks (Closed Top)	
1,000 barrels	32.10
1,500 barrels	28.40
2,000 barrels	27.60
2,001—5,000 barrels	25.30
5,001—10,000 barrels	23.80
10,001—15,000 barrels	22.30
15,001—55,000 barrels	15.60
55,001—150,000 barrels	11.70
Internal Floating Roof	
10,000 barrels	45.80
20,000 barrels	31.00
30,000 barrels	23.10
50,000 barrels	20.50
55,000 barrels	19.80
80,000 barrels	17.50
100,000 barrels	15.20
* I.E.: (tanks size bbls.) x (no. of bbls.) x (cost-new factor)	
Telecommunications Equipment	
Microwave System	
Telephone and data transmission	60,310
Radio telephone	4,520
Supervisory controls	
remote terminal unit, well	12,890
master station	29,400
towers (installed):	
heavy duty, guyed, per foot	760
light duty, guyed, per foot	60
heavy duty, self supporting, per foot	770
light duty, self supporting, per foot	150
equipment building, per sq. ft.	220
solar panels, per sq. ft.	70
Utility Compressors	
per horsepower—rated on motor	990

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Division of Administration, Tax Commission, LR 49:1056 (June 2023), amended LR 50:367 (March 2024), LR 51:388 (March 2025), LR 52:

Chapter 11. Drilling Rigs and Related Equipment

§1103. Drilling Rigs and Related Equipment Tables

A. Land Rigs

Table 1103.A Land Rigs		
Depth "0" to 7,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
3,000	221,100	33,200
4,000	271,300	40,700
5,000	279,900	42,000
6,000	305,400	45,800
7,000	385,200	57,800
Depth 8,000 to 10,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
8,000	537,900	80,700
9,000	766,800	115,000
10,000	1,062,900	159,400
Depth 11,000 to 15,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
11,000	1,408,000	211,200
12,000	1,778,000	266,700
13,000	2,145,600	321,800
14,000	2,484,000	372,600
15,000	2,769,200	415,400
Depth 16,000 to 20,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
16,000	2,984,100	447,600
17,000	3,120,700	468,100
18,000	3,183,700	477,600
19,000	3,193,500	479,000
20,000	3,189,400	478,400
Depth 21,000 + Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
21,000	3,232,600	484,900
25,000 +	3,306,800	496,000

1. - 2. ...

B. Jack-Ups

Table 1103.B Jack-Ups			
Type	Water Depth Rating	Fair Market Value	Assessment
IC	0-199 FT.	\$ 71,500,000	\$ 10,725,000
	200-299 FT.	142,600,000	21,390,000
	300 FT. and Deeper	285,100,000	42,765,000
IS	0-199 FT.	21,400,000	3,210,000
	200-299 FT.	35,600,000	5,340,000
	300 FT. and Deeper	42,900,000	6,435,000
MC	0-199 FT.	7,100,000	1,065,000
	200-299 FT.	14,300,000	2,145,000
	300 FT. and Deeper	57,100,000	8,565,000
MS	0-249 FT.	14,900,000	2,235,000
	250 FT. and Deeper	29,500,000	4,425,000

IC - Independent Leg Cantilever
 IS - Independent Leg Slot
 MC - Mat Cantilever
 MS - Mat Slot

C. Semisubmersible Rigs

Table 1103.C Semisubmersible Rigs		
Water Depth Rating	Fair Market Value	Assessment
	\$	\$
0- 800 FT.	65,200,000	9,780,000
801-1,800 FT.	116,800,000	17,520,000
1,801-2,500 FT.	214,100,000	32,115,000
2,501 FT. and Deeper	671,800,000	100,770,000

NOTE: The fair market values and assessed values indicated by these tables are based on the current market (sales) appraisal approach and not the cost approach.

C.1. - C.3.b.i. ...

D. Well Service Rigs Land Only

Table 1103.D Well Service Rigs Land Only				
Class	Mast	Engine	Fair Market Value (RCNLD)	Assessment
I	71' X 125M# 71' X 150M# 72' X 125M# 72' X 150M# 75' X 150M#	C-7 50 SERIES 6V71	95,000	14,300
II	96' X 150M# 96' X 180M# 96' X 185M# 96' X 200M# 96' X 205M# 96' X 210M# 96' X 212M# 96' X 215M#	C-11 50 SERIES 8V71	135,000	20,300
III	96' X 240M# 96' X 250M# 96' X 260M# 102' X 215M#	C-11 50 SERIES 8V92	170,000	25,500
IV	102' X 224M# 102' X 250M# 103' X 225M# 103' X 250M# 104' X 250M# 105' X 225M# 105' X 250M#	C-15/C-13 60 SERIES 12V71	200,000	30,000
V	105' X 280M# 106' X 250M# 108' X 250M# 108' X 260M# 108' X 268M# 108' X 270M# 108' X 300M#	C-15/C-13 60 SERIES 12V71 12V92	230,000	34,500
VI	110' X 250M# 110' X 275M# 112' X 300M# 112' X 350M#	C-15 60 SERIES 12V71 (2) 8V92	265,000	39,800
VII	117' X 350M#	(2) C-18 (2) 60 SERIES (2) 8V92 (2) 12V71	310,000	46,500

D.1. - E.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:939 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 16:1063 (December 1990),

LR 17:1213 (December 1991), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:487 (March 1998), LR 25:315 (February 1999), LR 26:508 (March 2000), LR 27:426 (March 2001), LR 28:519 (March 2002), LR 30:488 (March 2004), LR 31:718 (March 2005), LR 32:431 (March 2006), LR 33:493 (March 2007), LR 34:683 (April 2008), LR 35:497 (March 2009), LR 36:778 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1399 (May 2011), LR 38:808 (March 2012), LR 39:495 (March 2013), LR 40:536 (March 2014), LR 41:678 (April 2015), LR 42:748 (May 2016), LR 43:654 (April 2017), LR 44:581 (March 2018), LR 45:535 (April 2019), LR 46:562 (April 2020), LR 47:467 (April 2021), LR 48:1525 (June 2022), LR 49:1058 (June 2023), LR 50:369 (March 2024), LR 51:391 (March 2025), LR 52:

Chapter 13. Pipelines

§1307. Pipeline Transportation Tables

A. Current Costs for Other Pipelines (Onshore)

Table 1307.A Current Costs for Other Pipelines (Onshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 255,880	\$ 38,380
4	302,470	45,370
6	357,560	53,630
8	422,670	63,400
10	499,640	74,950
12	590,630	88,590
14	698,190	104,730
16	825,340	123,800
18	975,640	146,350
20	1,153,320	173,000
22	1,363,350	204,500
24	1,611,620	241,740
26	1,905,110	285,770
28	2,252,050	337,810
30	2,662,170	399,330
32	3,146,970	472,050
34	3,720,070	558,010
36	4,397,520	659,630
38	5,198,350	779,750
40	6,145,020	921,750
42	7,227,760	1,084,160
44	8,458,130	1,268,720
46	9,744,660	1,461,700
48	11,339,260	1,700,890

NOTE: Excludes river and canal crossings. For river and canal crossings, apply a factor of 2.0 to Cost Per Mile figures in table above.

B. Current Costs for Other Pipelines (Offshore)

Table 1307.B Current Costs for Other Pipelines (Offshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 1,495,270	\$ 224,290
4	1,501,900	225,290
6	1,509,940	226,490
8	1,520,000	228,000
10	1,542,890	231,430
12	1,578,620	236,790
14	1,627,180	244,080
16	1,688,580	253,290
18	1,762,810	264,420
20	1,849,880	277,480
22	1,949,780	292,470

Table 1307.B Current Costs for Other Pipelines (Offshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
24	2,062,520	309,380
26	2,188,100	328,220
28	2,326,510	348,980
30	2,477,760	371,660
32	2,641,840	396,280
34	2,818,760	422,810
36	3,008,510	451,280
38	3,211,100	481,670
40	3,426,520	513,980
42	3,654,790	548,220
44	3,895,880	584,380
46	4,149,810	622,470
48	4,416,580	662,490

C. Pipeline Transportation Allowance for Physical Deterioration (Depreciation)

Table 1307.C Pipeline Transportation Allowance for Physical Deterioration (Depreciation)	
Actual Age (Yrs)	26.5 Year Life Percent Good
1	98
2	96
3	94
4	91
5	88
6	86
7	83
8	80
9	77
10	73
11	70
12	67
13	63
14	60
15	56
16	52
17	48
18	44
19	39
20	35
21	33
22	30
23	28
24	26
25	25
26	23
27 and older	20 *

*Reflects residual or floor rate.

NOTE: See §1305.G (page PL-3) for method of recognizing economic obsolescence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:941 (November 1984), LR 12:36 (January 1986), LR 16:1063 (December 1990), amended by the Department of Revenue, Tax Commission, LR 24:489 (March 1998), LR 25:316 (February 1999), LR 26:509 (March 2000), LR 27:426 (March 2001), LR 31:719 (March 2005), LR 32:432 (March 2006), LR 33:494 (March 2007), LR 34:684 (April 2008), LR 35:499 (March 2009), LR 36:778 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1401 (May 2011), LR 38:809 (March 2012), LR 39:496 (March 2013), LR 40:537 (March 2014), LR 41:680 (April 2015), LR 42:748 (May 2016), LR 43:655

(April 2017), LR 44:582 (March 2018), LR 45:535 (April 2019), LR 46:563 (April 2020), LR 47:468 (April 2021), LR 48:1526 (June 2022), LR 49:1059 (June 2023), LR 50:371 (March 2024), LR 51:392 (March 2025), LR 52:

Chapter 15. Aircraft

§1503. Aircraft (Including Helicopters) Table

A. Aircraft (Including Helicopters)

Table 1503 Aircraft (Including Helicopters)				
Cost Index (Average)		Average Economic Life (20 Years)		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2025	0.977	1	97	.95
2024	1.009	2	93	.94
2023	1.023	3	90	.92
2022	1.041	4	86	.90
2021	1.223	5	82	1.00
2020	1.330	6	78	1.04
2019	1.337	7	74	.99
2018	1.385	8	70	.97
2017	1.433	9	65	.93
2016	1.461	10	60	.88
2015	1.449	11	55	.80
2014	1.463	12	50	.73
2013	1.482	13	45	.67
2012	1.494	14	40	.60
2011	1.537	15	35	.54
2010	1.585	16	31	.49
2009	1.573	17	27	.42
2008	1.618	18	24	.39
2007	1.682	19	22	.37
2006	1.774	20	21	.37
2005	1.856	21	20	.37

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:943 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:206 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:490 (March 1998), LR 25:316 (February 1999), LR 26:509 (March 2000), LR 27:427 (March 2001), LR 28:520 (March 2002), LR 29:370 (March 2003), LR 30:489 (March 2004), LR 31:719 (March 2005), LR 32:433 (March 2006), LR 33:495 (March 2007), LR 34:685 (April 2008), LR 35:499 (March 2009), LR 36:779 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1401 (May 2011), LR 38:809 (March 2012), LR 39:497 (March 2013), LR 40:538 (March 2014), LR 41:680 (April 2015), LR 42:749 (May 2016), LR 43:656 (April 2017), LR 44:584 (March 2018), LR 45:537 (April 2019), LR 46:564 (April 2020), LR 47:469 (April 2021), LR 48:1527 (June 2022), LR 49:1060 (June 2023), LR 50:372 (March 2024), LR 51:393 (March 2025), LR 52:

Chapter 25. General Business Assets

§2503. Tables Ascertain Economic Lives, Percent Good and Composite Multipliers of Business and Industrial Personal Property

A. ...

1. Suggested Guidelines for Ascertain Economic Lives of Business and Industrial Personal Property

B. Cost Indices

Table 2503.B Cost Indices			
Year	Age	National Average 1926 = 100	January 1, 2025 = 100*
2025	1	2365.2	0.977
2024	2	2289.6	1.009
2023	3	2257.4	1.023
2022	4	2218.3	1.041
2021	5	1888.1	1.223
2020	6	1736.4	1.330
2019	7	1727.8	1.337
2018	8	1667.7	1.385
2017	9	1612.2	1.433
2016	10	1580.9	1.461
2015	11	1593.7	1.449
2014	12	1578.8	1.463
2013	13	1558.7	1.482
2012	14	1545.9	1.494
2011	15	1503.2	1.537
2010	16	1457.4	1.585
2009	17	1468.6	1.573
2008	18	1427.3	1.618
2007	19	1373.3	1.682
2006	20	1302.3	1.774
2005	21	1244.5	1.856
2004	22	1157.3	1.996
2003	23	1118.6	2.065
2002	24	1100.0	2.100
2001	25	1093.4	2.112
2000	26	1084.3	2.130
1999	27	1065.0	2.169
1998	28	1061.8	2.175
1997	29	1052.7	2.194
1996	30	1036.0	2.229
1995	31	1020.4	2.264

*Reappraisal Date: January 1, 2025 – 2309.7 (Base Year)

C. ...

D. Composite Multipliers 2026 (2027 Orleans Parish)

Table 2503.D Composite Multipliers 2026 (2027 Orleans Parish)											
Age	3 Yr	5 Yr	6 Yr	8 Yr	10 Yr	12 Yr	15 Yr	20 Yr	25 Yr	30 Yr	
1	.68	.83	.85	.88	.90	.92	.93	.95	.96	.96	
2	.49	.70	.74	.80	.85	.88	.91	.94	.96	.98	
3	.35	.53	.58	.69	.78	.82	.87	.92	.95	.97	
4	.17	.35	.43	.56	.70	.76	.82	.90	.94	.97	
5		.28	.37	.53	.71	.81	.89	1.00	1.06	1.11	
6		.24	.25	.44	.65	.77	.90	1.04	1.12	1.18	
7			.24	.35	.52	.67	.83	.99	1.08	1.15	
8				.30	.42	.60	.76	.97	1.08	1.16	
9				.29	.34	.52	.70	.93	1.07	1.18	
10					.31	.42	.63	.88	1.04	1.15	
11					.29	.35	.54	.80	.99	1.10	
12						.32	.45	.73	.94	1.08	
13						.30	.39	.67	.89	1.05	
14							.34	.60	.84	1.02	
15							.32	.54	.80	1.00	
16								.32	.49	.76	.97
17									.42	.69	.91
18									.39	.63	.87
19									.37	.57	.86
20									.37	.53	.83
21									.37	.52	.82
22										.52	.80
23										.50	.76

Table 2503.D Composite Multipliers 2026 (2027 Orleans Parish)										
24									.42	.71
25									.42	.65
26									.43	.60
27										.56
28										.50
29										.46
30										.45
31										.45

1. Data sources for tables are:
 - a. Cost Index—Marshall and Swift Publication Co.;
 - b. Percent Good—Marshall and Swift Publication Co.;
 - c. Average Economic Life—various.
- E. Values for Carbon Sequestration Wells and Related Wells*

Table 2503.E Values for Carbon Sequestration Wells and Related Wells*		
Location	Average Depth (feet)	Value Per Foot (\$)
Onshore	1 - 1,499	0.50
Onshore	1,500 - 2,499	0.75
Onshore	2,500 - 9,999	1.00
Onshore	10,000 - or greater	1.50
Offshore	All Depths	2.00

Applicable to carbon sequestration wells, monitoring wells, and related service wells.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 9:69 (February 1983), LR 10:944 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:207 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:490 (March 1998), LR 25:317 (February 1999), LR 26:509 (March 2000), LR 27:427 (March 2001), LR 28:520 (March 2002), LR 29:370 (March 2003), LR 30:489 (March 2004), LR 31:719 (March 2005), LR 32:433 (March 2006), LR 33:496 (March 2007), LR 34:686 (April 2008), LR 35:500 (March 2009), LR 36:780 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1402 (May 2011), LR 38:810 (March 2012), LR 39:497 (March 2013), LR 40:538 (March 2014), LR 41:681 (April 2015), LR 42:750 (May 2016), LR 43:656 (April 2017), LR 44:584 (March 2018), LR 45:538 (April 2019), LR 46:564 (April 2020), LR 47:470 (April 2021), LR 48:1528 (June 2022), LR 49:1061 (June 2023), LR 50:372 (March 2024), LR 51:394 (March 2025), LR 52:

Chapter 31 Public Exposure of Assessments; Appeals §3101. Public Exposure of Assessments, Appeals to the Board of Review and Board of Review Hearings

A. - K.2....

**Form 3101
Exhibit A**

Appeal to Board of Review
by Property Owner/Taxpayer
For Real and Personal Property

Name: _____ Parish/District: _____
Taxpayer
Address: _____ City, State, Zip: _____

Ward: ___ Assessment/Tax Bill Number: ___ Appeal No. ___

Board of Review
(Attach copy of complete appeal submitted to the Board of Review)

Address or Legal Description of Property Being Appealed (Also, please identify building by place of business for convenience of appraisal _____

I hereby request the review of the assessment of the above described property pursuant to L.R.S. 47:1992.

The assessor has determined Fair Market Value of this property at:
Land \$ _____ Improvement \$ _____ * Personal Property \$ _____
Total \$ _____

I am requesting that the Fair Market Value of this property be fixed at:

Land \$ _____ Improvement \$ _____ * Personal Property \$ _____
Total \$ _____

* If you are not appealing personal property, leave this section blank. Please notify me of the date, place and time of my appeal at the address shown below.

NOTE: The Board of Review's decision, may be appealed to the La. Tax Commission by completing and submitting Appeal Form 3103.A to the LTC within 30 calendar days of the Board of Review's decision. For further information, call the LTC at (225) 219-0339.

Property Owner/Taxpayer (PLEASE PRINT) _____
Address: _____

Telephone No. _____
Email Address: _____

PLEASE NOTE: You must submit all information concerning the value of your property to your assessor before the deadline for filing an appeal with the Board of Review. The failure to submit such information may prevent you from relying on that information should you protest your value to the LA Tax Commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1992, R.S. 47:2301 and R.S. 47:2321.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 4:339 (September 1978), amended by the Department of Revenue and Taxation, Tax Commission, LR 13:188 (March 1987), LR 13:764 (December 1987), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 23:208 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:492 (March 1998), LR 25:319 (February 1999), LR 26:512 (March 2000), LR 32:435 (March 2006), LR 33:498 (March 2007), LR 34:688 (April 2008), LR 35:501 (March 2009), LR 36:781 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1403 (May 2011), LR 38:811 (March 2012), LR 40:539 (March 2014), LR 41:682 (April 2015), LR 42:751 (May 2016), LR 43:657 (April 2017), LR 45:538 (April 2019), LR 48:1529 (June 2022), LR 49:1062 (June 2023), LR 50:373 (March 2024), LR 52:

§3103. Appeals to the Louisiana Tax Commission

A. - P. ...

**Form 3103.A
Exhibit A
Appeal to Louisiana Tax Commission
by Property Owner/Taxpayer or Assessor
for Real and Personal Property**

La. Tax Commission
P.O. Box 66788
Baton Rouge, LA 70896
(225) 219-0339

Name: _____ Parish/District: _____

Property Owner/Taxpayer/Assessor

Address: _____ City,State,Zip: _____

Ward: _____ Assessment Tax Bill No.: _____ Appeal No.: _____

Address or Legal Description of Property Being Appealed. Also, please identify building by place of business for convenience of appraisal. _____

I hereby appeal the decision of the Board of Review on the assessment of the above described property pursuant to La..R.S. 47:1992, La. R.S. 47:1989 and the rules of the Louisiana Tax Commission. I timely filed my appeal as required by law.

Date of the Board of Review Determination: _____

“You are required to include a copy of the Board of Review Determination with this Appeal Form.”

The Fair Market Value by the assessor was:

Land \$ _____ Improvement \$ _____

Personal Property \$ _____ Total \$ _____

The Fair Market Value determined by the Board of Review was:

Land \$ _____ Improvement \$ _____

Personal Property \$ _____ Total \$ _____

The Fair Market Value should be:

Land \$ _____ Improvement \$ _____

Personal Property \$ _____ Total \$ _____

* If you are not appealing personal property leave this section blank.

NOTE: If you disagree with the Board of Review’s determination, you must file an appeal. The appeal of the decision of the Board of Review by one party is not an appeal of that decision from the other party. To protect your rights, if you disagree with the determination of the Board of Review, you should file an appeal to the Louisiana Tax Commission challenging the Board of Review’s determination regardless of whether or not the other party has appealed that decision.

Applicant: (Property Owner/Taxpayer/Assessor) (PLEASE PRINT)

Address: _____

Telephone No.: _____

Email Address: _____

Date of Appeal: _____

Today’s Date: _____

Signature: _____

This form must be completed in its entirety. The failure to complete the form, in its entirety, or failure to attach a copy of the Board of Review Determination may result in summary dismissal at the discretion of the Tax Commission.

PLEASE NOTE: Any documents or other evidence submitted to the assessor and/or the Board of Review must be refiled/resubmitted to the Louisiana Tax Commission.

**Form 3103.B
Exhibit B
Power of Attorney**

PLEASE TYPE OR PRINT

Taxpayer(s) must sign and date this form on Page 2.

I. Taxpayer:

Your Name or Name of Entity: _____

Street Address, City, State, ZIP: _____

I/we appoint the following representative as my/our true and lawful agent and attorney-in-fact to represent me/us before the Louisiana Tax Commission. The representative is authorized to receive and inspect confidential information concerning me/our tax matters, and to perform any and all acts that I/we can perform with respect to my/our tax matters, unless noted below. Modes of communication for requesting and receiving information may include telephone, e-mail, or fax. The authority does not include the power to receive refund checks, the power to substitute another representative, the power to add additional representatives, or the power to execute a request for disclosure of tax information to a third party.

Representatives must sign and date this form on Page 3.

II. Authorized Representative:

Name: _____

Firm: _____

Street Address _____

City, State, ZIP: _____

Telephone Number:() _____

Fax Number:() _____

Email Address: _____

III. Scope of Authorized Appointment:

Acts Authorized. Mark only the boxes that apply. By marking the boxes, you authorize the representative to perform any and all acts on your behalf, including the authority to sign tax returns, with respect only to the indicated tax matters:

A. Duration:

_____ Tax Year _____ (Days, Months, etc.) _____ Until Revoked.

B. Agent Authority:

1. _____ General powers granted to represent taxpayer in all matters.

2. _____ Specified powers as listed.

(a.) _____ File notices of protest and present protests before the Louisiana Tax Commission.

(b.) _____ Receive confidential information filed by taxpayer.

(c.) _____ Negotiate and resolve disputed tax matters without further authorization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:1856.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 4:339 (September 1978), amended by the Department of Revenue and Taxation, Tax Commission, LR 10:947 (November 1984), LR 15:1097 (December 1989), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 23:209 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:493 (March 1998), LR 25:320 (February 1999), LR 26:513 (March 2000), LR 30:492 (March 2004), LR 31:723 (March 2005), LR 32:438 (March 2006), LR 33:499 (March 2007), LR 34:689 (April 2008), LR 36:782 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 38:812 (March 2012), LR 41:683 (April 2015), LR 43:661 (April 2017), LR 45:541 (April 2019), LR 48:1538 (June 2022), LR 50:377 (March 2024), LR 52:

§3106. Practice and Procedure for the Appeal of Bank Assessments

A. - T. ...

**Form 3106.A
Appeal to Louisiana Tax Commission
by Taxpayer
for Bank Stock Assessments**

LA Tax Commission
P.O. Box 66788
Baton Rouge, LA 70896
(225) 219-0339

Name: _____ Parish/District: _____
Taxpayer
Address: _____ City, State, Zip: _____
Address or Legal Description of Property Being Appealed _____

The Fair Market Value of the Administrative Section of the Louisiana Tax Commission is: \$ _____
I am requesting that the Fair Market Value be fixed at: \$ _____

Applicant: (PLEASE PRINT)
Address: _____

Telephone No.: _____
Email Address: _____
Date: _____
Signature: _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 33:499 (March 2007), LR 34:690 (April 2008), LR 36:782 (April 2010), amended by the Division of Administration, Tax Commission, LR 38:812 (March 2012), LR 41:683 (April 2015), LR 43:661 (April 2017), LR 45:541 (April 2019), LR 48:1539 (June 2022), LR 50:377 (March 2024), LR 52:

§3107. Practice and Procedure for Appeal of Insurance Credit Assessments

A. - T. ...

**Form 3107.A
Appeal To Louisiana Tax Commission
by Taxpayer
for Insurance Assessments**

LA Tax Commission
P.O. Box 66788
Baton Rouge, LA 70896
(225) 219-0339

Name: _____ Parish/District: _____
Taxpayer

Address: _____ City, State, Zip: _____
Address or Legal Description of Property Being Appealed _____

The Fair Market Value of the Administrative Section of the Louisiana Tax Commission is: \$ _____
I am requesting that the Fair Market Value be fixed at: \$ _____

Applicant: (PLEASE PRINT)
Address: _____

Telephone No.: _____
Email Address: _____
Date: _____
Signature: _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 33:501 (March 2007), amended LR 34:690 (April 2008), LR 36:782 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 38:812 (March 2012), LR 41:683 (April 2015), LR 43:661 (April 2017), LR 45:541 (April 2019), LR 48:1539 (June 2022), LR 50:377 (March 2024), LR 52:

**Chapter 33. Financial Institutions
§3301. Guidelines for Ascertaining the Fair Market Value of Financial Institutions**

A. - E.4. ...

F. From the assessment determined by the application of the 15 percent of fair market value provided for above, there shall be deducted 100 percent of the assessed value of real estate, improvements, buildings, furniture and fixtures owned by the institution. If such real estate, improvements, buildings, furniture and fixtures are owned by a separate corporation, the deduction will be allowed provided all the capital stock (except directors' qualifying shares, if any) is owned by the institution.

F.1. - F.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1967, R.S. 47:1968, R.S. 47:1969, R.S. 6:942, R.S. 6:943 and R.S. 6:944.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 13:249 (April 1987), amended LR 16:1064 (December 1990), LR 20:198 (February 1994), amended by the Department of Revenue and Taxation, Tax Commission, LR 28:521 (March 2002), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 47:471 (April 2021), LR 52:

§3303. Allocation for Credit Purposes of Assessments Not Directly Attributable to a Specific Office

A. All property assessments not directly attributable to a specific office will be allocated, for purposes of the 100 percent credit from shareholders assessments, according to the following methods:

A.1. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1967, R.S. 47:1968, R.S. 47:1969, R.S. 6:942, R.S. 6:943, and R.S. 6:944.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 16:1064 (December 1990), LR 52:

Michael Matherne
Administrator

2512#017

DECLARATION OF EMERGENCY

**Department of Public Safety and Corrections
Office of State Fire Marshal**

Conveyance Device Systems and Equipment
(LAC 55:V.Chapter 33)

The Department of Public Safety and Corrections, Office of State Fire Marshal (OSFM), has exercised the emergency provision in accordance with R.S. 49:962 of the Administrative Procedure Act, to enact LAC 55:V.Chapter 33 as authorized by R.S. 40:1646, and R.S. 40:1664.1 et seq., relative to the authority of the State Fire Marshal to promulgate and enforce rules, relative to the regulation of Life Safety and Property Protection, in particular, Conveyance Device Systems and Equipment activity.

This Emergency Rule is necessary to prevent imminent peril to the public welfare. This Emergency Rule is necessary to better protect the public safety by allowing the OSFM to require the registration of conveyance devices and equipment and to require annual inspections of registered devices. This Emergency Rule is effective January 1, 2026, and shall remain in effect for 180 days, or until the permanent Rule is adopted, whichever occurs first.

Title 55

PUBLIC SAFETY

Part V. Fire Protection

Chapter 33. Conveyance Device Systems and Equipment

§3301. Purpose

A. The provisions of this chapter are to establish requirements relating to the regulation of conveyances and conveyance devices as defined in La. R.S. 40:1664.3(15) to include installing, integrating, certifying, registering, inspecting, selling, or servicing of such devices, as well as, to identify the standards and processes by which regulated activities are to be conducted. The requirements for the enforcement of these provisions are established by this chapter in the interest of protecting and preserving lives pursuant to the authority of R.S. 40:1646 and R.S. 40:1664.1 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3303. Administration; Adopted Standards

A. The Office of State Fire Marshal (OSFM), which administers the provisions of R.S. 40:1646, relating to the Inspection of Life Safety Systems and Equipment, and R.S. 40:1664.1, et seq., relating to the Life Safety and Property Protection Licensing law, is located at 8181 Independence Blvd., Baton Rouge, LA 70806.

B. When conveyance device systems or equipment are a component of any new construction, renovation, or alteration that is required to undergo plan review and approval by the OSFM subject to R.S. 40:1574, all work shall be subject to the codes, standards, and incorporated reference standards of the Louisiana State Uniform Construction Code, as adopted or amended by the Louisiana State Uniform Construction Code Council (LSUCCC), pursuant to the authority of R.S. 40:1730.28, and as enumerated in LAC 17:I.103-105.

1. The LSUCCC has adopted the International Building Code (IBC) and International Existing Building Code (IEBC), which together are controlling codes for all work performed in accordance with Paragraph B. The currently adopted codes, editions, reference standards, and amendments may be found on the LSUCCC website at www.lsuccc.la.

C. Conveyance device systems and equipment that are subject to repairs, maintenance or inspections required by this Chapter shall be subject to the applicable standards set forth by the American Society of Mechanical Engineers (ASME) that were in effect at the time the building was constructed or the device was installed or substantially altered.

1. Where a conveyance device system or equipment were installed or altered prior to June 30, 2026, the applicable ASME edition in effect are set forth in the following table:

Building and/or Conveyance Device Constructed, Remodeled, or Altered	Life Safety Code Edition (NFPA 101)	International Building Code Edition (IBC)	American Society of Mechanical Engineers Code A17.1 Edition (ASME)
prior to 1/1/1975	1967		1965
1/1/1975 to 12/31/1979	1973		1971
1/1/1980 to 8/31/1981	1976		1971
9/1/1981 to 8/31/1986	1981		1978
9/1/1986 to 2/18/1989	1985		1984
2/19/1989 to 5/31/1992	1988		1987
6/1/1992 to 1/4/1995	1991		1990
1/5/1995 to 5/31/1998	1994		1993
6/1/1998 to 6/30/2001	1997		1996
7/1/2001 to 12/31/2001	2000		1996
1/1/2002 to 6/30/2004	2000		1996
7/1/2004 to 9/30/2007	2003		2000
10/1/2007 to 6/30/2010	2006	2006	2004
7/1/2010 to 12/31/2013	2009	2009	2007
1/1/2014 to 6/30/2017	2012	2012	2007
7/1/2017 to 12/31/2022	2015	2015	2013
1/1/2023 to 6/30/2026	2015	2021	2019
The inclusion of the Life Safety Code (NFPA 101) and the International Building Code (IBC) edition is for reference only as each refers to the ASME, in substantial part, for conveyance device standards.			

2. Where a conveyance device system or equipment is installed or substantially altered after July 1, 2026, the determination of the applicable codes, standards, and incorporated reference standards shall be made by the Louisiana State Uniform Construction Code, as adopted or amended by the LSUCCC, pursuant to the authority of R.S. 40:1730.28, and as enumerated in LAC 17:I.103-105. All codes, standards and reference standards may be found online at www.lsuccc.la.

D. The following publications are adopted for guidance purposes and shall not be binding on the OSFM. In all cases the edition considered shall be the most current edition at the time of the inspection, certification or related activity:

1. ASME A17.2 (2023)—Guide for Inspection of Elevators, Escalators, and Moving Walkways.

2. ASME QEI-1 (2024)—Standard for the Qualification of Elevator Inspectors.

E. Should a conflict arise between any adopted code or standard and the provisions of R.S. 40:1646 and R.S. 40:1664.1 et seq., the provisions of R.S. 40:1646 and R.S. 40:1664.1, et seq. shall apply.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563(F), R.S. 40:1578.6(A), R.S. 40:1578.7(E), R.S. 40:1646, R.S. 40:1664.2, R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3305. Applicability of Rules

A. These rules shall apply to all firms and persons engaged in conveyance device systems and equipment activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3307. Exceptions, Conflicts

A. These rules shall not apply to the following:

1. owners, firms and/or persons engaging in conveyance device systems and equipment activity in one- or two-family dwellings; and

2. any employee or representative of a manufacturer of a conveyance device or a firm that is contracted with the manufacturer who conducts the programming of the device onsite or remotely. This exception would not apply to conveyance device mechanics who are required to possess a license issued by the Office of State Fire Marshal.

B. Conveyances and equipment not subject to the rules set forth in this Chapter include, but are not limited to, the following:

1. conveyance devices, equipment or apparatus installed in buildings or structures wholly owned by the United States government;

2. material hoists within the scope of ANSI A10.5;

3. mobile scaffolds, towers and platforms within the scope of ANSI A92;

4. powered platforms and equipment for exterior and interior maintenance within the scope of ANSI A120.1;

5. conveyors and related equipment within the scope of ASME B20.1;

6. cranes, derricks, hoists, hooks, jacks, and slings within the scope of ASME B30;

7. industrial trucks within the scope of ASME B56;

8. portable equipment, except for portable escalators that are covered by ASME A17.1 and ASME A17.7;

9. tiering or piling machines used to move materials to and from storage located and operating entirely within one story;

10. equipment for feeding or positioning materials at machine tools, printing presses, or similar equipment;

11. skip or furnace hoists;

12. wharf ramps;

13. amusement devices;

14. stage and orchestra lifts;

15. lift bridges;

16. railroad car lifts and dumpers;

17. mechanized parking garage equipment;

18. line jacks, false cars, shafters, moving platforms, and similar equipment used for installing a conveyance device by a conveyance device mechanic licensed in this state;

19. platform-type elevators installed on board marine vessels; and

20. marine elevators within the scope of ASME17.1.

21. any exceptions contained or noted within the adopted codes and standards.

C. Where a conflict exists between the requirements of the original manufacturer's instructions and recommendations and the currently adopted code and reference standards, the more rigorous criteria shall prevail.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3309. Notices by the Fire Marshal

A. Any notice required to be given by the State Fire Marshal by any provision of R.S. 40:1664.1 et seq., or these rules shall be provided as follows:

1. personal or domiciliary service or mailed, postage prepaid, to the person's residence or firm address or agent of service as it appears in the records in the Office of State Fire Marshal (OSFM). It is the responsibility of the person or firm involved to ensure that the OSFM has a correct address for the person or firm; or

2. electronic transmission or electronic mail (email) if the electronic transmission or email is retrievable in a perceivable form and the OSFM and recipient have consented in writing to the use of such form of electronic transmission or email for purposes of notice or communication between the parties.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3311. Definitions

A. The following words and terms, when used in these rules, shall have the following meanings, unless the context clearly indicates otherwise:

Alteration—any change to equipment, including its parts, components, and/or subsystems, other than maintenance, repair, or replacement. Alteration, as a part of a repair or replacement that is included with other work that is classified as an alteration pursuant to currently adopted code.

Annual Certification—the attestation following an inspection, conducted at yearly intervals, certifying the proper functionality of conveyance devices and equipment in accordance with all applicable engineered and/or manufacturer specifications and the testing and maintenance chapters as set forth in the applicable codes and/or standards. Pursuant to R.S. 40:1664.1, et seq., annual certifications of conveyance devices and equipment shall not be required until January 1, 2026.

ANSI—the American National Standards Institute.

Apprentice—a person who is licensed to work under the direct supervision and accompaniment of a conveyance

device systems and equipment inspector and/or mechanic who is licensed with the same firm and holding a valid license to perform the same acts.

Apprentice Endorsement—a document issued by the State Fire Marshal that authorizes a person who is licensed to work under the direct supervision and accompaniment of a conveyance device systems and equipment inspector and/or mechanic who is licensed with the same firm and holding a valid license to perform the same acts.

ASCE—the American Society of Civil Engineers.

ASME—the American Society of Mechanical Engineers.

Certify—to attest to the proper functionality, inspection, construction, installation, alteration, repair, removal, and/or operation of conveyance device systems and equipment in accordance with all applicable engineered specifications, manufacturer's specifications, and per the inspection, testing, and maintenance chapters as set forth in the applicable codes and standards.

Contact Person—an individual designated by a firm to act as liaison with the Office of State Fire Marshal.

Conveyance Device Registration—the requirement that a conveyance device owner or installing firm identify any existing or newly installed conveyance device by submitting the required information to the Office of State Fire Marshal via the portal located on the OSFM's web page, which can be accessed at www.lasfm.org.

Conveyance Device Systems and Equipment—those systems and equipment designed to facilitate the movement of people, objects, or material from one floor landing of a structure or location to a landing located on the same floor or different floor(s). Conveyance device systems include, but are not limited to, elevators, dumbwaiters, platform hoists, wheelchair lifts, power-driven stairways including escalators and moving walkways, and other related devices and equipment.

Conveyance Device Systems and Equipment Activity—the act of certifying, inspecting, installing, maintaining, repairing, removing, decommissioning, and servicing of conveyance device systems and equipment pursuant to R.S. 40:1664.1 et seq. and these rules and applicable standards.

Conveyance Device Systems and Equipment Inspector—a person who possesses a valid inspector's license issued by the Office of State Fire Marshal in accordance with the provisions of R.S. 40:1664.1 et seq. and these rules; is employed by a licensed conveyance device systems and equipment firm; and is entitled to conduct inspections and certifications of conveyance device systems and equipment.

Conveyance Device Systems and Equipment Inspector Endorsement—a document issued by the Office of State Fire Marshal that authorizes a firm or person to engage in the inspection and/or certification of conveyance device systems and equipment.

Conveyance Device Systems and Equipment Mechanic—a person who possesses a valid mechanic's license issued by the Office of State Fire Marshal in accordance with the provisions of R.S. 40:1664.1 et seq., these rules, and who is employed by a licensed conveyance device systems and equipment firm, an is entitled to install, erect, construct, alter, service, repair, dismantle, test, perform

electrical work on, and maintain conveyance device systems and equipment.

Conveyance Device Systems and Equipment Mechanic Endorsement—a document issued by the Office of State Fire Marshal that authorizes a firm or person, as defined by R.S. 40:1664.3, to engage in the installation, erecting, constructing, altering, servicing, repairing, performing electrical work on, dismantling, testing, and maintaining of conveyance device systems and equipment.

Direct Supervision: Conveyance Device Systems and Equipment Inspector or Mechanic—either a qualifier who oversees a firm's employees or by an inspector or mechanic oversight of an apprentice. The qualifier, inspector, mechanic, and apprentice must be licensed to the same firm. Qualifiers are considered to provide direct supervision of employees if they routinely engage in and regularly review the daily conveyance device systems and equipment activity of the firm. For an inspector or mechanic to provide direct supervision of an apprentice, both must be physically present at the same work location. They are not required to constantly be in line of sight of each other.

Emergency Conveyance Device Mechanic License—a license issued, usually on a short-term basis, to an individual during a declared state of emergency or a major work stoppage authorizing the holder to conduct critical, regulated services on behalf of a licensed firm.

Existing Installation—means any elevator, escalator, moving walkway, or other conveyance device as subject to the provisions of R.S. 40:1664.1 et seq. and these rules, in operation prior to July 1, 2019.

Firm—a sole proprietorship, partnership, corporation, limited liability company or any other entity.

Five-Year Safety Test—a full load safety test of a conveyance device conducted in 5 year intervals in accordance with the adopted codes and standards. It is referenced in ASME A17.1 as a Category 5 test. It requires testing steps listed in an annual, plus additional steps needed to complete a Category 5 test.

Historical Character Variance—the approval of a different solution to compliance with the intent of these rules, including consideration of the impact to the historical character of the conveyance device and/or building.

IBC—the International Building Code, a nationally recognized standard-making organization.

Inspection—a visual examination of a system, equipment or portion thereof to verify that it appears to be in operating condition and is free of physical damage in accordance with manufacturer's specifications, R.S. 40:1664.1 et seq., these rules, and any applicable adopted code.

Installation—the initial placement of a conveyance device system or equipment in accordance with manufacturers' installation and design manuals and specifications and any applicable adopted codes.

Integration—the act of utilizing accepted and approved fire protection systems and/or equipment and components in accordance with conveyance device and equipment manufacturers' specifications to develop a unified and functioning system meeting applicable codes and standards. This definition shall not be construed to allow conveyance device systems and equipment mechanics to conduct

regulated fire protection-related activities without the proper endorsement(s).

License—the act of the Office of State Fire Marshal authorizing a firm and its employees to engage in the activities as defined by R.S. 40:1664.1 et seq. and these rules.

License Certificate—a document issued by the Office of State Fire Marshal to a firm or person authorizing either to engage in such activities as defined by R.S. 40:1664.1 et seq. and these rules, also informally referred to as “License.”

Limited Conveyance Device Mechanic—an individual who is licensed through the State Fire Marshal and erects, constructs, installs, alters, services, repairs, or maintains only platform lifts, stairway chairlifts, and limited-use-limited application, or LULA, elevators in commercial and industrial structures.

Limited Conveyance Device Mechanic Endorsement—an endorsement that allows the holder to erect, construct, install, alter, service, repair, or maintain only platform lifts, stairway chairlifts, and limited-use-limited application, or LULA, elevators in commercial and industrial structures.

Maintenance—tasks, procedures, examinations, and tests required to keep an elevator, escalator, or other conveyance in a safe condition and compliant with the code. This process includes regular cleaning, lubricating, adjusting components, and repairing or replacing worn or defective parts.

Maintenance Control Program (MCP)—a documented set of maintenance tasks, maintenance procedures, examinations, and tests designed to ensure that equipment is maintained in compliance with the currently adopted codes, standards, and reference standards.

Mileage Determination—all assessments of mileage shall be made by calculating the straight-line distance between two addresses. Calculations should be performed using a reliable third-party mapping tool (e.g., Google Maps “Measure distance” feature).

New Installation—any elevator, escalator, moving walkway or other conveyance device as subject to the provisions of R.S. 40:1664.1 et seq. and these rules, installed and in operation after July 1, 2019.

New Technology Variance—means the deferral of compliance with the current requirements of the adopted codes, standards and reference standards, but the component, system, sub-system, function or device is found to be equivalent or superior to the standards adopted in these rules.

NFPA—the National Fire Protection Association, a nationally recognized standards-making organization.

Office—the Office of State Fire Marshal.

Operating Location—a physical office which houses employees and business documents or records and from which the acts authorized by the license are performed. The office shall conspicuously post the facilities business hours and ensure the facility is open and accessible during the posted hours. This includes the usage of a licensed temporary structure, commonly referred to as a “job shack,” located at a construction site. The use of a storage facility, virtual office, telephone answering service, retail mail drop box, or Post Office Box shall not constitute an operating location for purposes of these rules.

Out of Service—rendering a conveyance device inoperable in compliance with the requirements of currently adopted codes, standards, and reference standards, to include disconnecting the mainline power servicing the device. This work must be performed by an OSFM licensed conveyance device mechanic.

Person—a natural individual, including any owner, manager, officer, or employee of any firm.

Pocket License—a document issued by the Office of State Fire Marshal to an employee of a licensed firm, in pocket size and bearing a photographic image of the licensee, evidencing the OSFM’s authorization of the employee to engage in the activities as defined by these rules. It is also referred to as “License.”

Principal—a person or business entity that has a controlling interest of a firm regardless of the form of organization. It includes a person or business entity entitled to exercise the prerogatives or indicia of ownership or control of a firm whether by direct action, assignment, or any other kind of substitution or subrogation.

Programming—to set characteristics, either on site or remotely, of the conveyance device system or equipment that customize or configure it according to designed parameters. The term includes but is not limited to, updating software, transferring signals being monitored or the performance of a similar activity.

Qualifying Person—the employee of a firm who currently meets the certification, examination, and training requirements set for each endorsement by R.S. 40:1664.1 et seq. and/or the Life Safety and Property Protection Education Board.

Re-Inspection—an inspection conducted by a licensed conveyance device system and equipment inspector subsequent to an initial inspection during which deficiencies were identified. The purpose of a re-inspection is to ensure corrective measures have been taken that will result in bringing the conveyance device system or equipment into compliance with R.S. 40:1664.1 et seq., manufacturer specifications, adopted codes and these rules.

Return to Service—the process of certifying for use a conveyance device that was previously rendered “out of service”.

Repair—the replacement or renewal of any part of a conveyance device for the purpose of maintenance, restoration, or other that does not constitute an alteration.

Service—the act of routine maintenance, repair or replacement of conveyance device systems and equipment to ensure the proper functioning of the systems and equipment.

Temporary Construction Elevator or Hoist—a device used to lift or move personnel, tools, equipment and materials to or between multiple floors or heights of a building that is under construction, renovation or demolition. The device is installed and maintained on a temporary basis and is later dismantled and removed upon completion of the construction, renovation or demolition. The lifting force of the device is provided by either a rack and pinion system for ferrying persons or a drum (or wheel) on which a wire or fiber rope or chain is wrapped for moving materials. Device types include electro-hydraulic, manual or lever-operated, base-mounted, or pendant crane.

Temporary Use—the use of a permanent passenger or freight conveyance device within a building that is under

construction, renovation or demolition for the purpose of moving only construction personnel, tools, equipment and materials to or between multiple floors on a temporary basis until the completion of the construction, renovation or demolition.

Work Stoppage—includes, but is not limited to, the cessation of work or slowdown of work, or other concerted interruption of operations by employees as an intentional action and not by a declared emergency or act of God.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3313. Certificate of Licensure, License Required

A. Each firm engaged in conveyance device systems and equipment activity shall apply for a license under the endorsements desired in accordance with these rules prior to conducting any such activity in this state. Each firm that is approved for licensure by the Office of State Fire Marshal (OSFM) shall receive a certificate of licensure.

B. Each firm on behalf of its employees, including apprentices, engaged in conveyance device systems and equipment activity shall apply for a license under the endorsements desired in accordance with these rules prior to conducting any such activity in this state. Each person or employee, including apprentices, approved for licensure by the OSFM shall receive a pocket license as evidence of licensure.

C. Any firm and/or person described in subsection A or B of this section, which has not applied for and received valid license (certificate of licensure or pocket license), shall immediately cease conveyance device systems and equipment activity. The OSFM may take all steps necessary to enforce an order to cease and desist.

D. An apprentice may remain so long as the individual or firm desires.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3315. Firm Certificate of Licensure

A. Required. Every firm must obtain from the Office of State Fire Marshal (OSFM) a certificate of licensure with the appropriate endorsements as provided for by R.S. 40:1664.1 et seq. and these rules, before engaging in conveyance device systems and equipment activity.

1. Each firm shall have at least one licensed individual per endorsement of license to perform the act or acts authorized by its license and endorsement(s).

2. Firms and their owners, principals, and qualifiers shall be responsible for the acts of their employees for the purpose of these rules, and may be a responsible party in an administrative action by the OSFM.

B. The following shall apply to a certificate of licensure:

1. Posting. Each certificate of licensure shall be posted conspicuously at each operating location and/or branch office premises. All firms without an operating location within this state shall be required to purchase duplicate certificate(s) of licensure to post in each vehicle which comes into this state to conduct regulated activities.

2. Changes listed below require written notification to the OSFM within 10 days of the change.

a. Change of Ownership. The change of a firm's majority ownership invalidates the current certificate of licensure and requires a new certificate of licensure. To ensure continuance of the firm license, an application for a new certificate of licensure shall be submitted to the OSFM within 10 days of the change in ownership.

b. Change of Corporate Officers or Limited Liability Company Members. Any change of corporate officers or members of a limited liability company must be reported in writing to the OSFM within 10 days. This change does not require a revised certificate of licensure.

c. Duplicates. A duplicate certificate of licensure must be obtained from the OSFM to replace a lost or destroyed certificate. Requests for duplicate certificates must be accompanied by the required fee as specified in R.S. 40:1664.1 et seq. and these rules.

d. Revisions/Changes. The change of a firm's name, location, mailing address, or operating status requires a revision and replacement of the certificate of licensure. Where certificates of licensure require a change the holder shall surrendered the existing certificate to the OSFM within 10 days.

3. Non-Transferability. A certificate of licensure is not transferable from one firm to another.

4. Validity. A certificate of licensure is valid for the number of years issued by the OSFM. For a certificate of licensure to remain valid, the firm must pay the annual fees, any outstanding fines, penalties, or other obligations due, provide a current insurance certificates and provide a current affidavit from its qualifier(s).

a. Where the certificate of licensure expires the firm shall immediately cease conveyance device systems and equipment activity pursuant to R.S. 40:1664.4.

5. Failure to Return a Certificate of Licensure. Whenever a firm is required to return a certificate of licensure or pocket license and fails to do so within 10 days, the firm shall be subject to an administrative penalty of no more than \$250.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3317. Application for Firm Certificate of Licensure

A. Applications for a certificate of licensure for conveyance device systems and equipment firms shall be in writing on the forms provided by the Office of State Fire Marshal (OSFM) or online via the portal located on the OSFM's web page, when available, which can be accessed at www.lasfm.org.

B. The application for firm licensure shall:

1. be executed by the sole proprietor, by each partner of a partnership, by the authorized officer of a corporation, by members/managers of a limited liability company, or by the managing group of an association;

2. identify the type of endorsement applied for;

3. identify the physical and mailing address of the firm;

4. identify any and all names by which the firm may conduct activity regulated by R.S. 40:1664.1 et seq., and these rules;

5. identify a contact person and their contact information including phone number and email address as defined by these rules;

6. identify the qualifying person for each endorsement applied for;

7. identify any and all past violations or pending administrative or legal action(s) against the firm in any local, state, or federal jurisdiction;

8. include a separate employee application for the qualifying person along with the qualifying person's credentials as required by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board and an originally signed employment affidavit;

9. include a separate employee application for each inspector, mechanic, and/or apprentice along with the required training or certification credentials as established by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board. A firm must employ and license at least one inspector and/or mechanic, as applicable based on the firm's valid endorsement;

10. for out of state firms, include a list of all vehicles which shall come into this state to conduct conveyance device systems and equipment activity regulated by R.S. 40:1664.1 et seq., and these rules. The list shall include make, model, color, year, state of registration, and license plate number.

C. The application shall also include written authorization by the applicant permitting the State Fire Marshal or his representative to enter, examine, and inspect any premise, building, room, vehicle, or establishment used by the applicant while engaged in activity to determine compliance with the provisions of R.S.40:1664.1 et seq., and these rules.

D. The application shall be accompanied by:

1. an original certificate of insurance by the issuer documenting that the firm has a minimum of \$500,000 in general liability coverage for the activities in which the firm is licensed; and

2. an original certificate of insurance by the issuer documenting that the firm has a current and valid worker's compensation insurance policy as required.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3319. Individual License

A. Required. Each person who engages in conveyance device systems and equipment activity shall have a current and valid license issued by the Office of State Fire Marshal (OSFM).

1. Secretaries, drivers, accounting personnel, sales representatives, managers, and other administrative staff shall not be required to have a license pursuant to R.S. 40:1664.4.

2. For the purpose of license required by R.S. 40:1664.4, the firm owner or owners shall not be required to obtain a license unless they are performing conveyance device system and equipment activity.

3. An employee must be a W-2 or K-1 employee.

B. Types of Endorsements. Each license shall be identified by the endorsements, which indicate the authorized act or acts which may be performed by the licensee as follows:

1. conveyance device systems and equipment inspector.

2. conveyance device systems and equipment mechanic.

3. limited conveyance device mechanic.

4. life safety apprentice.

C. Posting. It is not necessary to post an employee license on a wall. A master list of all employees' names and license numbers must be kept at each office location and must be available for review upon request by the State Fire Marshal or his designated representative.

D. Pocket License. The pocket license is for immediate identification purposes and shall be kept on the recipient's person at all times when conducting regulated activity. The pocket license need not be visibly displayed when working in areas where the license may be damaged or lost. The license shall bear the name of the employing firm. The license must be available for inspection upon request.

E. Duplicate License. A duplicate license must be obtained from the OSFM to replace a lost or destroyed license. The license holder and his employer must submit written notification within 10 days of the loss or destruction of a license, accompanied by the required fee as specified in these rules.

F. Revised License. The change of a licensee's employer, home address or mailing address, or employment status requires a revised license. Licenses requiring revision must be surrendered to the OSFM within 10 days after the change requiring the revision. The employer of the license holder must submit written notification of the necessary change with the surrendered license, accompanied by the required fee as specified in these rules.

G. Non-Transferable. A license is not transferable from one person to another.

H. License Reciprocity. The State Fire Marshal may waive license requirements for an applicant with a valid license from another state if that state has license requirements substantially equivalent to Louisiana's requirements and if the issuing state recognizes licenses issued by the OSFM. The State Fire Marshal may accept the qualifying standards of an applicant licensed by another state if that state has license requirements substantially equivalent to Louisiana's and if the issuing state recognizes licenses issued by the OSFM.

I. Validity. A license is valid for the number of years issued by the OSFM. For a certificate of licensure to remain valid, the individual must pay the annual fees, any outstanding fines, penalties, or other obligations due, and all continuing education requirements, as set forth by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board.

a. Where the certificate of licensure expires, the employee shall immediately cease conveyance device systems and equipment activity pursuant to R.S. 40:1664.4.

J. Transfer of Employer. When a currently licensed employee transfers to a new employer, a revised license shall be required indicating the new firm's information. The license shall be revised to show the same expiration date of the new employer. Upon receipt of the revised application by the Office of State Fire Marshal, the individual may go to work for the new employer while awaiting the processing of the license. The transferring employee shall not be

authorized to engage in any work beyond that which they are currently authorized to perform.

K. Age Limitations. For the purpose of licensing, no one under the age of 18 shall be eligible to apply for or receive any conveyance license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3321. Applications for Individual Licenses

A. Applications for a license for an employee of a licensed firm shall be on forms provided by the Office of State Fire Marshal (OSFM) and accompanied by the required fee as specified in R.S. 40:1664.1 et seq. and these rules. Applications can also be completed and submitted online via the portal located on the OSFM's web page, when available, which can be accessed at www.lasfm.org, and accompanied by the required fee as specified in R.S. 40:1664.1 et seq. and these rules.

B. Applications for individual licensure shall identify:

1. the type of endorsement applied for;
2. the individual's home address;
3. the licensed firms physical and mailing address, if different;
4. any and all names under which the individual may have conducted conveyance device systems and equipment activity regulated by R.S. 40:1664.1 et seq., and these rules, if not the same as on the application;
5. the social security number; and
6. any and all past violations or pending administrative or legal action(s) against the applicant in any local, state, or federal jurisdiction.

C. A firm submitting an application for an employee seeking licensure for any conveyance device system and equipment endorsement shall submit documentation that demonstrates the employee meets all certification, continuing education, training, and testing requirements established by the Life Safety Property Protection Education Board pursuant to R.S. 40:1664.11.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3323. Alteration of License Certificates

A. Any alteration of a license certificate renders it invalid and such alteration shall be the basis for administrative action in accordance with penalties set forth in R.S. 40:1664.1 et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3325. Qualifying Persons

A. A firm must employ at least one qualifying person for each endorsement it has applied for. No conveyance device system or equipment shall be certified, inspected, installed, integrated, maintained, serviced, or the plans thereof submitted, if required, to the Office of State Fire Marshal (OSFM) for review if the firm does not employ a qualifying person as provided herein.

B. The qualifying person shall be a paid employee working a minimum of 32 hours per week and shall receive a W-2 or K-1 tax form from the firm. The qualifier shall only

qualify one firm for which he is employed. An individual may not qualify multiple firms at the same time. However, a firm may employ multiple qualifiers. A contract employee cannot be used to fulfill this requirement except as provided by Subsection G below.

C. The qualifying person shall be primarily and actively engaged in direct supervision of the daily conveyance device activity of the firm's employees and for those systems or equipment for which the firm holds endorsements. If a firm holds multiple endorsements, then multiple qualifiers may be utilized to meet this requirement. Upon request by the State Fire Marshal or his representative(s), a qualifier shall provide documentation attesting to his or her supervision of any certification, integration, inspection, installation, maintenance or service performed by the firm he or she qualifies.

D. A qualifier must physically reside within 200 miles of the operating location.

E. A qualifier must meet the minimum examination, certification, and training requirements as established by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board. The OSFM shall send notice to licensed firms of all changes to qualifier credentials made by the Life Safety and Property Protection Education Board.

F. At any time a firm finds itself without a qualifying person, such firm shall be able to continue certifying, inspecting, maintaining and/or servicing existing contractual obligations only for that endorsement and shall not engage in any new work until a qualifying person has been employed as provided herein. A firm may not submit plans to the OSFM when it finds itself without a qualifying person.

G. The OSFM shall be notified in writing within 10 working days any time a qualifying person's employment is terminated for any reason.

H. A firm which loses its qualifying person and has timely notified the OSFM shall have 90 days to hire another qualifying person. If after the loss of such an employee, a replacement cannot be found within the 90 days, the firm may make a request to the OSFM to temporarily hire a qualifying person on a contractual basis. Good cause must be shown why another employee cannot be permanently hired. Approval by the OSFM to hire a qualifying person on a contractual basis will be given in six-month month increments and shall not exceed one year. Not later than 30 days prior to the expiration of any initial six-month period, the firm may request an additional six-month period to employ a qualifying person on a contractual basis if good cause is shown why the firm cannot hire an employee to fulfill this requirement.

I. Failure to notify the OSFM in writing within 10 working days of the loss of a qualifying person will cause forfeiture of any extension of time to hire another qualifying person.

J. A qualifying person must obtain an individual employee license as required by these rules. Licensure of the qualifier shall include a signed and notarized affidavit indicating the employment relationship and duties of the qualifier. If a firm desires to use multiple qualifiers for submitting plans and supervising the conveyance device activity of the firm, then it must register and license the additional qualifiers with the OSFM.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3327. Emergency Conveyance Device Mechanic License

A. An emergency conveyance device mechanic license may be issued by the Office of State Fire Marshal (OSFM) when an emergency exists in the state due to a natural disaster, as declared by the President of the United States or the Louisiana Governor, or a major work stoppage, and the requesting licensed conveyance device mechanic firm submits an attestation to the OSFM certifying each of the following:

1. There is a shortage of conveyance device mechanics available to address and manage the demand caused by the emergency or work stoppage, to include the number of available persons and the number of existing positions needing to be filled; and

2. The shortage of licensed conveyance device mechanics in the state jeopardizes the safety of the public.

B. The State Fire Marshal shall make a determination, based on all information available and on the attestation of the requesting firm, whether to approve the request for emergency licensure. If the request is approved, the requesting firm shall submit to the State Fire Marshal a separate attestation certifying that each individual for which an emergency license is sought, meets the following qualifications:

1. the individual has worked as a conveyance device mechanic for not less than two years and 3000 hours, within the last three years, with or without immediate or direct supervision; and

2. the individual has received a National Association of Elevator Contractors Associate Elevator Technician (AET), or

3. Level 1 certification or equivalent.

C. If the individual is approved for emergency licensure, he or she shall receive a license certificate, a copy of which shall be kept on his or her person or in his or her service vehicle. The emergency license shall be valid for a period of 60 days from the date of issuance and shall entitle the licensee to the rights and privileges of a licensed conveyance device mechanic.

D. An emergency license is not transferable from one firm to another firm. Upon written request, an emergency license may be extended, but shall not exceed one year from the date of initial issuance, unless mitigating circumstances regarding the emergency declaration or work stoppage exist and are recognized by the State Fire Marshal in writing and an extension of the emergency license is determined to be necessary.

E. All attestations shall be submitted in the form of a notarized affidavit in accordance with the provisions of R.S. 40:1664.9(M)(4).

F. Initial and renewal fees for emergency licenses shall be in accordance with the provisions of R.S. 40:1664.9(M)(5).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3329. Temporary Conveyance Device Mechanic License

A. A temporary conveyance device mechanic license may be issued by the Office of State Fire Marshal (OSFM) upon receipt of either the following:

1. an attestation from the requesting licensed conveyance device mechanic firm that, despite its best efforts, there is an insufficient number of licensed conveyance device mechanics needed to perform conveyance device mechanic activities; or

2. an imminent increase in conveyance device mechanic activities exist, with a detailed description of the increase in activities.

B. The State Fire Marshal shall make a determination, based on all information available and on the attestation of the requesting firm, whether to approve the request for temporary licensure. If the request is approved, the requesting firm shall submit to the State Fire Marshal a separate attestation certifying that each individual for which a temporary license is sought meets the following qualifications:

1. the individual has worked as a conveyance device mechanic for not less than two years and 3000 hours, within the last three years, with or without out immediate or direct supervision; and

2. the individual has received a National Association of Elevator Contractors Associate Elevator Technician (AET), or

3. Level 1 certification or equivalent.

C. If the individual is approved for temporary licensure, he or she shall receive a license certificate and pocket identification card. The temporary license shall be valid for a period of 180 days from the date of issuance and shall entitle the licensee to the rights and privileges of a licensed conveyance device mechanic.

D. Temporary licenses may be approved by the OSFM for renewal. The requesting licensed conveyance device mechanic firm shall provide an attestation to the OSFM certifying that, despite its best efforts, there continues to be an insufficient number of licensed conveyance device mechanics needed to perform conveyance device mechanic activities or an imminent increase in conveyance device mechanic activities. The information provided should be described in extensive detail. The OSFM may refuse to renew a temporary license for a person who qualifies for regular licensure.

E. A temporary license is not transferable from one firm to another firm. It is valid only for the work performed for the licensed conveyance device mechanic firm that made the request and was approved by the State Fire Marshal.

F. All attestations shall be submitted in the form of a notarized affidavit in accordance with the provisions of R.S. 40:1664.9(L)(2).

G. Initial and renewal fees for temporary licenses shall be in accordance with the provisions of R.S. 40:1664.9(L)(6).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3331. Fees—General Information

A. Every fee required in accordance with the provisions of R.S. 40:1664.1 et seq., and these rules, shall be paid by firm check or certified funds/check made payable to the "Office of State Fire Marshal" (OSFM). Cash or personal checks cannot be accepted.

B. Fees shall be paid:

1. at, or mailed to, the OSFM, Attention Licensing Section, at 8181 Independence Blvd., Baton Rouge, Louisiana 70806; or

2. online by visiting the OSFM at www.lasfm.org.

C. A renewal application accompanied by the required renewal fee and deposited with the United States Postal Service is deemed to be timely filed, regardless of actual date of delivery, when its envelope bears a legible postmark date which is on or before the expiration date of the license being renewed.

D. Late fees are required for renewal of all expired licenses as outlined in R.S. 40:1664.1 et seq.

E. Licenses which have been expired for more than 60 days will be suspended and applicants must apply and pay for a new license in accordance with R.S. 40:1664.9 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3333. Fees—Specific Information

A. All fees associated with both individual and firm licensure, to include, endorsements, late fees, changes, renewals, revisions, transfers, and duplicates shall be in accordance with R.S. 40:1664.9.

B. Conveyance Device Inspections Fee. A conveyance device inspector shall pay the conveyance device inspections fee in exchange for a certificate of operation provided by the Office of State Fire Marshal which will then be attributed to the conveyance device that has passed inspection.

1. No fee is owed to the OSFM where a device fails an inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3335. Initial Individual Licensure; Continuing Education

A. Initial Licensure. Applicants for initial individual licenses are required to meet the initial licensure requirements as established pursuant to R.S. 40:1664.7 and the Life Safety and Property Protection Education Board.

B. Continuing Education. Individuals who wish to renew their licenses are required to meet the continuing education requirements as established by the Life Safety and Property Protection Education Board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3337. Registration of Conveyance Device Systems

A. Registration Required. Pursuant to R.S. 40:1664.1 et seq. the owner of a conveyance device system, shall register the system with the Office of State Fire Marshal (OSFM).

1. A conveyance device firm that installs a conveyance device; shall register the conveyance device with the OSFM within 30 days of its installation.

B. Registration Process. Registration information shall be submitted online through the OSFM's conveyance registration portal via www.lasfm.org. The information required to register includes:

1. address of the structure in which the conveyance device system is located;

2. name of the owner;

3. name of installation firm (if known), maintenance firm, or owner managed;

4. address of the owner;

5. contact information for both owner and installation firm (if known), maintenance firm;

6. OSFM installation firm license number (if known); and

7. conveyance device identifying information, to include, but not limited to, manufacturer; type, serial number; capacity; speed; location; date of installation; and the date of last passing annual inspection.

C. Certificate of Registration. Upon receipt of the registration submittal, the OSFM shall review the registration and, if all necessary information is present and correct, the Office shall provide the owner or installing firm with a registration certificate.

1. The registration certificate shall be maintained by the owner or his designee on site or in a manner that is readily available for review by the OSFM.

D. Registration Decal. Each Conveyance device registered under subsection C shall also have affixed a permanent decal to the controller of the individual car.

1. This decal is a one-time installation and only requires replacement if damaged or the device is replaced.

2. Where the registered conveyance device is an existing unit, the registration decal shall be affixed by the inspector performing the first inspection pursuant to this chapter.

3. Where the registered conveyance device is a new installation, the registration decal shall be affixed by inspector performing the final inspection.

4. The registration decal shall be a minimum of 2 3/4 inches by 2 3/4 inches and a maximum 5 inches by 5 inches. The tag shall be white in color and have a self-adhesive backing. The following information and wording shall be required to be preprinted on the front side of the decal:

a. "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters, in bold type);

b. "CONVEYANCE DEVICE REGISTRATION" (all capital letters, in bold type);

c. device number

d. inspection date;

e. firm's name;

f. firm's license number;

g. inspector's name;

h. inspector's license number;

i. inspector's signature;

j. applicable code and edition the system was inspected under;

k. plan review or exemption number (if existing); and

1. serial and/or model number of conveyance device.

5. All decals shall have a signature line for the inspector to sign the decal upon completion of the work. No preprinted signatures are permitted. Initials are not permitted. Other information to be completed on the decal may be either handwritten or preprinted. Apprentices are not permitted to sign decals.

E. The OSFM may assess an administrative penalty of no more than \$250.00 per day per device against a building owner or installing firm who fails to register a conveyance device system, properly attach, or maintain the certificate of registration as required as required by R.S. 40:1664.1 et seq. and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3339. Inspections

A. Inspection Required. The State Fire Marshal, or his designated representative, is authorized to cause the inspection, certification, and testing of all life safety systems and equipment in the state, whether in public or private buildings, upon receipt of a complaint, during installation, or after installation to determine compliance with applicable codes, standards, and manufacturer specifications.

1. The provisions of this section shall not apply to the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside of the building. The building described in this Paragraph shall not be construed to include a one- or two-family dwelling as defined in R.S. 40:1573.

B. Licensed Inspectors. All inspections must be performed by an inspector licensed by the Office of State Fire Marshal (OSFM).

C. Annual Inspections. The owner of any building containing a life safety system and equipment, or the owner's designated representative, shall cause at a minimum an annual inspection and certification to be made of the life safety system and equipment in that building to assure compliance with applicable safety standards and to determine whether structural changes in the building or in the contents of the building mandate alteration of a system.

1. Inspection Cycle. Annual inspections shall be completed as follows:

a. Where a conveyance device passed an annual or new installation inspection within the 2025 calendar year the first annual inspection under this chapter shall be completed within the same calendar month of 2026.

b. Where a conveyance device becomes registered and has not passed an annual or new installation inspection within the 2025 calendar year, an annual inspection shall be performed within 120 days. The calendar month in which the devices annual inspection occurs will set the applicable month for the subsequent year's annual inspection.

c. Where a conveyance device is subject to an alteration the device must pass an alteration inspection before being placed in operation, with said inspection resetting the applicable month for the subsequent year's annual inspection.

D. Five-Year Safety Test. Effective July 1, 2028 the owner of a building described in this section shall cause, at a minimum, a full-load safety test of the conveyance device in

five-year intervals to assure compliance with applicable safety standards and to determine whether structural changes in the building or in the contents of the building mandate alteration of the conveyance device.

1. Inspection Cycle. Five-Year Safety Test Annual inspections shall be completed as follows:

a. Where a conveyance device has been in service prior to July 1, 2023, and passed an annual inspection within the 2027 calendar year the initial five-year safety test under this chapter shall be completed within the same calendar month of 2028.

b. Where a conveyance device has not been in service since July 1, 2023, the first five-year safety test under this chapter shall be completed in lieu of the fifth annual inspection and every fifth year thereafter.

E. Submission of Inspection Results Finding the Conveyance Device Safe for Normal Operation. Only annual inspection reports determining the conveyance device is safe for normal operation shall be submitted. All submissions shall be made via the inspector performing the inspection and submitted online through the OSFM's conveyance inspection portal via www.lasfm.org. The information required to submit an inspection includes:

1. address of the structure in which the conveyance device system is located;
2. device OSFM registration number;
3. conveyance inspector OSFM license number;
4. date of current annual inspection;
5. contact information for both owner and installation firm (if known), maintenance firm;
6. OSFM installation firm license number (if known); and

7. conveyance device, type, capacity, location; date of installation; date of last passing annual inspection and any additional information the State Fire Marshal may require.

F. Certificate of Operation. Upon receipt of the inspection the OSFM shall review the inspection submittal, and if all necessary information is present and correct, the OSFM shall provide the owner or certifying inspector with a certificate of operation.

1. The certificate shall be displayed conspicuously in the elevator car.

G. The State Fire Marshal may assess an administrative penalty of no more than \$250 per day per device against a building owner who fails to have their conveyance device system inspected annually or to display a current certificate of operation as required by R.S. 40:1464.1 et seq. and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646; Acts 2025 No. 297, R.S. 40:1574, R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3341. Alternative Systems, Methods, or Devices

A. An equivalency approval must be obtained from the Office of State Fire Marshal (OSFM) wherever a conveyance device installation or alteration is planned that intends to use alternative systems, methods, or devices. The equivalency review process is managed by the OSFM Plan Review section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1574, R.S. 40:1664.1.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3343. Report of Occurrence, Accident, Injury or Death

A. A fire chief or designee and owner, under provisions of R.S. 40:1664.1 et seq. and these rules, shall within 24 hours, notify the Office of State Fire Marshal (OSFM) of each and every occurrence that may have been the result of a conveyance device system or equipment malfunction or failure when:

1. The occurrence results in human death or injury requiring medical treatment by a physician, paramedic, or emergency medical technician (EMT), other than first aid. First aid means the one-time treatment or observation of scratches, cuts not requiring stitches, minor burns, splinters or contusions or a diagnostic procedure, including examination and x-rays, which does not ordinarily require medical treatment even though provided by a physician or other licensed personnel; or

2. The occurrence results in damage to the device indicating a possible substantial defect in design, mechanics, installation, structure or equipment, affecting the future safe operation of the system or device. No reporting is required in the case of normal wear and tear.

B. The OSFM, after notification and determination that an occurrence involving death or injury, as described herein, has occurred, shall, without delay, conduct an investigation of the occurrence.

C. No person, following an occurrence as specified in Subsection A, shall operate, attempt to operate, use or move or attempt to move such conveyance device or equipment, or part thereof, without the approval of the State Fire Marshal, unless to prevent injury to any person or persons.

D. No person, following an occurrence as specified in Subsection A, shall remove or attempt to remove from the premises any damaged or undamaged part of such conveyance device system or equipment, or repair, or attempt to repair any damaged part necessary to a complete and thorough investigation.

E. No conveyance device involved in an occurrence as specified in Subsection A shall be operated until it has been inspected and approved for use by a licensed inspector and the OSFM.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3345. Certification Tags, Service Tags, Partial Impairment Tags, Major Impairment Tags

A. Pursuant to R.S. 40:1646(B), the owner of any building containing conveyance device systems and equipment, or the owner’s designated representative, shall cause at a minimum an annual inspection and certification to the conveyance device system and equipment. The Office of State Fire Marshal (OSFM) requires that all conveyance device systems within the state, subject to regulation in accordance with R.S. 40:1664.1 et seq., shall be tagged by conveyance device inspectors or mechanics when the status of any conveyance device’s life safety systems, components, and/or functions changes. The tagging system is a color coded four tier system with each corresponding tag denoting a different device status as follows:

1. Certification Tags (Green Tags). A certification tag shall be attached on all new and existing systems or equipment that have been found to be in operational

condition per the inspection, testing and maintenance chapters of the applicable codes and standards.

2. Service Tags (Blue Tags). A service tag shall be attached on all systems or equipment found to be in an operational condition after maintenance or service per maintenance chapters of the applicable codes and standards.

3. Partial Impairment Tags (Yellow Tags). A partial impairment tag shall be placed on all equipment or systems in which there is a deficiency, but where the equipment or system is still functional.

4. Major Impairment Tags (Red Tags). A major impairment tag shall be placed on conveyance device systems and/or equipment upon discovery that the system or equipment is impaired to the point that life safety is at risk or that the system will be prevented from functioning as intended. A major impairment tags shall also be placed on any equipment or system where life safety is in imminent danger.

B. Written Notifications. Whenever required, as noticed below, the OSFM shall be notified via www.lasfm.org. Notifications, shall contain the following information:

1. name, address, and telephone number of the conveyance device;
2. name, address, telephone number, and OSFM license number of the firm noting the impairment;
3. name and license number of the mechanic or inspector who performed the service, maintenance, or inspection;
4. system information:
 - a. type of system,
 - b. manufacturer, and
 - c. model number;
5. the applicable codes and standards, to include edition year, the firm used for the service, maintenance, or inspection;
6. reason for the impairment (Note: a copy of the inspection or service report shall be included); and
7. date and time the system or equipment was red tagged.

C. Miscellaneous Provisions

1. All tags must be card stock, plastic, vinyl, Tyvek or metal in order to maintain the running record for the system. One-sided or self-adhesive service tags are not permitted.

2. All tags shall be 5 1/4 inches in height and 2 5/8 inches in width.

3. Firms shall have their tags printed and shall complete an acknowledgment of firm tagging compliance form stating that the firm will comply with the tagging requirements in accordance with these rules.

4. Where additional space is needed to note the impairments, multiple tags shall be used noting 1 of 2, 2 of 2, etc.

5. An apprentice cannot certify any conveyance device system or equipment or place any service tags on any device or equipment.

6. Notification of conveyance device systems and equipment service or maintenance where no deficiencies are found need not be sent to the OSFM unless specifically requested.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3347. Certification Tags

A. Certification Tags (Green Tags)

1. All firms engaged in conveyance device systems and equipment activity shall have a certification tag which shall be completed and attached to a conveyance device system or equipment, after it has been certified, inspected, installed, or integrated indicating all work that has been done.

2. Certification tags shall be green in color.

3. The certification tag shall be attached to or at the controlling mechanism of each device located in the control room of the structure.

4. The certification tag shall be attached in such a way as to not hamper the actuation and operation of the equipment or system.

5. A certification tag shall be attached on all new and existing systems or equipment that have been found to be in operational condition per the inspection, testing and maintenance chapters of the applicable codes and standards.

6. Certification tags must contain all of the information listed below. Information shall be preprinted on the tag unless noted otherwise.

a. **DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL** (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. mechanic's or inspectors' name and OSFM license number to be printed on tag either at the time of service or preprinted;

e. mechanic's or inspector's signature to be signed at time of service (no preprinted signatures nor initials are permitted; apprentices are not permitted to sign tags);

f. day, month and year in which the certification was performed (must be punched through certification tag at designated marks for day, month and year; designated marks for day, month and year shall only be punched once per tag);

g. OSFM device registration number;

h. type of work performed. Only "Installation" or "Certification", shall be noted on the tag for the type of work performed (must be punched through the certification tag);

i. "Installation" shall be punched on the tag when the conveyance device system or equipment is initially placed into use or after an alteration to the system has been made. Punching "Installation" indicates the initial certification of the system or equipment has been completed.

ii. "Certification" shall be punched on the tag when the conveyance device system or equipment has passed an annual or five year inspection.

i. specifics as to the type of work performed shall be noted on the rear of tag, (i.e. new installation, annual certification, etc.);

j. serial or other permanent identifying number of conveyance device system's control panel, if present; and

k. owner of system and address of owner (to be noted on rear of tag).

7. Other information may be permitted on the tag after a review and approval by the state fire marshal. A request for additional information shall be made to the OSFM in writing with a sample tag indicating the requested additions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3349. Service Tags

A. Service Tags (Blue Tags)

1. All firms engaged in conveyance device systems and equipment activity shall have a service tag which shall be completed and attached to the system or equipment after it has been maintained or repaired indicating all work that was performed.

2. Service tags shall be blue in color.

3. The service tag shall be attached to the mechanism(s) located in the conveyance device control room of the structure and attached in such a way as to not hamper the actuation or operation of the equipment or system.

4. A service tag shall be attached on all systems or equipment found to be in operational condition after maintenance or service per maintenance chapters of the applicable codes and standards.

5. Service tags must contain all of the information listed below. Information shall be preprinted on the tag unless noted otherwise.

a. **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL"** (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. mechanic's or inspector's name and OSFM license number to be printed on tag either at the time of service or preprinted;

e. mechanic or inspector's signature to be signed at time of service. (No preprinted signatures nor initials are permitted; apprentices are not permitted to sign tags);

f. day, month, and year in which service was performed which must be punched through the service tag at designated marks for day, month and year. (Designated marks for day, month and year shall only be punched once per tag);

g. OSFM device registration number;

h. type of work performed. Only "Service" shall be noted on tag for type of work performed;

i. "Service" tags shall be used when the conveyance device system or equipment is maintained or repaired to ensure proper operation between annual inspections;

j. specifics as to the type of work performed shall be noted on the rear of the tag:

i. serial number of conveyance device, if present.

ii. owner of system and address of owner (to be noted on rear of tag).

6. Other information may be permitted on the tag after a review and approval by the State Fire Marshal. A request for additional information shall be made to the OSFM in writing with a sample tag indicating the requested additions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3351. Partial Impairment Tags

A. Partial Impairment Tags (Yellow Tags)

1. Required Use. All firms engaged in conveyance device systems and equipment activity shall have a partial impairment tag, to be yellow in color, which is to be used when minor deficiencies are found on the equipment or system. The use of partial impairment tags is in addition to the requirement of having a service tag and impairment tag.

2. Purpose and Use. A partial impairment tag shall be placed on all equipment or systems in which there is a deficiency, but where the equipment or system is still functional. This would include situations where routine service is needed, but has not been approved by the owner of the equipment or system. The partial impairment tag identifies an issue that should be addressed in a timely manner by the conveyance device owner. Required maintenance or repairs should be made within 60 days.

a. Only a licensed conveyance mechanic may place a partial impairment tag on a conveyance device.

b. The placement of a partial impairment tag does not require notice to the OSFM.

c. Where the impairment is not corrected after 60 days the certified firm shall be required to notify, in writing, the OSFM Inspection Section. The mailing or submission of the impairment notice is sufficient.

3. Removal Authority. A partial impairment tag may be removed by a licensed conveyance mechanic of a certified firm.

4. Removal Process. The licensed mechanic who has completed the repairs shall place a blue service tag on the device describing what was repaired, on the device.

a. Where the partial impairment is corrected within 60 days no notice to the OSFM is required

b. Where the partial impairment is not corrected after 60 days the certified firm shall be required to notify the OSFM Inspection Section. The mailing or submission of the impairment notice is sufficient.

5. Partial Impairment Tag Requirements. Partial impairment tags must contain all of the information listed below:

a. "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. OSFM device registration number;

e. mechanic or inspector's name and OSFM license number to be printed on tag either at the time of service or preprinted;

f. mechanic or inspector's signature to be signed at time of inspection (no preprinted signatures nor initials are permitted; apprentices are not permitted to sign tags);

g. day, month and year in which the impairment was found (to be punched through the impairment tag at designated marks for day, month and year; designated marks for day, month and year shall only be punched once per tag); and

h. business owner or tenant and physical address of where the system is located (to be noted on rear of tag).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3353. Major Impairment Tags

A. Major Impairment Tags (Red Tags)

1. Required Use. All firms engaged in conveyance device system and equipment activity shall have an impairment tag, to be red in color, which is to be used when major deficiencies are found on these systems or equipment.

2. Purpose. A major impairment tag shall be placed on conveyance device systems and/or equipment upon discovery that the system or equipment is impaired to the point that life safety is at risk or that the system will be prevented from functioning as intended. A major impairment tags shall also be placed on any equipment or system where life safety is in imminent danger.

a. A major impairment tag shall have the same effect as a cease and desist order issued by the OSFM.

3. Tag Placement. A major impairment tag may be placed by licensed mechanics and inspectors of a certified firm, inspectors and deputies of the OSFM, and certified members of fire prevention bureaus.

a. Notice shall be made to the building owner of the red tag condition found.

b. Notice shall be made to the OSFM by the licensed firm as soon as is practically possible but shall not exceed two business days after the system or equipment is red tagged.

4. Removal Authority. A major impairment tag may only be removed by a licensed conveyance mechanic of a certified firm, deputies of the OSFM, and certified members of fire prevention bureaus.

5. Removal Process.

a. The removal of a major impairment tag that was placed by a licensed mechanic or inspector requires that:

i. a licensed mechanic has completed the repairs and placed a blue service tag on the device describing what was repaired, and

ii. that, where required by applicable building and industry codes and standards, that a licensed inspector conducts a passing inspection and places a certifications tag on the device, and

iii. that any additional inspections required by OSFM have been completed, and

iv. notification to OSFM is made in accordance with this Section.

b. Major impairment tags placed by the OSFM may only be removed by inspectors or deputies of the OSFM.

5. Major Impairment Tag Requirements. Major impairment tags must contain all of the information listed below:

a. DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. OSFM device registration number;

e. mechanic or inspector's name and OSFM license number to be printed on the tag either at the time of service or preprinted;

f. mechanic or inspector's signature to be signed at time of inspection; no preprinted signatures or initials are permitted; apprentices are not permitted to sign tags;

g. day, month and year in which the inspection was performed (to be punched through the service tag at designated marks for day, month and year; designated marks for day, month and year shall only be punched once per tag);

h. type of impairment found (to be hand-written on rear of tag). If additional space is needed to note the impairments, then multiple tags shall be used noting 1 of 2, 2 of 2, etc.; and

i. business owner or tenant and physical address of where the system is located to be noted on rear of tag.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3355. Fair and Ethical Business Practices

A. Conveyance device systems and equipment firms and employees shall conduct all business practices in compliance with all applicable laws.

B. Conveyance device systems and equipment firms and employees shall impartially analyze safety problems of their customers and recommend the best possible solution for the protection of the customer.

C. Conveyance device systems and equipment firms and employees shall refrain from associating with or allowing the use of their name (personal or professional) by any enterprise which in any way permits misrepresentation.

D. Conveyance device systems and equipment firms and employees shall not misrepresent the features afforded by any system or equipment nor make unwarranted claims about the merits of any system or equipment or service they offer. Examples include, but are not limited to the following:

1. selling a used product as new.

2. claiming the customer's existing equipment is out of date or substandard when, in fact, it is in proper operating condition.

E. Conveyance device systems and equipment firms and employees shall avoid using any improper or questionable means of soliciting business.

F. Conveyance device systems and equipment firms and employees shall not use a name in advertising which is similar enough to a competitor's name to cause confusion among consumers.

G. Business records must be maintained for a minimum of five years.

H. In no instance shall an inspection of any installation, repair, maintenance, or service be performed by an inspector who works for the firm that performed the installation, repair, maintenance, or service of a conveyance device or equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3357. Prohibited Acts and Equipment

A. The following acts are prohibited and shall be considered grounds for administrative action to be taken against firms, persons and/or employees committing such:

1. charging a customer for work that was not performed;

2. misrepresenting oneself and/or one's firm to a customer, prospective customer, the State Fire Marshal or his designated representative, or other public official;

3. impersonating the State Fire Marshal, his designated representative or any other public official;

4. intimidating or coercing a customer;

5. performing conveyance device system and equipment activity contrary to applicable codes, standards, and/or manufacturer's specifications;

6. falsifying an application or any document submitted to obtain a license or other documentation requested by or submitted to the OSFM via mail, electronic mail, in person or online;

7. falsifying tags, labels, stenciling, service reports, invoices, system reports, and/or other documents;

8. working an apprentice, or as an apprentice, without direct supervision by a licensed inspector and/or mechanic licensed to perform the work being done and licensed to the same firm;

9. working an employee or as an employee without the appropriate endorsement of license;

10. working without the appropriate endorsement of firm license;

11. working with an expired firm license;

12. failing to notify the OSFM of any changes that affect licensure;

13. operating a conveyance device without it being registered and holding a certificate of operation for the conveyance device;

14. contracting to a firm or person who is not properly licensed through the OSFM to perform acts regulated by the provisions of R.S. 40:1664.1 et seq., or these rules;

15. failing to adhere to the tagging and/or notification procedures of the OSFM;

16. failing to possess the equipment, tools, applicable codes, standards or manufacturer's service manuals to properly conduct conveyance device systems and equipment activity on the systems and equipment for which a firm is licensed;

17. failing to adhere to all applicable laws and rules governing conveyance device systems and/or equipment as promulgated by the OSFM;

18. engaging in false, misleading or deceptive acts or practices;

19. aiding and abetting an unlicensed person or firm in conducting conveyance device systems and equipment activity on a system or equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.12.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3359. Enforcement and Compliance

A. The Office of State Fire Marshal (OSFM) may conduct enforcement actions and compliance actions as deemed necessary to include the use audits, inspections, and investigations.

B. Audit. The OSFM may conduct audits of the inspection and maintenance programs, or any component thereof, implemented by conveyance owners, managers, licensed firms, or performed by licensed conveyance mechanics and inspectors.

1. The purpose of an audit is to evaluate whether the provisions of this chapter are being followed and shall ensure that the program effectively provides for the continued safety of regulated conveyances. This includes an evaluation of all actions covered by this chapter, to include the performance and documentation of:

- a. annual and five year load tests;
- b. accompanying maintenance records, work orders, and repair documentation;
- c. maintenance schedules and adherence to prescribed timelines;
- d. qualification of mechanics and inspectors performing work on the conveyance;
- e. manufacturer's manuals, guidelines and material required to be on-site or available; and
- f. any records that support compliance.

2. Review. The OSFM shall have the right to:

- a. review all records and reports, either electronically or in hard copy, at the place where such records are kept;
- b. conduct on-site visits to verify that the condition of the conveyance equipment to assure it is accurately reflected in the inspection and maintenance records.

C. Inspections. The OSFM, or designated representative(s), shall make, or cause to be made, from time to time, inspections of a firm's physical locations, vehicles or job sites to verify required certificates, employee lists, employee licenses, business records and insurances, equipment, tools, applicable codes, standards and manufacturer's manuals and work/service performed, and as circumstances dictate, to determine that licensed conveyance device systems and equipment firms and their employees are engaging in activity in accordance with the requirements of R.S. 40:1646 and 40:1664.1 et seq., and these rules.

D. Investigations. The OSFM shall investigate all complaints of alleged violations of R.S. 40:1574 et seq., 40:1646, 40:1664.1 et seq., and these rules. Complaints of alleged violations shall be made in writing to the Office of State Fire Marshal. The office shall make available a complaint procedure to be used as needed, which includes, but not limited to, the use of paper forms or via online submission, if available, which can be accessed at www.lasfm.org. Penalties shall be administered to those firms and/or employees found to have violated these laws and/or rules. Proposed administrative penalty letters (also known as Notice of Violation letters) or citations shall act as official notification of alleged violations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3361. Administrative Actions

A. The Office of State Fire Marshal (OSFM) may suspend, revoke, or refuse the issuance or renewal of a license, and/or impose administrative penalties, if, after notice and the exhaustion of any administrative appeal rights, as provided for by the Administrative Procedures Act, it is found that a person, entity, licensed firm, or licensee, or an applicant for licensure failed to comply with the provisions of R.S. 40:1664.1 et seq., or these rules, to include any failure to pay outstanding fines, penalties, or other obligations due. The OSFM may consider violations in

other states as grounds for refusing the issuance or renewal of a license.

1. Offenses. The following categories shall denote classification of offenses for persons, firms and employees for determining the penalty to be imposed.

a. Minor:

- i. failing to notify the OSFM of any changes that affect licensure;
- ii. failing to adhere to the tagging and/or notification policies, procedures, and regulations of the OSFM;
- iii. working with an expired (31-45 days) individual or firm license;
- iv. failing to properly display a firm license certificate or not having an individual license on the holder's person.

b. Serious:

- i. failing to notify the OSFM within 24 hours of each and every occurrence of a reportable accident, injury or death involving a conveyance device system or equipment; misrepresenting oneself and/or one's firm to a customer, prospective customer or to employees of the State Fire Marshal, his designated representative or other public official;
- ii. conducting conveyance device systems and equipment activity contrary to applicable codes, standards, and/or manufacturer's specifications without specific written permission from the OSFM;
- iii. working an apprentice, or as an apprentice, without direct supervision by a conveyance device system and equipment inspector and/or mechanic licensed to perform the work being done and licensed to the same firm;
- iv. working an employee or as an employee without the appropriate endorsement of license;
- v. working without the appropriate endorsement of firm license;
- vi. working with an expired (46-60 days) individual or firm license;
- vii. contracting to a firm or person who is not properly licensed through the OSFM to perform acts regulated by the provisions of R.S. 1664.1 et seq., or these rules;
- viii. failing to possess the equipment, tools, applicable codes, standards or manufacturer's installation and service manuals to properly conduct conveyance device systems and equipment activity of the systems and equipment for which a firm is licensed;
- ix. committing five or more minor offenses within a three-year period;
- x. aiding and abetting a person or firm in conducting conveyance device systems and equipment activity of conveyance device systems and equipment contrary to code;
- xi. other violations not expressly enumerated herein shall be considered a Serious offense.

c. Major:

- i. charging a customer for work that was not performed;
- ii. impersonating the state fire marshal, his designated representative or any other public official;
- iii. intimidating or coercing a customer;

iv. operating, using or moving or attempting to move a conveyance device or equipment, or part thereof, without the approval of the OSFM after a reportable accident, injury or death, unless the action is to prevent further injury to any person or persons;

v. falsifying an application or any other document submitted to obtain a license or other documentation requested by or submitted to the OSFM via mail, electronic mail, in person or online;

vi. falsifying tags, labels, inspection/service reports, invoices and/or other documents;

vii. working without any or with a suspended firm license;

viii. working an employee or as an employee with a suspended license;

ix. aiding and abetting an unlicensed person or firm in conducting conveyance device systems and equipment activity of a system;

x. committing three or more serious offenses within a three-year period;

xi. engaging in false, misleading or deceptive acts or practices;

xii. other violations not expressly enumerated herein shall be considered a Major offense.

2. Penalties. The following fine schedule shall be used to assess fines to persons, firms, and/or employees who violate the laws and rules governing the conveyance device systems and equipment industries. Penalties will be imposed to persons, firms and/or employees based on the classification of offense. Each classification of offense will have a minimum and maximum fine shown and any other administrative penalty that may be imposed.

a. Firms and/or Persons

i. Minor—\$50 fine to \$250 fine and/or official warnings may be imposed.

ii. Serious—\$250 fine to \$1,000 fine and/or suspensions of up to 90 days may be imposed.

iii. Major—\$1,000 fine to \$5,000 fine and/or suspensions from 91 to 365 days may be imposed and/or revocation of license may be imposed.

b. Employees and/or Persons

i. Minor—\$10 fine to \$50 fine and/or official warnings may be imposed.

ii. Serious—\$50 fine to \$500 fine and/or suspensions of up to 90 days may be imposed.

iii. Major—\$500 to \$5,000 fine and/or suspensions from 91 to 365 days may be imposed and/or revocation of license may be imposed.

c. The State Fire Marshal may deviate from this fine schedule where circumstances and/or evidence warrant a more stringent or more lenient penalty.

d. In lieu of fine payments, the State Fire Marshal may require remedial or additional training be obtained by those found in violation.

e. Those offenses not enumerated in this list shall receive penalties for violations of similar nature.

f. The OSFM may also pursue injunctive relief for any of the above enumerated offenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3363. Equipment and Facilities

A. Each licensed firm location shall be required to possess the equipment, tools, applicable codes, standards and manufacturers' and service manuals where said documents are reasonably available for existing elevators installed before the effective date of these regulations, necessary to properly conduct conveyance device systems and equipment activity on the systems or equipment for which it is licensed. Required codes, standards and manuals may be either in print or in an electronic format.

B. The State Fire Marshal or his representative may inspect a firm's physical location(s) or vehicle(s) to ensure the proper equipment, tools, applicable codes, standards, manufacturers' installation and service manuals are reasonably available and business records and insurances are possessed by the firm.

C. Business records shall include, but not be limited to unredacted invoices, work orders, service reports, payroll records, federal and state tax information for employees, occupational licenses, income tax filings, property tax notifications and filings, utility records, certificates of insurance for general liability and workers' compensation coverage and workers' compensation reports and/or filings.

D. The State Fire Marshal or his representative may require that a firm or its employee(s) demonstrate a proficiency to use the necessary equipment to properly conduct conveyance device systems and equipment activity on conveyance device systems and equipment. Proficiency shall be deemed to be achieved if the system or equipment complies with the applicable code or standard and/or manufacturer's specifications.

E. For those firms or their employee(s) which do not possess the proper equipment, tools and manuals or who fail to demonstrate the ability to properly perform the required work, then an order of correction shall be made to the firm or its employee to obtain the required equipment, tools, applicable codes, standards or manuals or to obtain additional training within a 30-day period. Another inspection shall be conducted by the State Fire Marshal or his representative to verify compliance with the order of correction. Good cause must be shown if proficiency is not shown or the required equipment, tools, applicable codes, standards or manuals are not obtained by the time of the second inspection. Additional time may be granted for good cause. If good cause is not shown, then administrative action may be pursued.

F. OSFM may specifically enumerate additional required equipment or business records at a later date should it be deemed necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

§3365. Federal Facilities and Indian Tribal Reservations

A. Firms and their employees must be licensed to conduct conveyance device systems and equipment activity on federal facilities within the boundaries of Louisiana.

B. No license is required on United States military bases except where the building is licensed by the state of Louisiana (i.e. hospitals, day cares etc.).

C. No license is required to conduct conveyance device systems and equipment activity on Indian tribal reservations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52: §3367. **Miscellaneous Provisions**

A. Marking of Vehicles. All vehicles owned or operated by firms or their employees when used while conducting regulated activities, as defined by R.S. 40:1664.1 et seq., and these rules shall have the firm name and firm license number permanently inscribed, painted, stenciled or affixed by magnetic means on such vehicles. Such lettering shall be a minimum of 2 1/2 inches in height and not less than 1/4 inch in width. Letters and numbers shall be on a contrasting background, located on both the driver and passenger sides of the vehicle, and be conspicuously seen from the outside of the vehicle.

B. Restrictions

1. License holders are not agents or representatives of the state of Louisiana, the Department of Public Safety or the Office of State Fire Marshal (OSFM) and shall make no such claims or inference.

2. A license does not authorize anyone to enforce these rules or to enter any building without the owner's permission or to conduct conveyance device systems and equipment activity without the owner's permission.

3. License holders shall not allow the use of their licenses by other firms, persons or employees.

4. A license holder shall not perform any conveyance device systems and equipment activity unless employed by and within the course and scope of that employment with a firm regulated by the provisions of R.S. 40:1664.1 et seq.

5. A person shall not perform any act for which a license is required unless he is:

- a. first licensed to perform such acts; and
- b. employed by a firm licensed to perform those acts; and
- c. performing those acts for the licensed firm by which he is employed.

6. An apprentice, as defined in these rules, shall not perform any conveyance device systems and equipment activity regulated by R.S. 40:1664.1 et seq., unless employed by a licensed firm and is supervised by a license holder authorized to perform such act or acts. Both the apprentice and licensee shall be employed by the same licensed firm.

7. Nothing in these rules shall prevent an appropriately licensed firm or person from conducting conveyance device systems and equipment activity of any manufacturer's equipment and/or systems.

C. Multiple Names. A firm which uses multiple names must apply for a separate license certificate if each named firm has a separate state or federal tax number. All "doing business as" names shall be registered with the OSFM at the time of application. Only one trade or "Doing Business As" name shall be permitted per each licensed firm.

D. Advertising. All advertising, including but not limited to telephone advertising, bids, quotes, letterhead and business cards shall indicate a firm's license number.

E. Service invoices and inspection reports shall all contain the following information.

1. service firm invoice;
 - a. OSFM conveyance device registration number for the system being serviced;

- b. equipment service performed and all parts replaced;
- c. date work was performed;
- d. name and license number of the firm performing the service;
- e. name and license number of mechanic or inspector performing the service;
2. inspection firm invoice;
 - a. OSFM conveyance device registration number for the system being serviced;
 - b. inspection performed;
 - c. date work was performed;
 - d. name and license number of firm performing the inspection;
 - e. name and license number of inspector performing the inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52: §3369. **Conveyance Devices Out of Service; Return to Service**

A. Out of Service. All conveyance devices to include elevators, dumbwaiters, escalators and accessibility lifts that are requested to be placed "out of service" shall comply with the following process:

1. The owner or the owner's representative, shall notify the Office of State Fire Marshal's (OSFM) – Plan Review section at least 30 days in advance of a conveyance device being placed "out of service". Notifications to the OSFM Plan Review section shall be submitted with plans in accordance with R.S. 40:1574. Unless it is determined the device is required by code, the process may continue.

2. The process of rendering the device "out of service" must be completed by OSFM licensed mechanics; within 3 business days of the device being rendered "out of service", the owner, or the owner's representative, shall request that the OSFM conduct an onsite review to verify that the conveyance device has been appropriately placed out of service.

3. Upon the determination by the OSFM that the conveyance device has been properly placed "out of service" the conveyance device shall be considered dormant and not subject to annual inspection by the OSFM.

B. Return to Service. All conveyance devices to include elevators, dumbwaiters, escalators and accessibility lifts that are to be "returned to service" shall comply with the following process:

1. When a conveyance device is being "returned to service" as part of new construction, renovation, or an alteration, the project shall be required to undergo plan review and approval by the OSFM subject to R.S. 40:1574, all work shall be subject to the codes, standards, and incorporated reference standards of the Louisiana State Uniform Construction Code, as adopted or amended by the Louisiana State Uniform Construction Code Council (LSUCCC), pursuant to the authority of R.S. 40:1730.28, and as enumerated in LAC 17:I.103-105.

2. Where an out of service conveyance device is "returned to service", the unit shall be subject to an acceptance test and inspection performed by OSFM licensed mechanics and inspectors.

3. The inspection shall be submitted to the OSFM through conveyance device inspection portal prior to the unit being placed back into service. The inspection shall be considered an annual inspection pursuant to these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52: §3371. Severability

A. If any provision of these rules or how they are applied to any firm, person, employee or circumstance is found to be legally invalid or unenforceable for any reason, the other part will stand and be applied as intended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

Bryan J. Adams
Principal Assistant

2512#066

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

2025 Recreational Red Snapper Season Closure

Louisiana's recreational red snapper season was previously set by the Wildlife and Fisheries Commission at its regular March 2025 meeting to be open daily, beginning on May 1, 2025, until further notice. Under the provisions of state management, the National Oceanic and Atmospheric Administration (NOAA) Fisheries has delegated season and bag limit authority and an allocated quota to the Department of Wildlife and Fisheries for the management of private recreational and state charter harvest of red snapper. Landings estimates generated from the LA Creel program indicate that the annual private recreational and state charter red snapper allocation for Louisiana has been projected to be met. In order to avoid exceeding the established allocation, the season must be closed.

In accordance with the emergency provisions of R.S. 49:962, which allows the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to use emergency rules to set finfish seasons, R.S. 56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish, and the authority given to the secretary by the commission at its regular March 2025 meeting and in LAC 76:VII.335.G.5 to modify the recreational red snapper season, size, and bag limits as deemed necessary, the secretary hereby declares:

The season for the private recreational and state charter harvest of red snapper in Louisiana state waters and federal waters off Louisiana shall close at 11:59 p.m. on November 16, 2025 and shall remain closed until the start of the 2026 season, currently scheduled for May 22, 2026, unless modified. Effective with this closure, no person shall recreationally harvest or possess red snapper whether within or without Louisiana waters.

This modification does not apply to federally permitted charter boats operating under federal law during federally

established seasons and under federally established rules for those vessels.

Tyler M. Bosworth
Secretary

2512#003

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Reopening of the 2025/2026 Oyster Season in the Sister Lake Public Oyster Seed Reservation to the Harvest of Market Size Oysters

In accordance with the emergency provisions of Revised Statutes (R.S.) 49:962, under the authority of R.S. 56:433, and under the authority of a Declaration of Emergency passed by the Wildlife and Fisheries Commission on September 4, 2025, which authorized the secretary of the Department of Wildlife and Fisheries to take emergency action to reopen public oyster seed grounds or reservations if sufficient quantities of oysters are available, notice is hereby given that the secretary of the Department of Wildlife and Fisheries declares the Sister Lake Public Oyster Seed Reservation, as described in R.S. 56:434, shall reopen to the harvest of market oysters only at one-half hour before sunrise on Wednesday, December 10, 2025, and close at one-half hour after sunset on Monday, December 29, 2025, with the following conditions:

1. Any vessel from which any person(s) takes or attempts to take oysters from the public oyster seed reservation described above shall be limited to a daily take not to exceed 30 whole sacks of oysters per vessel. A sack of oysters for the purposes of this Declaration of Emergency shall be the size of a standard Louisiana measure described in R.S. 56:440. If sacks smaller than the size described in R.S. 56:440 are used, the daily harvest and possession limit shall be based on the number of sacks used, not the size of the sack or other measures.

2. This opening is limited to harvesting only market oysters for direct sale (sacking).

3. If any person on a vessel takes or attempts to take oysters from the public oyster seed reservation described above, all oysters contained on that vessel will be deemed to have been taken from said seed reservation from the time harvest begins until all oysters are off-loaded dockside.

4. All oysters harvested from the public oyster seed reservation for the purpose of market shall be uncontaminated, sealed and not gaping as described in R.S. 56:433.

5. All oysters harvested from the public oyster seed reservation for the purpose of direct sale shall measure a minimum of three inches from hinge to bill as described in R.S. 56:433.

6. All vessels located in the public oyster seed reservation during those times between one-half hour after sunset and one-half hour before sunrise must have all oyster scrapers unshackled.

7. Every vessel harvesting oysters from the public oyster seed reservation shall report harvest information to the department no later than 9 p.m. each day fished. Vessels

shall provide the following information: Captain's name, date of harvest, oyster harvester number, vessel number, the total number of sacks harvested that day, the total number of barrels of seed removed, and the oyster harvest area fished. Electronic reporting shall be required and shall be performed in a manner prescribed by the department.

Notice of any opening, delaying, or closing of a season will be provided by public notice at least 72 hours prior to such action, unless such closure is ordered by the Department of Health for public health concerns.

Tyler M. Bosworth
Secretary

2512#019

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Shrimp Season Closure in Portions of State Inside Waters

The secretary of the Department of Wildlife and Fisheries has been notified that recent biological sampling conducted by the department has indicated that average white shrimp size within these waters to be closed is smaller than the minimum possession count and this action is being taken to protect these small white shrimp and provide opportunity for growth to larger and more valuable sizes. R.S. 56:498 provides that the possession count on saltwater white shrimp for each cargo lot shall average no more than 100 (whole specimens) per pound except during the time period from October 15 through the third Monday in December.

In accordance with the emergency provisions of R.S. 49:962 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons; R.S. 56:497 which allows the Wildlife and Fisheries Commission to delegate to the secretary of the Department of Wildlife and Fisheries the

powers, duties and authority to set shrimp seasons; and in accordance with a Declaration of Emergency adopted by the commission on August 7, 2025, which authorizes the secretary of the department to close the fall inshore shrimp season when biological and technical data indicate the need to do so or if enforcement problems develop, the secretary does hereby declare:

The portion of Zone 1 from the Mississippi/Louisiana state line westward to the eastern shore of South Pass of the Mississippi River to close at official sunset on December 15, 2025, except for the following areas:

Lake Pontchartrain, Chef Menteur and Rigolets Passes, Lake Borgne, Mississippi Sound, Mississippi River Gulf Outlet, a section of the Gulf Intracoastal Waterway in Orleans Parish from the Gulf Intracoastal Waterway East Closure Sector Gate westward to the Gulf Intracoastal Waterway intersection with the Inner Harbor Navigation Canal, and the open waters of Breton and Chandeleur Sounds as bounded by the double-rig line described in R.S. 56:495.1(A)2.

The portion of Zone 2 from the Atchafalaya River Ship Channel at Eugene Island as delineated by the red Channel Buoy Line westward to the western shore of Freshwater Bayou Canal to close at official sunset on December 15, 2025.

The portion of Zone 3 from the western shore of Freshwater Bayou Canal westward to the Louisiana/Texas state line to close at official sunset on December 15, 2025.

Existing data do not currently support shrimping closures in additional state inside and outside waters. However, historic data suggest additional closures may be necessary and the department will continue monitoring shrimp populations in these waters. Notice of any opening, delaying or closing of a season by the secretary will be made by public notice at least 72 hours prior to such action.

Tyler M. Bosworth
Secretary

2512#060

Rules

RULE

Department of Agriculture and Forestry Office of Agro-Consumer Services Weights and Measures Division

Imported Seafood Safety (LAC 7:XXXV.Chapter 5)

The Department of Agriculture and Forestry (LDAF), Office of Agro-Consumer Services has repealed and replaced LAC 7:XXXV.Chapter 5. 501- 511.N. as authorized by R.S. 3:4749.1. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

In compliance with Act 663 of the 2022 Regular Session and R.S. 49:964.D, the Department of Agriculture and Forestry reviewed its existing rules and determined that the existing sections of LAC 7:XXXV.Chapter 5. 501-511 relative to consumer products and testing imported seafood and honey for Chloramphenicols and Fluoroquinolones were promulgated without proper authority and are no longer consistent with present law. The department has repealed the existing sections of LAC 7:XXXV.Chapter 5. 501-503 and replaced the sections with new rules promulgated in accordance with Act 300 of the 2025 Regular Session relative to Imported Seafood Safety.

The department has repealed and replaced Section 501 with a new Rule titled Imported Seafood Safety Fee in accordance with Act 300 of the 2025 Regular Session, R.S. 40:31.35(C) and R.S. 3:4749.1. The department has repealed and replaced Section 503 with a new Rule titled Quarterly Seafood Reports in accordance with Act 300 of the 2025 Regular Session, R.S. 3:4749.1 and R.S. 3:4749.3.

The department has repealed LAC 7:XXXV.505 and 511.

The department also renames LAC 7:XXXV. Chapter 5. Consumer Products—Testing and Labeling to LAC 7:XXXV. Chapter 5 Seafood Safety and Consumer Protection in order to increase the public’s ability to ascertain the contents of the Chapter. The department renames LAC 7:XXXV.Chapter 5. Subchapter A. Chloramphenicols to LAC 7:XXXV. Chapter 5. Subchapter A. Fees and Reporting. Furthermore, the department renames LAC 7:XXXV. Chapter 5. Subchapter B. Fluoroquinolones to LAC 7:XXXV.Chapter 5. Subchapter B. Seafood Labeling. The department also repeals the heading of LAC 7:XXXV.Chapter 5. Subchapter C. Seafood Consumer Protection.

The agency evaluated the Rule and determined it was necessary, consistent with law, and aligned with the agency’s mission. The benefits of the Rule outweigh the burdens and costs. The Rule is written in plain language, in an effort to increase transparency. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XXXV. Agro-Consumer Services

Chapter 5. Seafood Safety and Consumer Protection Subchapter A. Fees and Reports

§501. Imported Seafood Safety Fee

A. The annual imported safety fee, as required by R.S. 40:31.35(C), shall be due on December 31 of each year for the following calendar year’s safety fee.

B. For a newly permitted commercial seafood processor or distributor, the imported safety fee shall be due 30 days after the commercial seafood processor or distributor obtains a commercial seafood permit from the Louisiana Department of Health.

AUTHORITY NOTE: Promulgated in accordance with R.S.3:4749.1 and R.S. 40:31.35.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division, LR 51:2032 (December 2025).

§503. Quarterly Seafood Reports

A. Commercial processors and distributors of imported and commingled seafood shall submit a quarterly report to the Department of Agriculture and Forestry.

1. Each quarterly report shall include the following:

- a. the amount of seafood bought and sold in the previous quarter;
- b. an accounting by volume of the species of seafood bought and sold;
- c. for imported seafood, country of origin for each species of seafood;
- d. for domestic seafood, when possible, the state of origin for each species of seafood.

B. The report for the previous quarter shall be filed with LDAF no later than January 31, April 30, July 31, and October 31, respectively. If a processor or distributor has no purchases or sales during the quarterly reporting period, LDAF must be notified accordingly.

C. Quarterly Seafood Reports shall be made on forms supplied by LDAF. The form may be requested by the processor or distributor either verbally or in writing.

D. Failure to submit the required information for two or more consecutive quarters may result in the following penalties:

1. for a first offense, a fine of not more than fifteen thousand dollars per violation;
2. for a second offense, a fine of not more than twenty-five thousand dollars per violation;
3. for a third or subsequent offense, a fine of not more than fifty thousand dollars per violation.

E. Penalties may be assessed only by a ruling of the commissioner based upon a recommendation by the Weights and Measures Commission adjudicatory hearing held pursuant the Administrative Procedures Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4749.1 and R.S.3:4749.3.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division, LR 51:2032 (December 2025).

§505. Labeling by Country of Origin

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2, 3:3, and 3:4608.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division, LR 33:36 (January 2007), repealed 51:2033 (December 2025).

Subchapter B. Seafood Labeling

§511. Fluoroquinolones in Seafood Prohibited; Testing and Sale of

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2, 3:3, and 3:4608.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division, LR 33:38 (January 2007), amended LR 33:2348 (November 2007), repealed 51:2033 (December 2025).

Mike Strain, DVM
Commissioner

2512#025

RULE

Department of Conservation and Energy

Damage Prevention
(LAC 43:XI.Chapters 59-65)

The Department of Conservation and Energy has amended LAC 43:XI in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana. The Rule changes are to align current law with *Louisiana Administrative Code*. This Rule is hereby adopted on the day of promulgation.

Title 43

NATURAL RESOURCES

Part XI. Office of Conservation—Pipeline Division

Subpart 6. Damage Prevention

Chapter 59. General

§5903. Definitions

[Formerly §2703]

A. ...

Excavation or *Excavate*—any operation causing movement or removal of earth, rock, or other materials in or on the ground or submerged in a marine environment that could reasonably result in damage to underground or submerged pipelines by the use of powered or mechanical or manual means, including but not limited to pile driving, digging, blasting, augering, boring, back filling, dredging, compaction, plowing-in, trenching, ditching, tunneling, land-leveling, grading, and mechanical probing. Excavation or excavate shall not include manual probing, normal commercial farming operations, or any activity resulting from

force majeure, related occurrences, including but not limited to an act of God, or act of nature.

Large Project Excavation or Demolition—excavation or demolition activity that cannot reasonably be completed within 20 days for routine demolition or excavation or within thirty calendar days for agricultural, forestry, or marine excavation or demolition activity.

Marine Excavator—an excavator or demolisher who is performing excavation or demolition in areas such as swamps, wetlands, shallow water, waterways, rivers, bayous, bays, lakes, the sea, and arms of the sea.

Mark-By Time—the date and time provided by the regional notification center by which the pipeline operator is required to mark the location or provide information to enable an excavator or demolisher, using reasonable and prudent means, to determine the specific location of the pipeline as provided for in §6301. The mark by time may be extended if mutually agreed upon and documented between the excavator and operator.

Routine Excavation or Demolition—excavation or demolition activity that requires no more than 20 calendar days to be completed, and no more than thirty calendar days for agricultural, forestry, or marine excavation or demolition activity.

AUTHORITY NOTE: Promulgated in accordance with 40:1749.27.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:955 (July 2020), repromulgated LR 49:327 (February 2023), amended LR 49:908 (May 2023), amended by the Department of Conservation and Energy, LR 51:2033 (December 2025).

Chapter 61. Notifications

§6101. Excavation and Demolition; Prohibitions [Formerly §2705]

A. Except as provided in this Section, no person shall excavate or demolish in any street, highway, public place, or servitude of any operator, or near the location of an underground pipeline, or on the premises of a customer served by an underground pipeline without having first ascertained, in the manner prescribed in Subsection B of this Section, the specific location as provided in §6301 of all underground pipelines in the area which would be affected by the proposed excavation or demolition. The marking of an operator's facility or utility shall be provided for excavation or demolition purposes only.

B. Except as provided in §6103, prior to any excavation or demolition, each excavator or demolisher shall serve telephonic or electronic notice of the intent to excavate or demolish to the regional notification center or centers serving the area in which the proposed excavation or demolition is to take place and shall include the specific location where the excavation or demolition is to be performed. Such notice shall be given to the notification center at least 48 hours, but not more than 120 hours, excluding weekends and holidays, in advance of the commencement of any excavation or demolition activity. If an excavation or demolition does not commence within 120 hours of the mark-by time, not counting weekends and holidays, the excavator or demolisher

shall be found in violation of this Section, except in the case of mutual agreement with the pipeline owner or operator to extend the time or extraordinary circumstances. Extraordinary circumstances are circumstances which make it impractical or impossible for the excavator or demolisher to comply with the provisions of this Part due to weather-related events, equipment malfunction or failure, or unavailability of vital supplies and equipment. Holidays shall consist of the following: New Year's Day; Martin Luther King, Jr. Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Eve; and Christmas Day.

1. This notice shall contain the name, address, and telephone number of the person filing the notice of intent, and, if different, the person responsible for the excavation or demolition, the starting date, anticipated duration, and description of the specific type of excavation or demolition operation to be conducted, the specific location of the proposed excavation or demolition and a statement as to whether directional boring or explosives are to be used. The notice shall be confined to the actual area of proposed excavation or demolition that will occur during the 20 day time period under 6301.

2. The excavator or demolisher shall provide the specific location for excavation or demolition with either telephonic or electronic notice. Telephonic notice shall require the excavator or demolisher to ~~or~~ physically mark the proposed route or area of excavation or demolition using white paint, flags, stakes, or similar means under American Public Works Association guidelines prior to submitting notice.

3. - 4. ...

5. At least one person on any underground or submerged excavation or demolition site shall have proof of completion of the training and education provided by the Regional Notification Center. Training is required on an annual basis through the Regional Notification Center. Excavators or demolishers certified by an operator qualification program subject to Title 49, CFR Part 192 or Part 195 shall be exempt from this requirement.

C. - D. ...

E. The purpose of this Subsection is to allow for voluntary agreements in writing between operators and excavators/demolishers in conflict to determine the mark-by time, as well as the duration of excavation and demolition projects that cannot be reasonably completed within the time frame required for routine excavation or demolition.

1. Unless hereinafter specifically excepted, all other provisions of this Subsection shall apply to large project excavations or demolitions.

2. Upon an excavator or demolisher contacting the regional notification center to provide notice of excavation or demolition, the excavator or demolisher may request that the excavation or demolition be recognized as a large project excavation or demolition. At which time, the regional notification center shall notify all affected underground utility and facility operators that a large project excavation or demolition request has been submitted.

3. A large project excavation or demolition request shall only be submitted electronically to the regional notification center at least ten business days prior to the commencement of the excavation or demolition.

4. The submission of a large project excavation or demolition request shall also include the names and contact information of any and all subcontractors of the excavator or demolisher who will be working on the project.

5. Upon receipt of the large project excavation or demolition notification request, operators of underground utilities or facilities and the requesting excavator or demolisher may attempt to reach a mutual agreement in writing to determine the scope of work, the mark-by times, and any other details of the project that the operator and excavator or demolisher mutually agree need to be included in the written agreement such as the marking schedule and additional parties to be included in the notification request. In no event shall an agreement be entered into pursuant to this Subsection for a duration of more than ninety calendar days.

6. If mutual agreement between all parties in conflict in an area cannot be reached within thirty calendar days from the date submitted to the Regional Notification Center, the large project excavation or demolition notification request shall be deemed null and void, and the requesting excavator or demolisher shall cancel the large project excavation or demolition notice and request a routine excavation or demolition notice in accordance with this Section.

AUTHORITY NOTE: Promulgated in accordance with 40:1749.27.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:955 (July 2020), repromulgated LR 49:327 (February 2023), amended LR 49:908 (May 2023), amended by the Department of Conservation and Energy, LR 51:2033 (December 2025).

§6103. Emergency Excavation; Notice Required; Penalty

[Formerly §2709]

A. The notice required pursuant to §6101 shall not apply to any person conducting an emergency excavation. Oral or electronic notice of the emergency excavation shall be given as soon as practicable to the regional notification center or each operator having underground pipelines located in the area and, if necessary, emergency assistance shall be requested from each operator in locating and providing immediate protection to its underground pipelines.

B. The excavator shall certify in the notice required in Subsection A of this Section that the situation poses an imminent threat or danger to life, health, or property or is the result of an unplanned pipeline outage and requires immediate action and that the excavator, or owner or operator has personnel on site.

C. - E. ...

AUTHORITY NOTE: Promulgated in accordance with 40:1749.27.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:956 (July 2020), repromulgated LR 49:328 (February 2023), amended by the Department of Conservation and Energy, LR 51:2034 (December 2025).

Chapter 63. Markings

§6301. Requirements

[Formerly §2707]

A. Each operator of an underground pipeline, after having received the notification request from the regional notification center of an intent to excavate, or an intent to conduct normal commercial farming operations shall supply, prior to the

proposed, excavation or normal commercial farming operation, the following information to the person responsible for the excavation or normal commercial farming operations;

1. ...

2. Unless otherwise required by federal or state statutes, the specific location and type of underground pipeline shall be marked to locate the pipelines. The pipelines shall be marked by the operator by color coded paint, flags, or stakes or similar means using the American Public Works Association color code.

a. When the operator has marked the location of underground pipelines, the marking shall be deemed good as long as visible, but not longer than 20 calendar days, including weekends and holidays, from the mark-by time, unless the notice was designated as a large project excavation or demolition and a written agreement has been reached between the operator and the excavator or demolisher. However, if the proposed excavation or demolition activity could impact a pipeline located on or in water, the commissioner may extend the time period allowed for completion of the excavation or demolition. An additional notice to the regional notification center shall be given by the excavator or demolisher in accordance with the provisions of this Subpart when the marks are no longer visible or if the excavation or demolition cannot be completed within 20 calendar days from the mark-by time; for routine excavation or demolition or ninety calendar days for large project excavation or demolition.

b. Water locations

i. Concerning locations of excavation in or on water, an excavator may request an extension to the expiration date of a regional notification center ticket under the following circumstances:

A.2.b.i.(a). - A.2.c. ...

d. In the case whereby a forestry excavator, agricultural excavator, or marine excavator has requested that the utilities and facilities be marked for location, the operator of a utility or facility shall mark the area of their utilities or facilities. The markings provided by the operator shall be deemed good as long as the markings are visible or up to thirty calendar days from the time the markings were made, whichever is shorter.

3. ...

4. In the event of inclement weather as defined in this Chapter, the mark-by time shall be extended by a duration equal to the duration of the inclement weather. The owner or operator shall notify the excavator or demolisher before the expiration of the mark-by time of the need for such extension.

5. Should an operator determine that their pipeline(s) is not in conflict with the location of the request or should the pipeline(s) not be fully marked for locating purposes, a notification shall be sent to the excavator prior to the mark-by time. A notification to the Regional Notification Center that generated the location request shall suffice for compliance with this section as it pertains to positive response.

B. For the purpose of this Section, the specific location of the underground pipeline(s) is defined as an area not wider than the width of the underground pipeline as marked plus eighteen inches on either side.

AUTHORITY NOTE: Promulgated in accordance with 40:1749.27.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:956 (July 2020),

repromulgated LR 49:328 (February 2023), amended by the Department of Conservation and Energy, LR 51:2034 (December 2025).

Chapter 65. Excavation

§6501. Precautions to Avoid Damage

[Formerly §2711]

A. - A.3. ...

4. Potholing to determine the actual location of pipeline(s) or to determine that there is adequate clearance from the pipeline(s) if an excavation or demolition operation could result in damage to such pipeline facilities. For forestry excavation operations that could result in damage to pipelines, the forestry excavator and the operator shall cooperate to determine the actual location of such pipelines.

AUTHORITY NOTE: Promulgated in accordance with 40:1749.27.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:957 (July 2020), repromulgated LR 49:329 (February 2023), amended by the Department of Conservation and Energy, LR 51:2035 (December 2025).

§6503. Excavation or Demolition; Repair of Damage

[Formerly §2713]

A. ...

B. Each person responsible for an excavation or demolition operation or normal commercial farming operation which results in damage to an underground pipeline permitting the escape of any flammable, toxic, or corrosive fluids/gases shall, immediately upon discovery of that damage.

B.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with 40:1749.27.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:957 (July 2020), repromulgated LR 49:329 (February 2023), amended by the Department of Conservation and Energy, LR 51:2035 (December 2025).

Steven M. Giambrone
Commissioner

2512#026

RULE

Board of Elementary and Secondary Education

Accountability System

(LAC 28:XI.405, 5107, 5701, 6115, and 6813)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:XI in *Bulletin 111—The Louisiana School, District, and State Accountability System* and *Bulletin 118—Statewide Assessment Standards and Practices*. Act 472 of the 2025 Regular Legislative Session revises the administration schedule to reduce the number of state assessments in social studies beginning no later than the 2027-2028 school year. Further revisions codify assessment implementation dates, establish cut scores and assessment levels, and make technical edits. This Rule is hereby adopted on the day of promulgation.

Title 28
EDUCATION

Part XI. Accountability/Testing

Subpart 1. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 4. Assessment and Dropout/Credit Accumulation Index Calculations

§405. Calculating a K-8 Assessment Index

- A. - B.5. ...
- a. emerging—receptive modality is 1 and productive modality is 1;
 - b. progressing 1—score of 1 on receptive modality or productive modality;
 - c. progressing 2—score of 2 on receptive modality and productive modality;
 - d. progressing 3—score of 2 on one modality and 3 or 4 on the other modality; and
 - e. transitioning—score of 3 or 4 on receptive and productive modalities.

C. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1021 (June 2006), amended LR 36:1989 (September 2010), LR 38:3106 (December 2012), LR 41:2579 (December 2015), LR 42:548 (April 2016), LR 42:2172 (December 2016), LR 44:448 (March 2018), LR 45:221 (February 2019), LR 47:445 (April 2021), LR 49:31 (January 2023), LR 49:1698 (October 2023), LR 50:948 (July 2024), LR 51:2036 (December 2025).

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 51. General Provisions

§5107. Assessment Programs

[Formerly LAC 28:CXL107]

A. Kindergarten Developmental Readiness Screening Program (KDRSP). Each school district is required to administer an approved entry assessment instrument to each child entering kindergarten for the first time, with the results to be used for placement and planning instruction. Beginning with the 2025-2026 school year, KDRSP will be consolidated with the literacy and numeracy screeners.

B. Louisiana Educational Assessment Program (LEAP) 2025. Criterion-referenced tests in English language arts, mathematics, science, and social studies in grades 3-8 and tests administered upon completion of English I, English II, Algebra I, geometry, biology, civics, and U.S. history in high school assess student performance relative to specific benchmarks established in the state's content standards and provide data for evaluating student, school, and district performance. Effective beginning with the 2027-2028 school year, criterion-referenced social studies assessments will be administered in high school and in grades 3, 5, and 8.

1. - 2. ...

C. Repealed.

D. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4 and R.S. 17:391.11.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1526 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 36:477 (March 2010), LR 40:2509 (December 2014), LR 44:462 (March 2018), LR 47:566 (May 2021),

LR 49:44 (January 2023), LR 49:645 (April 2023), LR 51:2036 (December 2025).

Chapter 57. Assessment Program Overview

§5701. Louisiana Assessment Programs

A. National Assessment of Educational Progress (NAEP), Criterion-Referenced Test (CRT), grades 4, 8, and 12, spring 1990 to present.

B. Elementary and Middle School CRTs.

1. LEAP 2025 ELA and Mathematics; grades 3-8; spring 2015 to present.

2. LEAP 2025 Science; grades 3-8; 2019 to present.

3. LEAP 2025 Social Studies; grades 3-8; 2017 to spring 2027.

4. LEAP 2025 Social Studies; grades 3, 5, and 8; beginning spring 2028 and beyond.

5. ELA Innovative Assessment; grades 6, 7, and 8; fall 2022 to present.

6. DIBELS (literacy screener); grades K-3; 2023 to present.

7. Numeracy Screener; grades K-3; 2025 to present.

C. High School CRTs.

1. ACT; grade 11; spring 2013 to present.

2. LEAP 2025 English I, English II; fall 2017 to present.

3. LEAP 2025 Algebra 1, Geometry; fall 2017 to present.

4. LEAP 2025 U.S. History; fall 2017 to 2027.

5. LEAP 2025 Biology; fall 2018 to present.

6. LEAP 2025 Civics; fall 2023 to present.

D. Special Populations Assessments.

1. LEAP Connect ELA and Mathematics; eligible students with an IEP in grades 3-8; spring 2018 to present.

2. LEAP Connect ELA and Mathematics; eligible students with an IEP in grade 11; spring 2019 to present.

3. LEAP Connect Science; eligible students with an IEP in grades 4, 8, and 11; spring 2020 to present.

4. English Language Proficiency Test (ELPT); English learners in grades K-12; spring 2018 to present.

5. English Language Proficiency Test Connect (ELPT Connect); eligible English learners in grades K-12; spring 2023 to present.

E. Historical Kindergarten Screener.

1. Kindergarten Developmental Readiness Screening Program; kindergarten; fall 1987 to 2025.

F. Historical Norm-Referenced Tests (NRT).

1. California Achievement Test (CAT/F); grades 4, 6, and 9; spring 1988, spring 1992, no longer administered.

2. California Achievement Test (CAT/5); grades 4, 6, and 8; spring 1993, spring 1997, no longer administered.

3. Iowa Tests of Basic Skills (ITBS) (form L) and Iowa Tests of Educational Development (ITED) (form M); grades 4, 6, 8, 9, 10, and 11; spring 1998, no longer administered.

4. ITBS, ITED (form M); grades 3, 5, 6, 7, and 9; spring 1999, spring 2002, no longer administered.

5. ITBS, ITED (form B); grades 3, 5, 6, 7, and 9; spring 2003, spring 2005, no longer administered.

6. ITBS; grade 2; spring 2012 to spring 2013, no longer administered.

G. Historical Criterion Referenced Tests.

1. Graduation Exit Examination (GEE); grades 10 and 11; spring 1989 to spring 2003 (state administered), fall 2003 (district administered).

2. GEE ELA and Mathematics; grade 10; spring 2001 to fall 2014 (district administered).
 3. GEE Science and Social Studies; grade 11; spring 2002 to fall 2014 (district administered).
 4. Louisiana Educational Assessment Program (LEAP) ELA and Mathematics; grades 4 and 8; spring 1999 to 2014.
 5. LEAP Science; grades 4 and 8; spring 2000 to spring 2018.
 6. LEAP Social Studies; grades 4 and 8; spring 2000 to 2016.
 7. End-of-Course Test (EOCT) Algebra I; fall 2007 to summer 2017.
 8. EOCT English II; fall 2008 to summer 2017.
 9. EOCT Geometry; fall 2009 to summer 2017.
 10. EOCT Biology; fall 2010 to spring 2018.
 11. EOCT Applied Algebra I form; spring 2011 to summer 2013.
 12. EOCT English III; students entering freshmen cohorts prior to 2017-2018 school year; fall 2011 to summer 2019 (state administered), fall 2019 (district administered).
 13. EOCT U.S. History; fall 2012 to 2017; 2017-2018 (only graduating seniors and retesters).
 14. EXPLORE; grades 8 and 9; spring 2013 to 2015.
 15. PLAN; grade 10; spring 2013 to 2015.
- H. Historical Integrated NRT/CRT.
1. Integrated LEAP (iLEAP) Science and Social Studies; grades 3, 5, and 7; spring 2006 to 2017.
 2. iLEAP ELA and Mathematics; grades 3, 5, and 7; spring 2006 to 2014.
 3. iLEAP ELA and Mathematics; grade 9; spring 2006 to 2010.
 4. Louisiana Alternate Assessment B (LAA B); out of level test for students with IEPs who met eligibility criteria in grades 3–11; spring 1999, spring 2003, no longer administered.
 5. Academic Skills Assessment (ASA) and ASA LAA 2 form; students pursuing a state-approved skills certificate (SASC) or GED; spring 2012 only.
- I. Historical Special Populations Assessments.
1. LAA 1; students with IEPs who meet eligibility criteria in grades 3–11; spring 2000 to 2007.
 2. LAA 1 ELA and Mathematics; students with IEPs who meet eligibility criteria in grade spans 3/4, 5/6, 7/8, and 9/10; spring 2008 to 2017; spring 2010 last administration of LAA 1 grade 9; 2017-2018 school year (high school only).
 3. LAA 1 Science; students with IEPs who meet eligibility criteria in grades 4, 8, and 11; spring 2008 to 2019, no longer administered.
 4. LAA 2 ELA and Mathematics; grades 4 and 8; spring 2006 to spring 2014, no longer administered.
 5. LAA 2 ELA and Mathematics; grade 10, for eligible students entering freshmen cohort prior to the 2013-2014 school year; spring 2006 to 2014, no longer administered.
 6. LAA 2 Science and Social Studies; grade 11, for eligible students entering freshmen cohorts prior to the 2013-2014 school year; spring 2006 to 2014, no longer administered.
 7. LAA 2 ELA and Mathematics; grades 5, 6, and 7; spring 2007 to spring 2014, no longer administered.
 8. LAA 2 ELA and Mathematics; grade 9; spring 2010, no longer administered.

9. LAA 2 Science and Social Studies; grades 4 and 8; spring 2008 to 2014, no longer administered.

10. English Language Development Assessment (ELDA); limited English proficient (LEP) students in grades K-12; spring 2005 to 2017.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1534 (July 2005), amended LR 32:235 (February 2006), LR 34:66 (January 2008), LR 34:1352 (July 2008), LR 35:218 (February 2009), LR 36:967 (May 2010), LR 37:858 (March 2011), LR 38:34 (January 2012), LR 39:74 (January 2013), LR 39:1019 (April 2013), LR 40:1319 (July 2014), LR 40:2512 (December 2014), LR 44:465 (March 2018), LR 44:2127 (December 2018), LR 46:15 (January 2020), LR 47:566 (May 2021), repromulgated LR 47:721 (June 2021), amended LR 48:38 (January 2022), LR 49:44 (January 2023), LR 49:646 (April 2023), LR 51:2036 (December 2025).

Chapter 61. Louisiana Educational Assessment Program 2025 (LEAP 2025)

Subchapter B. Achievement Levels and Performance Standards

§6115. Performance Standards

A. - A.3. ...

4. Social Studies

Social Studies						
Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
Advanced	774-850	779-850	779-850	773-850	783-850	780-850
Mastery	750-773	750-778	750-778	750-772	750-782	750-779
Basic	729-749	728-749	731-749	728-749	730-749	730-749
Approaching Basic	707-728	710-727	706-730	702-727	705-729	709-729
Unsatisfactory	650-706	650-709	650-705	650-701	650-704	650-708

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1536 (July 2005), amended LR 32:235 (February 2006), LR 42:225 (February 2016), LR 43:2475 (December 2017), LR 44:468 (March 2018), repromulgated LR 44:1424 (August 2018), amended LR 45:1744 (December 2019), LR 51:2037 (December 2025).

Chapter 68. LEAP 2025 Assessments for High School Subchapter B. Achievement Levels and Performance Standards

§6813. Performance Standards

A. Performance standards for LEAP 2025 Algebra I, English I, English II, geometry, biology, civics, and U.S. history tests are finalized in scaled-score form.

B. - B.6. ...

7. Civics

Civics	
Achievement Level	Scaled-Score Ranges
Advanced	777-850
Mastery	750-776
Basic	729-749
Approaching Basic	707-728
Unsatisfactory	650-706

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:215 (February 2009), amended LR 36:478 (March 2010), LR 37:820 (March 2011), repromulgated LR 37:1123 (April 2011), amended LR 38:35 (January 2012), LR 39:76 (January 2013), LR 39:2444 (September 2013), LR 44:470 (March 2018), LR 44:2129 (December 2018), LR 45:1745 (December 2019), LR 51:2037 (December 2025).

Tavares A. Walker
Executive Director

2512#055

RULE

Board of Elementary and Secondary Education

Bulletin 1508—Pupil Appraisal Handbook
Screenings and Evaluations of Students for Special
Education and Related Services
(LAC 28:CI.Chapters 1-15)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:CI in *Bulletin 1508—Pupil Appraisal Handbook*. The revisions provide comprehensive updates to the evaluation of students with suspected disabilities. The revisions include updates to the following: the definition of Response to Intervention (RTI); addition of licensed specialists in school psychology and licensed psychologists with a school specialty to serve on pupil appraisal teams; autism criteria aligned to current language in diagnostic and statistical manuals; evaluation considerations in alignment with *Bulletin 1903—Louisiana Handbook for Students with Dyslexia*; school health and school nurse services; language regarding prescriptions from a physician licensed in any state; and technical edits. Additional revisions include textual edits for specificity and clarification in response to public comments received during the initial Notice of Intent process. This Rule is hereby adopted on the day of promulgation.

Title 28 EDUCATION

Part CI. Bulletin 1508—Pupil Appraisal Handbook Chapter 1. LEA Responsibilities

§101. Introduction

A. - B. ...

C. - D. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:894 (May 2009), effective July 1, 2009, amended LR 51:2038 (December 2025).

§103. Child Find Guidelines

A. - A.1. ...

a. all students with exceptionalities residing in the district, including students with suspected exceptionalities who are homeless children or who are wards of the state, and students with exceptionalities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated; and

A.1.b. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:895 (May 2009), effective July 1, 2009, amended LR 51:2038 (December 2025).

§107. Qualified Examiners

A. ...

1. Professional members of a pupil appraisal system include certified assessment teachers/educational consultants/educational diagnosticians, certified school psychologists, licensed specialists in school psychology, licensed psychologists with a school specialty, qualified school social workers; speech/language pathologists, adapted physical education teachers; audiologists; registered nurses, occupational therapists, physical therapists, speech and hearing therapists, and speech/hearing/language assistants.

2. - 2.d....

3. LEA-selected evaluators in music, theater, or visual arts must not be employed by the LEA conducting the evaluation and must be on the state Department of Education approved evaluator list.

4. - 5.b....

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:896 (May 2009), effective July 1, 2009, amended LR 51:2038 (December 2025).

Chapter 3. Interventions and Screenings

§301. Response to Intervention

A. The Response to Intervention (RTI) process is a three-tiered approach to providing services and interventions to struggling learners and/or students with challenging behaviors at increasing levels of intensity. Essential components of the process include three tiers of instruction and intervention, use of standard protocols and/or problem-solving methods, and an integrated data collection/assessment system to inform decisions at each tier of instruction/intervention. The process incorporates increasing duration and frequency of intensities of instruction and/or intervention that are provided to students in direct proportion to their individual needs. Embedded in each tier is a set of unique support structures or activities that help teachers implement, with fidelity, research-based, high-quality instructional materials, instructional practices aligned to core curriculum, as well as direct and explicit interventions designed to pinpoint a student's area of need, to improve student outcomes, and to provide access to the general curriculum. RTI is designed for use when making decisions in both general and special education, creating a well-integrated system of instruction and intervention guided by student outcome data.

B. Special education and related services referrals and evaluations should not be delayed or denied based solely on the required movement through tiered intervention prior to referral.

C. RTI Tiers.

1. Tier 1 is universal instruction and practices provided to all students.

2. Tier 2 is targeted instruction and practices provided to some at-risk students.

3. Tier 3 is intensive instruction and practices provided to a few students with significant support needs.

D. Essential components of the RTI process also include standard protocols and/or problem-solving methods, an integrated data collection and assessment system, and the use of data to monitor student progress and inform instructional adjustments and other key decisions at each tier. Best practices for an effective RTI process include the following:

1. Ensure all struggling learners have access to 100 percent of core instruction in math and reading, and that additional tiered supports are provided in addition to, not instead of, core instruction;

2. Tier 2 targeted and Tier 3 intensive academic interventions are used to backfill missed content, to clarify misunderstandings, to pre-teach upcoming skills, and are closely aligned with the core curriculum.

3. Academic interventions are provided by professionals with training, background, and content experience for teaching the specific content.

4. Behavior interventions are provided by professionals with training, background, and behavior support expertise regarding challenging behaviors.

E. RTI decisions are made collaboratively by both general education and special education professionals to create an integrated system of instruction and intervention guided by student outcome data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:897 (May 2009), effective July 1, 2009, amended LR 51:2038 (December 2025).

§303. School Building Level Committee

A. - A.4. ...

5. Refer the student to pupil appraisal personnel for support services in accordance with Chapter 13 of this Part.

A.6. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:897 (May 2009), effective July 1, 2009, amended LR 51:2039 (December 2025).

§305. Screening Activities

A. Overview

1. An LEA shall identify a student, enrolled in an educational program operated by the LEA, as suspected of having a disability only after the student has participated in an RTI process that produces data sufficient for the SBLC to recommend that a comprehensive individual evaluation be conducted by pupil appraisal personnel. For a child not enrolled in school, screening activities are to be conducted by Pupil Appraisal personnel. Through the RTI process the SBLC shall coordinate and document results of all screening activities described below. RTI and screening activities for enrolled students (public and private) are conducted by general education personnel with assistance from other school personnel and pupil appraisal members, if necessary.

2. The screening of a student to determine appropriate instructional strategies for curriculum implementation shall not be considered an evaluation for eligibility for special education and related services.

B. - B.1.a.i. ...

ii. No hearing concerns are currently being exhibited by the student.

iii. There is no history of acute or chronic ear infections and/or persistent respiratory congestion indicated in the health screening.

b. - b.i. ...

ii. middle ear pressure outside the range of -200 and +50 daPa fluid in either ear; or

B.1.b.iii. - B.2.a.i. ...

ii. No vision concerns are currently being exhibited by the student.

B.2.a.iii. - B.2.b.ii. ...

iii. Repealed.

B.2.c. - 3. ...

a. Sensory processing screening is conducted to determine if a student is "at risk" for sensory processing difficulties that interfere with access and participation in the educational program. Sensory processing concerns may include the following:

i. - viii. ...

ix. Repealed.

C. - D.2. ...

a. Repealed.

b. articulation, oral motor functioning, and oral structure;

c. receptive and expressive language to include linguistics and pragmatics; and

d. voice.

e. - g. Repealed.

3. If the student's communication skills are "at risk," evidence-based interventions shall be conducted by a speech-language pathologist or speech language pathology assistant with fidelity and for the length of time necessary to obtain sufficient data to determine their effectiveness. Informed parental consent must be obtained before conducting these interventions. In the case of a suspected voice impairment, there must also be an assessment conducted by an appropriate medical specialist prior to implementing the interventions.

E. - E.2. ...

a. lack of strength, endurance, and flexibility limiting access and participation in campus mobility and curriculum;

b. - e. ...

f. poor sense of body awareness;

g. difficulty in demonstrating motor sequences, frequent falling, difficulty managing uneven surfaces, stairs, or changes in terrain, difficulty with obstacle negotiation; or

h. management of classroom materials, including technology.

F. ...

1. Assistive Technology screening is conducted through an observation of the student's skills and educational environment.

2. - 2.a. ...

b. fine motor skills such as manipulation of tools, scissors, or pencils;

c. - g. ...

h. general health;

i. self-help;

j. executive functioning;

k. sensory; and/or

l. computer access.

G. - G.1.f. ...

2. If a review indicates current concerns in the above areas, the student's social/emotional/behavioral status is "at risk." Documented, evidence-based intervention(s) and progress monitoring appropriate to the student's age and behavioral difficulties shall be conducted with fidelity for the length of time necessary to obtain sufficient data to determine their effectiveness. Interventions are required for students with a suspected emotional disturbance unless there is substantial documentation that the student is likely to injure him/her self.

H. - H.1.a.ii. ...

b. a review of the student's academic performance, including dyslexia screening results and results of applicable statewide and district-wide tests in accordance with LAC 28:XXXV, Bulletin 1903;

H.1.c. - I.1. ...

2. Talented. Based on advanced skills demonstrated by the student in visual arts, music, or theater, the student should be considered for talent screening in accordance with Chapter 9 of this Part.

J. - J.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:898 (May 2009), effective July 1, 2009, amended LR 42:400 (March 2016), LR 49:1210 (July 2023), LR 51:2039 (December 2025).

§307. Referral Process

A. ...

1. The SBLC provides documentation that the RTI process addressing academic and/or behavior or sensorimotor concerns, or the speech or language intervention(s) addressing communication concerns have included:

A.1.a. - 3. ...

B. An immediate referral may be made to pupil appraisal services for an individual evaluation of those students suspected of having low incidence impairments such as deafness or hard of hearing, hearing impairment, visual impairment, deaf-blindness, traumatic brain injury, intellectual disability (moderate or severe), multiple disabilities, and some students with severe autism, orthopedic impairments and/or significant health concerns that warrant immediate referral based on substantial documentation by school building level personnel of any student suspected of being likely to injure self or others. Screening activities should be completed during the evaluation for these students.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:900 (May 2009), effective July 1, 2009, amended LR 42:400 (March 2016). LR 51:2040 (December 2025).

Chapter 5. Evaluation Responsibilities

§501. Evaluation Coordination

A. - A.3.a. ...

b. certified school psychologist, licensed specialist in school psychology, or a licensed psychologist with a school specialty;

A.3.c. - B.1.d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:900 (May 2009), effective July 1, 2009, amended LR 51:2040 (December 2025).

§505. Procedural Responsibilities

A. ...

1. Each individual evaluation is based on a comprehensive compilation of information drawn from a variety of sources. A comprehensive evaluation should consider any suspected delays, concomitant disabilities, and/or exceptionality that is suspected based on the referral data or information learned during the course of the evaluation.

2. - 10. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:901 (May 2009), effective July 1, 2009, amended LR 51:2040 (December 2025).

§507. Evaluation Procedures

A. - A.1.a. ...

b. the content of the student's IEP, including information related to enabling the student to be involved in and progress in the general education curriculum, or for a preschool child, ages 3-5, who qualify for special education services in accordance with this Part to participate in appropriate activities;

A.2. - B.3. ...

4. The student is assessed in all areas related to the suspected exceptionality including, if appropriate, health, vision, hearing, behavior, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

5. - 7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:901 (May 2009), effective July 1, 2009, amended LR 51:2040 (December 2025).

§513. Evaluation Components

A. - A.5. ...

6. an interview with the student to obtain the student's perceptions of his/her own academic, behavioral and social performance;

7. - 9. ...

10. an educational assessment conducted by an educational diagnostician or other qualified pupil appraisal staff member which includes descriptions of educational strategies, academic and environmental accommodations needed, and curricular modifications necessary to provide accessible instructional materials in order to enable the student to show progress in the general education curriculum;

11. a functional behavior assessment conducted or reviewed by a certified school psychologist, licensed specialist in school psychology, licensed psychologist with a school specialty, a qualified school social worker, or other appropriately trained personnel, when behavior is noted as a concern; and

A.12. - B.1.b. ...

c. a description of the evaluation procedures, including interventions, conducted to address each evaluation concern, the student's response(s) to the intervention(s) and an analysis of the results;

d. - g. ...

h. a description of the impairment or condition that enables the student to be classified as eligible for special education and/or related services;

i. - j. ...

k. recommendations for developing the content of the student's IEP including types of services necessary to meet the educational needs of the student and to enable the student to access and progress in the general education curriculum, or for students ages 3-5 to participate in appropriate activities;

B.1.1. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:902 (May 2009), effective July 1, 2009, amended LR 51:2040 (December 2025).

Chapter 7. Disabilities

§701. Autism

A. Definition. *Autism* is a developmental disability that impacts the development of social-emotional skills, communication, and relating to others and their environment, generally evident before age three, but may not fully manifest until after age three depending on the environmental and social demands placed upon the child during their early development, and results in adverse impact on educational performance.

1. - 2. Repealed.

B. ...

1. - 3.e. Repealed.

4. Persistent deficits in social communication and social interaction across multiple contexts, as manifested currently or by history through all of the following;

a. deficits in social-emotional reciprocity including, but not limited to, abnormal social approach, failure of normal back-and-forth conversation, reduced sharing of interests, emotions, or affect, and failure to initiate or respond to social interactions;

b. deficits in nonverbal communicative behaviors used for social interaction including but not limited to poorly integrated verbal and nonverbal communication, abnormalities in eye contact and body language, deficits in understanding and use of gestures, total lack of facial expressions, and nonverbal communication;

c. deficits in developing, maintaining, and understanding relationships including but not limited to difficulties adjusting behavior to suit various social contexts, difficulties in sharing imaginative play or in making friends, and absence of interest in peers.

5. Restricted, repetitive patterns of behavior, interests, or activities as manifested by at least two of the following:

a. stereotyped or repetitive motor movements, use of objects, or speech including but not limited to simple motor stereotypes, lining up toys, flipping objects, echolalia, and idiosyncratic phrases.

b. insistence on sameness, inflexible adherence to routines, or ritualized patterns of verbal or nonverbal behavior including but not limited to extreme distress at small changes, difficulties with transitions, rigid thinking patterns, greeting rituals, need to take the same route, or eat the same food every day;

c. highly restricted, fixated interests that are abnormal in intensity or focus including but not limited to strong attachment to or preoccupation with unusual objects, excessively circumscribed, or perseverative interest;

d. hyper- or hypoactivity to sensory input or unusual interests in sensory aspects of the environment including but not limited to apparent indifference to pain/temperature, adverse response to specific sounds or textures, excessive smelling or touching of objects, visual fascination with lights or movement.

6. Impaired environmental functioning significantly interferes with educational performance.

C. Procedures for Evaluation. Conduct all procedures in accordance with §513 of this Part.

D. ...

1. a comprehensive assessment conducted by a certified school psychologist, licensed specialist in school psychology, licensed psychologist with school specialty, physician, or other qualified examiner trained or experienced in the evaluation of students with developmental disabilities;

2. systematic observations of the student in interaction with others such as parents, teachers, and peers across settings in the student's customary environments, including structured and non-structured times;

3. - 4. ...

5. the educational assessment shall include the review and analysis of the student's response to scientifically research-based academic interventions documented by progress monitoring data, when needed;

6. if sensory motor screening and intervention data indicate at-risk, an occupational therapy assessment to address sensory processing and motor difficulties limiting access and participation in the educational program. All observed symptoms should be clearly documented. At a minimum, sensory processing assessment should address the following:

a. - h. ...

7. an assessment of adaptive behavior to assist in determining severity levels and impact of characteristics on everyday functioning in the school setting;

8. other assessments as determined to be appropriate and necessary by the evaluation coordinators and the multidisciplinary team to explore the impact of comorbid disorders and inform intervention planning within the educational setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:904 (May 2009), effective July 1, 2009, amended LR 51:2041 (December 2025).

§703. Deaf-Blindness

A. ...

1. If a student has only two disabilities and those disabilities are deafness and blindness, the student must be classified as having deaf-blindness. Each LEA shall notify State Deaf-Blind Census of all students who have both hearing and visual impairments.

B. - D.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:905 (May 2009), effective July 1, 2009, amended LR 43:2493 (December 2017), LR 49:1210 (July 2023), LR 51:2041 (December 2025).

§705. Developmental Delay

A. - B.1.a. ...

b. fine motor skills; and

- c. sensory (visual or hearing) abilities.
 - d. Repealed.
2. - 2.c. ...
- d. environmental interaction;
 - e. expression of emotions; and
 - f. self-help including feeding, clothing management, and toileting.

3. - 3.g....

C. Procedures for Evaluation. Conduct all procedures in accordance with §513 of this Part.

D. ...

1. an examination conducted by a physician not only when the student appears to have a severe medical condition but also when deemed necessary by the evaluation coordinator. When the medical report indicates the student has a health or physical impairment requiring health technology, management or treatments including a special diet or medication, or needs assistance with activities of daily living due to health concerns, the school registered nurse or other qualified personnel will conduct a health assessment;

2. - 4. ...

5. an assessment conducted by an occupational therapist when sensory-motor, perceptual-motor, fine motor or adaptive skills integration difficulties are suspected and limited functional performance.

E. - E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:906 (May 2009), effective July 1, 2009, amended LR 51:2041 (December 2025).

§707. Emotional Disturbance

A. Definition. *Emotional Disturbance* means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a student's educational performance. The term includes schizophrenia but does not apply to children who are socially maladjusted, unless the student is determined to have an emotional disturbance.

1. - 5. ...

B. Criteria for Eligibility. Evidence of criteria listed in Paragraphs 1, 2, 3 and 4 shall all be met. The student exhibits behavioral or emotional responses so different from age appropriate, cultural, or ethnic norms that they adversely affect the student's educational performance which includes academic progress, social relationships, work, personal adjustment, and/or behavior in the school setting. Such a disability is more than a temporary, expected response to stressful events in the environment; is consistently exhibited in two different settings, one of which must be the school setting; and persists despite individualized intervention within general education and other settings. Emotional disturbance can co-exist with other disabilities.

B.1. - D. ...

1. a psycho-social assessment conducted by a social worker, school psychologist, licensed specialist in school psychology, or licensed psychologist with a school specialty, or other qualified pupil appraisal staff member, which includes an interview with the student's parent(s), or care giver. If the assessment determines the student to be out-of-home, out-of-school or "at risk" of out-of-school, or out-of-

home placement and in need of multi-agency services, the student must be considered for referral to any existing interagency case review process;

2. - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:907 (May 2009), effective July 1, 2009, amended LR 51:2042 (December 2025).

§709. Deaf and/or Hard of Hearing

A. - A.2. ...

a. *Hearing Loss*—a hearing loss with an unaided pure tone average in the better ear at 500, 1000, and 2000 Hz between 25 and 70 dB (ANSI). The hearing loss is severe enough to be considered educationally significant, as it will to varying degrees impact the normal development of speech and language skills and/or interfere with learning new information through the auditory modality.

b. - c. ...

3. If a student has only two disabilities and those disabilities are deafness and blindness, the student must be classified as having deaf-blindness. The LEA shall notify State Deaf-Blind Census of all students who have both hearing and visual impairments.

B. - D.1. ...

2. An assessment of the student's hearing sensitivity, acuity, with and without amplification shall be conducted by a licensed audiologist or a licensed physician with specialized training or experience in the diagnosis and treatment of a hearing loss.

D.3. - E.2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:908 (May 2009), effective July 1, 2009, amended LR 43:2493 (December 2017), LR 51:2042 (December 2025).

§711. Intellectual Disability

A. Definition. *Intellectual disability* means significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a student's educational performance.

A.1. - B.2. ...

a. The measured intelligence and adaptive behavior functioning of a student with an intellectual disability, mildly impaired generally falls between two and three standard deviations below the mean. The student's adaptive behavior functioning falls below age and cultural expectations and is generally commensurate with the assessed level of intellectual functioning.

B.2.b. - D.2. ...

3. a psychological assessment conducted by a certified school psychologist, licensed specialist in school psychology, or licensed psychologist with a school specialty which includes the following procedures:

D.3.a. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:909 (May 2009), effective July 1, 2009, amended LR 42:400 (March 2016), LR 51:2042 (December 2025).

§713. Multiple Disabilities

A. ...

1. If a student has only the two disabilities of deafness and blindness, the student must be classified as having deaf-blindness and not developmental delay or multiple disabilities. The LEA shall notify State Deaf-Blind Census of all students who have both hearing and visual impairments.

B. - D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:909 (May 2009), effective July 1, 2009, amended LR 42:401 (March 2016), LR 51:2043 (December 2025).

§715. Orthopedic Impairment

A. Definition. *Orthopedic Impairment* means a severe orthopedic impairment that adversely affects a student's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.); and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

B. - D. ...

1. a report of a medical examination conducted within the previous 12 months from a physician qualified by training or experience to assess the student's orthopedic or neurological problems. The report must provide a description of the impairment, any medical implications for instruction or physical education, and must indicate adaptive equipment and support services necessary for the student to benefit from the general education curriculum, as appropriate. When the medical report indicates the student has a health or physical impairment requiring health technology, management, or treatments including a special diet or medication or that the student needs assistance with activities of daily living, the school registered nurse or other qualified personnel will conduct a health assessment;

2. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:910 (May 2009), effective July 1, 2009, LR 51:2043 (December 2025).

§717. Other Health Impairment

A. ...

1. Other Health Impairment is not intended for students with mood and anxiety disorders which would be more appropriately addressed under emotional disturbance, if criteria are met.

B. Criteria for Eligibility.

1. One of the following:

a. The disability results in reduced efficiency in schoolwork because of temporary or chronic lack of strength, vitality, or alertness, and includes such conditions as those specified in the definition; or

b. a severe disability significantly limits one or more of the student's major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working;

2. Repealed.

3. The student exhibits impaired environmental functioning that adversely affects his or her educational performance; and

4. If the diagnosed impairment has behavioral implications that research has shown to respond to behavioral interventions, including non-disruptive behaviors such as inattention and aspects of executive functioning, and the disability results in reduced efficiency in schoolwork because of temporary or chronic lack of strength, vitality, or alertness, and includes such conditions outlined in Paragraph A of this Section, documented evidence must show that scientifically research-based interventions implemented with fidelity did not significantly modify the problem behavior. *Significantly modify* means that a change in behavior is demonstrated to such a degree that, with continuation of the intervention program by the general education teacher and/or other support personnel, the student could continue in the general education program.

C. Procedures for Evaluation. Conduct all procedures in accordance with §513 of this Part.

D. Additional procedures for evaluation:

1. a report of an examination, conducted within the previous 12 months from a physician or other licensed health care provider licensed to practice medicine in the state of Louisiana or any other state of the United States and qualified in accordance with their licensed scope of practice to assess and diagnose the student's health problems, giving not only a description of the impairment but also any implications for instruction and physical education. When the report indicates the student has a health condition requiring health technology, management or treatments including a special diet or medication or that the student needs assistance with activities of daily living, the school registered nurse or other qualified personnel will conduct a health assessment. For attention deficit disorder or attention deficit hyperactivity disorder, a diagnostic report from a qualified health care professional, physician, physician's assistant, a nurse practitioner, neurologist, or psychiatrist may be considered but shall not be required.

2. if the diagnosed impairment has behavioral implications that research has shown to respond to behavioral interventions, including non-disruptive behaviors such as inattention and aspects of executive functioning, the following procedures shall be conducted:

a. comprehensive assessment conducted by a certified school psychologist, licensed specialist in school psychology, licensed psychologist, physician, or other qualified examiner trained or experienced in the evaluation of students with behavioral disorders;

D.2.b. - 4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:910 (May 2009), effective July 1, 2009, amended LR 42:401 (March 2016), LR 51:2043 (December 2025).

§719. Specific Learning Disability

A. - B.1.f. ...

2. there shall be a comprehensive and documented review of evidence-based intervention(s) conducted with fidelity and for the length of time necessary to obtain sufficient data to determine their effectiveness. Interventions shall be appropriate to the student's age and academic skill deficits and shall address the area(s) of concern presented by the SBLC. The RTI process shall provide sufficient data to

determine if the student is making adequate progress in the general educational curriculum. The individual intervention(s) summary must include graphing of the results of the intervention(s), information regarding the length of time for which each intervention was conducted, and any changes or adjustments made to an intervention. If adequate progress is not evident or the interventions require such sustained and substantial effort to close the achievement gap with typical peers, further assessment using standardized achievement measures shall be conducted to determine if the child/youth exhibits a specific learning disability consistent with the definition. The intervention data shall demonstrate that the student did not make sufficient progress to meet state approved grade level standards in one or more of the following areas:

B.2.a. - 3.d. ...

4. to support the findings in Paragraphs 1 through 3 above, evidence of a pattern of strengths and weaknesses must be documented as follows:

a. area of weakness addressed by the interventions shall be demonstrated by performance greater than one and one-half standard deviations below the mean in grades 1 and 2, or greater than two standard deviations below the mean in grades 3 through 12 using chronological age norms in one or more of the areas listed in Subparagraphs 2.a-h above; and

b. area of strength as demonstrated by performance no more than one-half standard deviation below the mean in grades 1 and 2 or no more than one standard deviation below the mean in grades 3 through 12 using chronological age norms in one or more of the areas in accordance with Subparagraph 2 of this Section.

c. ...

d. scientifically research-based intervention data supports the team's position that the student is a student with a specific learning disability.

C. Procedures for Evaluation. Conduct all procedures in accordance with §513 of this Part.

D. - D.4....

5. a psychological assessment shall be conducted by a certified school psychologist, licensed specialist in school psychology, or licensed psychologist with a specialty in school, when necessary, to rule out an intellectual disability;

6. - 7. ...

8. When dyslexia is suspected and there is no diagnosis by a qualified professional as defined in LAC 28:XXXV. *Bulletin 1903*, a preponderance of evidence is considered. The evidence shall include qualification for a Specific Learning Disability in one of the reading-related areas in this Section accompanied by a weakness in phonological processing, and/or a weakness in spelling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:911 (May 2009), effective July 1, 2009, amended LR 42:401 (March 2016), LR 51:2043 (December 2025).

§721. Speech or Language Impairment

A. Definition. *Speech or Language Impairment* means a communication deficit(s) with impairment in the area(s) of fluency, articulation, voice, or language that adversely affects a student's educational performance and access to the general

education curriculum. Dialectal variations alone do not qualify a student to be classified as having speech or language impairment.

B. ...

1. Articulation—non-maturational speech deficit of one or more phonemes characterized by consistent addition, substitution, omission, or consistent incorrect production of speech sounds, and:

a. for a student enrolled in kindergarten or above, data from documented intervention(s) conducted by a speech-language pathologist or speech-language pathology assistant that indicates that it is unlikely based on the student's rate of learning, that the student will acquire correct use of targeted phoneme(s) within a reasonable period of time; or

2. ...

a. for a student enrolled in kindergarten or above, data from documented intervention(s) conducted by a speech-language pathologist or speech-language pathology assistant that indicates it is unlikely, based on rate of learning, that the student will attain normal fluency within a reasonable period of time;

b. ...

3. Voice—any consistent deviation in pitch, intensity, quality, or other basic phonatory or resonatory attribute, and:

a. for a student enrolled in kindergarten or above, data from documented intervention(s) conducted by a speech-language pathologist or speech-language pathology assistant that indicates it is unlikely, based on rate of learning, that the student will attain normal voice quality within a reasonable period of time. There must be an assessment conducted by the appropriate medical specialist prior to conducting intervention(s); or

4. Language—impaired deficits in receptive (listening comprehension) or expressive (oral expression) area(s), disorder of linguistics (the study of language processing including phonology, morphology) syntax, semantics, or pragmatics:

a. ...

b. for a student in kindergarten or above, data from intervention(s) conducted by a speech-language pathologist or speech language pathologist assistant that indicates that it is unlikely, based on rate of learning, that the student will acquire targeted language skills that significantly impact the student's educational performance and access to the general education curriculum within a reasonable period of time; and

B.5. - D.1.d. ...

e. Repealed.

f. ...

g. the review and analysis of intervention data for a student enrolled in kindergarten or above and when appropriate for children aged 3-5;

2. an educational assessment conducted to review academic skills and to determine whether the speech or language impairment significantly interferes with the student's educational performance. The effect of the speech or language impairment on educational performance must be documented in the evaluation report, including an analysis of how the student's disability affects access to and progress in the general curriculum:

a. ...

b. for a student suspected of having a language deficit, an educational assessment shall be conducted by an educational diagnostician or other qualified pupil appraisal member;

3. ...

4. information from a parent conference or other communication with the parent(s) to determine whether developmental, health, or other factors may be causing, contributing to, or sustaining the speech or language impairment;

5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:912 (May 2009), effective July 1, 2009, amended LR 51:2044 (December 2025).

§725. Visual Impairment

A. ...

1. If a student has the two disabilities of deafness and blindness, the student must be classified as having deaf-blindness and not developmental delay or multiple disabilities. The LEA shall notify the State Deaf-Blind Census of all students who have both visual and hearing disabilities.

B. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:914 (May 2009), effective July 1, 2009, amended LR 43:2493 (December 2017), LR 49:1211 (July 2023), LR 51:2045 (December 2025).

Chapter 9. Gifted and Talented

§901. Gifted

A. - C.1. ...

a. the student shall obtain a score at least three standard deviations above the mean on an individually administered test of intellectual abilities appropriately standardized on students of this age and administered by a certified school psychologist, licensed specialist in school psychology, or licensed psychologist with a school specialty; or

C.1.b. - C.2. ...

a. the student shall obtain a score of at least two standard deviations above the mean on an individually or group administered test of intellectual abilities appropriately standardized on students of this age and administered by a certified school psychologist, licensed specialist in school psychology, or licensed psychologist with a school specialty; or

C.2.b. - D.1. ...

a. an individual assessment of intellectual abilities administered by a certified school psychologist, licensed specialist in school psychology, or licensed psychologist with a school specialty using an instrument or instruments appropriately standardized for students of this age;

D.1.b. - 2.a. ...

b. additional academic assessments in the areas listed below, individually or group administered, by qualified pupil appraisal personnel, specifically when the student does not meet criteria based on IQ alone. District-wide test scores and scores obtained from screening instruments shall not be used in the Standard Matrix as part of the individual evaluation:

i. Achievement in reading;

ii. Achievement in mathematics;

c. - d. ...

E. Gifted Matrix.

1. Achievement points are based on standard deviation (SD) in the following assessed areas:

- intellectual abilities;
- achievement in reading; and
- achievement in mathematics.

2. Point values are as follows:

- $1.0 < 1.49 \text{ SD} = 1 \text{ point}$.
- $1.5 < 1.99 \text{ SD} = 2 \text{ points}$.
- $> 2.0 \text{ SD} = 3 \text{ points}$.
- Ages 3:0-4:11, $> 2.5 \text{ SD} = 4 \text{ points}$.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:914 (May 2009), effective July 1, 2009, amended LR 51:2045 (December 2025).

§903. Talented

A. - C.3. ...

4. State-approved art, music, and theater screening instruments and evaluation instruments are located in the *Talent Evaluation Kit*.

D. - D.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:915 (May 2009), effective July 1, 2009, amended LR 51:2045 (December 2025).

Chapter 11. Reevaluation Information

§1101. Required Reevaluations

A. - A.2. ...

3. when a significant change in placement is proposed, which means moving the student to a more restrictive environment where the student will be in the regular class less than 40 percent of the day or, for a child ages four through five, in the regular early childhood program less than 40 percent of the time;

4. when a student is no longer suspected of having an exceptionality. This includes students having the single exceptionality of speech or language impairment; or

5. when a student is no longer suspected of requiring a related service, including but not limited to speech or language therapy, occupational therapy, physical therapy, or adapted physical education.

B. - C.1. ...

a. a triennial evaluation may be necessary if there are not adequate data to determine whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals in the IEP and to participate, as appropriate, in the general education curriculum;

b. - c. ...

2. may not occur more than once a year, unless the parent and the LEA agree otherwise;

3. may occur when a student is entering high school in the following academic year.

D. ...

E. LEAs should avoid conducting consecutive reevaluation data reviews (RDR) without including additional formal or informal assessments. If a parent specifically declines the additional assessments, an RDR alone may be conducted. If the multidisciplinary team, with input from the

parent, determines that the existing data is sufficient to establish a student's eligibility for services or education programming, formal testing may be omitted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:916 (May 2009), effective July 1, 2009, amended LR 43:2494 (December 2017), LR 51:2045 (December 2025).

§1103. Parental Consent for Reevaluations

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:917 (May 2009), effective July 1, 2009, amended LR 51:2046 (December 2025).

Chapter 13. Special Services

§1303. Adapted Physical Education

A. Definition. *Adapted Physical Education* is a direct instructional service for school aged students with disabilities who may not safely or successfully engage in unrestricted participation in the vigorous activities of the regular physical education program on a full-time basis. It is also a specially-designed program for children with disabilities aged three through five, who meet the criteria below.

1. Children with disabilities shall have equal access to the provision of physical education. Physical education includes the development of physical and motor fitness. Fundamental motor skills and patterns and skills are developed in individual and group games sports, and activities including intramural and life-time sports.

a. If a child with a disability cannot participate in the regular physical education program, individualized instruction in physical education designed to meet the unique needs of the child shall be provided. Physical education may include modified or adapted physical education.

b. Modified physical education is appropriate for a child who can participate in the general physical education program with accommodations or modifications. Modifications can include supports such as a sign language interpreter or changing rules equipment, time limits, etc.

c. Adapted physical education, also referred to as specially designed or special physical education, is instruction in physical education that is designed on an individual basis specifically to meet the needs of a child with a disability.

B. - B.1.a.iii. ...

b. Repealed.

2. - 2.a.iii. ...

b. Repealed.

3. - 3.a....

b. Repealed.

C. - C.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:918 (May 2009), effective July 1, 2009, amended LR 51:2046 (December 2025).

Chapter 15. Related Services

§1501. Overview

A. ...

B. When the need for such services is indicated by the referral concerns during the evaluation process, the evaluation coordinator shall ensure that appropriate and qualified personnel participate in the evaluation process. The criteria

for eligibility for school health services, occupational therapy, orientation and mobility services, physical therapy, school psychological, school social work and speech/language pathology services immediately follow this overview. Eligibility criteria for other related services are based on written documentation of need as determined through the evaluation process. When specific criteria to determine eligibility for other related services are necessary, the services will be added to the evaluation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:919 (May 2009), effective July 1, 2009, amended LR 51:2046 (December 2025).

§1503. Occupational Therapy

A. - A.5. ...

B. Criteria for Eligibility. Evidence of criteria must be met in accordance with this Section.

1. The student is classified and eligible for special education services. There is documented evidence that occupational therapy is required to assist the student to benefit from access and participation in special education services.

a. - b.iii. Repealed.

2. The student demonstrates a motor functional performance impairment limiting the student's access and participation in the educational program in one of the following categories: Developmental, Motor Function, or Sensorimotor.

3. Functional participation and access may include but is not limited to motor function, classroom skills, playground and physical education participation, self-help skills, mobility, assistive technology needs, sensory self-regulation, and prevocational and transition needs.

4. According to clinical and/or behavioral observations which may include but are not limited to available current medical information, medical history, and /or progress reports from previous therapeutic intervention, the student exhibits limitations that affect the physical functioning in the educational setting. These limitations might include abnormalities in the area(s) of fine motor, sensorimotor, visual motor, oral motor, or self-help skills. In addition to OT assessment, current student information must indicate one of the following abilities:

a. improve educational access and participation with occupational therapy intervention;

b. maintain access and participation functioning with therapeutic intervention, but if the student maintains motor functioning without therapeutic intervention, OT would not be required in the educational setting; or

c. slow the rate of regression of access and participation functioning with therapeutic intervention if the student has a progressive disorder.

5. Additionally, the student must require the clinical expertise of an occupational therapy practitioner to improve function, maintain function, or slow the rate of regression of functional performance.

6. Developmental. Students, excluding those with neurophysiological impairments, who demonstrate a fine motor, visual motor, oral motor, or self-help delay.

7. Motor Function. According to clinical and/or behavioral observations, which may include but are not limited to available current medical information, medical history, and/or progress reports from previous therapeutic

intervention, the student exhibits neurophysiological limitations or orthopedic limitations, that affect the physical functioning in the educational setting. The limitations might include abnormalities in the area(s) of fine motor, visual motor, oral motor, or self-help skills. In addition to OT assessment, current student information must indicate one of the following abilities:

- a. an ability to improve educational access and participation with occupational therapy intervention;
- b. an ability to maintain access and participation with therapeutic intervention, but if the student maintains motor functioning without therapeutic intervention, OT would not be required in the educational setting;
- c. an ability to slow the rate of regression of access and participation with therapeutic intervention if the student has a progressive disorder; or
- d. the student must require the clinical expertise of an occupational therapist to improve motor function, maintain motor function, or slow the rate of regression of motor function.

8. Sensorimotor. According to clinical behavior observation and/or an appropriate assessment instrument, the student exhibits an inability to integrate sensory stimulus effectively, affecting the capacity to perform functional activities within the educational setting. The activities might include abnormalities in the area of fine motor, visual motor, oral motor, self-help, or sensory processing such as sensory awareness, motor planning and organization of adaptive responses. In addition to OT assessment, current student information must indicate an ability to improve functional activity performance through OT intervention.

C. - C.1.a. ...

b. an assessment of motor abilities, functional and performance according to current American Occupational Therapy Association (AOTA) guidelines and Louisiana Standards of Practice.

2. - 3. ...

a. Does this problem interfere with the student's ability to benefit from access to and participation in the educational program?

b. ...

c. Does the occupational therapy practitioner bring unique expertise without which the student will not achieve the IEP goal?

4. The provision of services shall be determined at the IEP Team meeting, using the evaluation data and input of the occupational therapist and the results and recommendations of the therapy assessment including but not limited to the occupational therapist bringing unique expertise without which the student will not achieve the IEP goals. The continuation of services will be determined at the annual IEP review using data and input from the therapist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:920 (May 2009), effective July 1, 2009, amended LR 51:2046 (December 2025).

§1507. Physical Therapy

A. - B.1. ...

a. The student is classified and eligible for a special education program. There is documented evidence that physical therapy is required to assist the student to access and participate in the education setting.

b. ...

2. Developmental. Students, excluding those with neurophysiological impairments, who demonstrate a limitation which affects the ability to benefit from the education program and demonstrate a gross motor delay.

a. - c. Repealed.

3. Motor Function. According to clinical and/or behavioral observations—which may include but are not limited to available current medical information, medical history and/or progress reports from previous therapeutic intervention—the student exhibits neurophysiological, orthopedic, cardiovascular, respiratory, or sensorimotor limitation that affect his or her gross motor functional participation in the educational setting.

a. - a.iii. Repealed.

4. Functional participation and access may include but is not limited to positioning and access in the educational environment, campus mobility, playground access, physical education participation, self-help skills, assistive technology needs, and prevocational and transition needs.

5. In addition to PT assessment, current student information must indicate one of the following:

a. an ability to improve motor functioning as it related to the educational setting with physical therapy intervention;

b. an ability to maintain motor functioning with therapeutic intervention, but if the student maintains motor functioning without therapeutic intervention, PT would not be required in the educational setting; or

c. an ability to slow the rate of regression of motor function with therapeutic intervention if the student has a progressive disorder.

6. The student must require the clinical expertise of a physical therapist to improve motor function, maintain motor function, or slow the rate of regression of motor function.

C. - C.2. ...

a. Does this problem interfere with the student's ability to access and participate his or her educational program?

b. ...

3. The provision of services shall be determined at the IEP Team meeting using data and the input of the therapist and the results and recommendations of the therapy assessment including but not limited to the physical therapist bringing unique expertise without which the student will not achieve the IEP goals. The continuation of services will be determined at the annual IEP review using data and input from the therapist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:921 (May 2009), effective July 1, 2009, amended LR 51:2047 (December 2025).

§1509. School Health Services and School Nurse Services

A. Definition. *School Health and School Nurse Services* are specially designed for a student who has a disability (defined under federal and state statutes), having a special health need, and who is unable to participate in his or her educational program without the use of such health services, which may include, among others, health treatments, technology, and/or management.

1. The school health services referred to in this Section are those determined through a health assessment during the evaluation process.

2. The school nurse services referenced in this Section are determined through a health assessment during the evaluation process.

B. - B.1.b. ...

c. A prescription from a physician or dentist or other licensed health care professional licensed to practice in Louisiana or any state of the United States and qualified in accordance with their licensed scope of practice prescribes the health treatment, technology, and/or health management that the student must have in order to function within the educational environment; or there is a documented need for a modification of his or her activities of daily living.

C. Procedures for Evaluation. When there is evidence of the need for health technology, treatment and/or management, the assessment of a student by a school registered nurse or other qualified personnel shall include at a minimum the following procedures:

1. - 2. ...

3. the provision of services through the development of the Individualized Health Plan will be determined at the IEP Team meeting, using the input from the school nurse or other qualified personnel and the results and recommendations of the health assessment. The continuation of services will be determined at the annual IEP review using input from the school registered nurse.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:436, and R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:922 (May 2009), effective July 1, 2009, amended LR 42:401 (March 2016), LR 51:2047 (December 2025).

§1511. School Psychological Services

A. Definition. *School Psychological Services* include but are not limited to:

1. administering psychological, intellectual, and educational tests, and other assessment procedures;

2. ...

3. obtaining, integrating, and interpreting information about student behavior and conditions relating to learning, which may also include assisting in the development of academic, behavioral, and social emotional intervention strategies, progress monitoring, evaluating intervention and service delivery outcomes, conducting functional behavior assessments, and conducting program evaluations;

4. consulting with other staff members in planning school programs to meet the special educational needs of students as indicated by formalized assessments, interviews, direct observation, and behavioral evaluations;

5. planning and managing a program of psychological services, including psychological counseling for students and parents which may also include implementing and/or monitoring interventions, conducting social skills training, anger management/conflict resolution training, study skills training, social-emotional learning strategies/interventions, substance abuse prevention, crisis prevention and intervention, parent skills training, and coordinating services with other community agencies; and

A.6. - C.1.b. ...

c. any additional procedures judged necessary to determine if the area of concern interferes with the student's ability to benefit from the educational program.

2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:922 (May 2009), effective July 1, 2009, amended LR 51:2048 (December 2025).

Tavares A. Walker
Executive Director

2512#054

RULE

Board of Elementary and Secondary Education

Educator Preparation, Evaluation, and Credentials
(LAC 28:XLV.Chapters 1-7; LAC 28:CXXXI.507 and
1505; LAC 28:CXLVI.Chapter 3; and
LAC 28:CXLVII.325)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) *et seq.*, the Board of Elementary and Secondary Education (BESE) has amended LAC 28:XLV in *Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs*, LAC 28:CXXXI in *Bulletin 746—Louisiana Standards for State Certification of School Personnel*, LAC 28:CXLVI in *Bulletin 146—Competencies and Standards for Teachers and Educational Leaders*, and LAC 28:CXLVII in *Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel*. During the 2025 Regular Legislative Session, laws were enacted that require revisions to Board of Elementary and Secondary Education (BESE) policy to include:

- Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel
 - Act 270. VAM and student attendance
- Bulletin 146—Competencies and Standards for Teacher and Educational Leaders
 - Act 353. Foundational numeracy
 - Act 479. Crisis intervention
- Bulletin 746—Louisiana Standards for State Certification of School Personnel
 - Act 268. Computer Science
 - Act 353. Foundational numeracy
 - Act 479. Crisis intervention
- Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs
 - Act 268. Computer Science
 - Act 353. Foundational numeracy
 - Act 479. Crisis intervention

Further revisions adopt language, general educator, and English learner competencies, certification requirements, a new educator leader pathway, procedures for educator preparation program closure, program quality clarification, policy language alignment, and technical edits. This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

**Part XLV. Bulletin 996—Standards for Approval of
Teacher and/or Educational Leader Preparation
Programs**

Chapter 1. Introduction

§103. Definitions

* * *

Non-Education Baccalaureate Degree—a baccalaureate degree earned through an institution of higher education accredited in accordance with 34 CFR 602 that does not result in eligibility for teacher certification in the state in which the program is approved to operate.

Pathway—the set of teacher preparation programs that are offered to undergraduate and post-baccalaureate candidates.

Post-Baccalaureate Alternative Certification Program—a program offered prior to July 1, 2002, that provided opportunities for individuals with a minimum of a baccalaureate degree to become certified public school teachers. Applicants seeking certification under this program submitted an official transcript for evaluation to a Louisiana college or university with an approved teacher education program.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7(6), R.S. 17:3902, and R.S. 17:407.81, and R.S. 17:8.1-8.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:272 (February 2025), amended LR 51:2049 (December 2025).

**Chapter 3. Initial State Approval for Teacher or
Educational Leader Preparation
Programs**

§307. Program Dissolution

A. The planned dissolution of an existing BESE-approved preparation program or certification area shall be reported to LDOE within five business days of the provider's determination to dissolve the program or pathway.

B. Upon receiving notification, the LDOE shall assist the provider with completing the dissolution process, which may include submitting documentation related to enrolled candidates, teach-out plans, and other required information, as applicable.

C. A provider whose program has begun implementation of an LDOE dissolution plan shall not advertise the program nor enroll new candidates. Once the program is dissolved, the provider shall not advertise or operate the program nor enroll new candidates.

D. Upon completion of the dissolution plan, the program and/or certificate areas shall be submitted to BESE to rescind the program approval.

E. Reinstatement of a dissolved program is prohibited. A provider that has had all or part of its program pathways dissolved may submit a new program proposal no sooner than one calendar year from the official date of closure, in accordance with the LDOE program approval cycle timelines.

F. Failure to comply with the dissolution process or to provide adequate support for enrolled candidates may result in corrective action in accordance with §401.G of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), 17:7(6), and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, amended LR 51:2049 (December 2025).

**Chapter 4. Teacher and Leader Preparation Program
Accountability, Renewal, and Approval**

**§401. Ongoing Approval of Teacher and Leader
Preparation Programs
[Formerly §1101]**

A. In order to offer a state-approved teacher preparation program that allows teachers to become certified by the LDOE, teacher preparation providers shall follow the process/procedures detailed in Chapter 3 of this document. To maintain continued state approval, university and non-university providers must maintain effective ratings on the Louisiana teacher preparation quality rating system.

B. The LDOE shall annually produce and make publicly available a performance profile for each approved preparation provider that includes information at the pathway level. The LDOE shall biennially produce and make publicly available a quality rating for each approved preparation provider at the pathway level.

C. Renewal decisions shall be made every two years and shall be based on the quality rating produced biennially.

D. ...

1. undergo a progress monitoring period during which the provider develops an improvement plan that includes specific improvement goals, timelines, and measures of success for particular pathway(s) or program(s). The improvement plan shall be reviewed and approved by the LDOE and submitted to BESE. The provider shall submit progress reports to the LDOE;

2. The LDOE shall review data outlined in the improvement plan and the Louisiana teacher preparation quality rating system to inform required interventions, which shall include, but are not limited to, one or more of the following:

a. - e. ...

E. Mentor Teacher and Content Leader Certification Preparation. In order to offer state-approved mentor teacher or content leader training that prepares individuals to earn a mentor teacher ancillary certificate or a content leader ancillary certificate in accordance with LAC 28:CXXXI (Bulletin 746), providers must follow the process detailed in Chapter 3 of this Part. To maintain continued state approval, providers must demonstrate that training participants are earning effective ratings on the Mentor Teacher and Content Leader Portfolio Assessments.

F. Mentor Teacher and Content Leader Provider Effectiveness. By no later than December 1, 2019, and biennially thereafter, the LDOE will review and report to BESE effectiveness data of each approved provider offering mentor teacher or content leader training. Effectiveness data will include Louisiana Mentor Teacher and Content Leader Portfolio Assessments passage rates and may include additional information. Based upon these results, BESE may require an improvement plan or may discontinue the provider's ability to recommend candidates for mentor teacher or content leader certification.

G. Corrective Action. The LDOE shall place an approved educator preparation provider into corrective action status, due to noncompliance with BESE policy, failure to meet established performance expectations, and/or conditions that impact the quality of candidate preparation or student outcomes.

1. A formal notice shall be issued to the provider that outlines the documentation for corrective action and the specific action items required to address the identified status.

2. During the corrective action period, the provider shall engage a third-party auditor approved by LDOE to evaluate program quality and implementation. The provider shall be responsible for all costs associated with the audit.

3. While in corrective action status, the provider is prohibited from submitting new program proposals for BESE consideration.

4. Corrective action status shall remain in effect for a minimum of one year. The provider shall not be released from corrective action until the LDOE verifies that all required action items have been satisfactorily addressed and program performance meets established expectations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), 17:7(6), and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:754 (April 2010), amended LR 37:565 (February 2011), LR 43:2488 (December 2017), LR 45:229 (February 2019), LR 48:1756 (July 2022), LR 51:2049 (December 2025).

§403. Teacher Preparation Quality Rating System Participation and Performance Profile Implementation Timeline

A. In accordance with LAC 28:XLV.101, beginning December 2017, the process for ongoing approval of teacher preparation programs will be replaced with a uniform process that applies equally to university and non-university providers.

B. - E. Repealed.

F. - G. ...

H. The LDOE will annually produce and make publicly available a performance profile and quality rating score for each approved preparation provider

I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 17:7(6), and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:2488 (December 2017), amended LR 45:1061 (August 2019), LR 48:1756 (July 2022), LR 51:2050 (December 2025).

Chapter 7. Louisiana State Standards for Educator Preparation Programs

Subchapter A. Teacher Preparation Programs

§743. Minimum Requirements for Traditional Teacher Preparation Programs

A. - A.6. ...

7. - 8. Repealed.

B. - C.4. ...

a. instructional goal-setting and planning, including individual education plan (IEP), English Learner Accommodation Checklist, and individual accommodations plan (IAP) review and implementation;

C.4.b. - E. ...

F. Beginning with the 2025-2026 school year, for prescribed certification areas, the program shall include instruction on teaching foundational numeracy skills. Certification areas include B-5, PK-K, elementary 1-5, elementary 1-5 integrated to merged, mathematics 4-8, mathematics 4-8 integrated to merged, mathematics 6-12, and mathematics 6-12 integrated to merged. Instruction shall include but need not be limited to the following:

1. effectively teaching foundational mathematics skills explicitly and systematically;

2. implementing effective mathematics instruction using high-quality instructional materials;

3. providing effective instruction and interventions for students who have difficulty with mathematics; and

4. understanding and using student data to make instructional decisions.

G. Beginning with the 2026-2027 school year, for all certification areas, the program shall include instruction on teaching students computer science, which may be incorporated into an existing course of study. The coursework shall include but not be limited to the following:

1. an introduction of the Louisiana Computer Science Content Standards;

2. an overview of computational thinking and computer science content, including broad knowledge of computing systems, internet safety, and data analysis to enhance student learning; and

3. an overview of standards-based instruction based on the core concepts and practices found with the Louisiana Computer Science Framework.

H. Beginning with the 2027-2028 school year, for all certification areas, the program shall include instruction in crisis intervention and effective strategies for behavior management of students with disabilities, which may be incorporated into an existing course of study.

I. Beginning with the 2027-2028 school year, for all certification areas, the program shall include instruction on teaching language acquisition strategies to support English learners, which may be incorporated into an existing course of study.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, R.S.17:416.21 and 17:411, and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1330 (July 2017), amended LR 43:2492 (December 2017), LR 45:229 (February 2019), LR 48:1274 (May 2022), LR 48:1758 (July 2022), LR 49:41 (January 2023), LR 49:246 (February 2023), repromulgated LR 49:851 (May 2023), LR 50:20 (January 2024), amended LR 50:678 (May 2024), LR 51:273 (February 2025), LR 51:1129 (August 2025), LR 51:2050 (December 2025).

§745. Minimum Requirements for Alternate Teacher Preparation Programs

A. - B.6. ...

7. - 8. Repealed.

C. - D.2. ...

a. instructional goal-setting and planning, including IEP, English Learner Accommodation Checklist, and IAP review and implementation;

D.2.b. - F.4.b. ...

G. Beginning with the 2025-2026 school year, for prescribed certification areas, the program shall include instruction on teaching foundational numeracy skills. Certification areas include B-5, PK-K, elementary 1-5, elementary 1-5 integrated to merged, mathematics 4-8, mathematics 4-8 integrated to merged, mathematics 6-12, and mathematics 6-12 integrated to merged. Instruction shall include but need not be limited to the following:

1. effectively teaching foundational mathematics skills explicitly and systematically;

2. implementing effective mathematics instruction using high-quality instructional materials;
3. providing effective instruction and interventions for students who have difficulty with mathematics; and
4. understanding and using student data to make instructional decisions.

H. Beginning with the 2026-2027 school year, for all certification areas, the program shall include instruction on teaching students computer science, which may be incorporated into an existing course of study. The coursework shall include but not be limited to the following:

1. an introduction of the Louisiana Computer Science Content Standards;
2. an overview of computational thinking and computer science content, including broad knowledge of computing systems, internet safety, and data analysis to enhance student learning; and
3. an overview of standards-based instruction based on the core concepts and practices found with the Louisiana Computer Science Framework.

I. Beginning with the 2027-2028 school year, for all certification areas, the program shall include instruction in crisis intervention and effective strategies for behavior management of students with disabilities, which may be incorporated into an existing course of study.

J. Beginning with the 2027-2028 school year, for all certification areas, the program shall include instruction on teaching language acquisition strategies to support English learners, which may be incorporated into an existing course of study.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411; and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1331 (July 2017), amended LR 43:2492 (December 2017), LR 45:1751 (December 2019), LR 46:324 (March 2020), LR: 48:1274 (May 2022), LR 48:1759 (July 2022), LR 49:41 (January 2023), LR 49:246 (February 2023), LR 49:256 (February 2023), repromulgated LR 49:852 (May 2023), LR 50:20 (January 2024), amended LR 50:678 (May 2024), LR 51:273 (February 2025), LR 51:1130 (August 2025), LR 51:2050 (December 2025).

Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of School Personnel

Chapter 5. Teaching Credentials, Licenses and Certifications

Subchapter A. Standard Teaching Certificates

§507. Professional Level Certificates

A. - B.14. ...

15. Beginning September 1, 2028, an applicant for initial certification in prescribed areas must have received instruction in foundational numeracy skills or have satisfactorily completed foundational numeracy training approved by LDOE.

a. Certification areas include B-5, PK-K, elementary 1-5, elementary 1-5 integrated to merged, mathematics 4-8, mathematics 4-8 integrated to merged, mathematics 6-12, and mathematics 6-12 integrated to merged.

16. Beginning September 1, 2031, an applicant for initial certification shall have earned coursework that includes instruction in crisis intervention and effective strategies for behavior management of students with disabilities, which may be incorporated into an existing course of study.

C. - G.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.1-8.3, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1813 (October 2006), amended LR 35:2752 (December 2009), LR 36:2843 (December 2010), LR 38:2366 (September 2012), LR 40:1331 (July 2014), LR 46:1381 (October 2020), amended, LR 48:430 (March 2022), LR 48:1273 (May 2022), LR 48:2554 (October 2022), LR 49:37 (January 2023), LR 50:24 (January 2024), LR 50:488 (April 2024), amended LR 50:660 (May 2024), LR 51:276 (February 2025), LR 51:1130 (August 2025), LR 51:2051 (December 2025).

Chapter 15. Administrative and Supervisory Credentials

Subchapter A. The Educational Leadership Certificate §1505. Educational Leader Certificate Level 1 (EDL1)

A. - A.1. ...

a. hold or be eligible to hold a Louisiana type B or level 2 teaching certificate, or have a comparable level out-of-state teaching certificate and three years of teaching experience, including experience as a librarian or counselor, with all out-of-state experience verified as successful by the out-of-state employing authority or SEA, or hold an ancillary teaching certificate as defined in Chapter 5 Subchapter C of this Part with at least five years of successful teaching experience verified in accordance with §103 of this Part;

i. The Early Childhood Ancillary Certificate is not an eligible ancillary teaching certificate for the purposes of an EDL1.

A.1.b. - 2. ...

a. hold or be eligible to hold a Louisiana type B or level 2 teaching certificate, or have a comparable level out-of-state teaching certificate and three years of teaching experience, including experience as a librarian or counselor, with all out-of-state experience verified as successful by the out-of-state employing authority or SEA, or hold an ancillary teaching certificate as defined in Chapter 5 Subchapter C of this Part with at least five years of successful teaching experience verified in accordance with §103 of this Part;

i. The Early Childhood Ancillary Certificate is not an eligible ancillary teaching certificate for the purposes of an EDL1.

A.2.b. - 3. ...

a. hold or be eligible to hold, a Louisiana type B or level 2 teaching certificate, or have a comparable level out-of-state teaching certificate and three years of teaching experience, including experience as a librarian or counselor, with all out-of-state experience verified as successful by the out-of-state employing authority or SEA, or hold an ancillary teaching certificate as defined in Chapter 5 Subchapter C of this Part with at least five years of successful teaching experience verified in accordance with §103 of this Part;

i. The Early Childhood Ancillary Certificate is not an eligible ancillary teaching certificate for the purposes of an EDL1.

A.3.b. - 4. ...

a. hold, or be eligible to hold, a Louisiana type B or level 2 teaching certificate, or have a comparable level out-of-state teaching certificate and three years of teaching experience, including experience as a librarian or counselor, with all out-of-state experience verified as successful by the out-of-state employing authority or SEA, or hold an ancillary teaching certificate as defined in Chapter 5 Subchapter C of

this Part with at least five years of successful teaching experience verified in accordance with §103 of this Part;

i. The Early Childhood Ancillary Certificate is not an eligible ancillary teaching certificate for the purposes of an EDL1.

A.4.b. - B.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:466 (March 2022), repromulgated LR 48:1075 (April 2022), LR 48:2102 (August 2022), amended LR 50:672 (May 2024), LR 50:974 (July 2024), LR 51:278 (February 2025), LR 51:2051 (December 2025).

Part CXLVI. Bulletin 146—Competencies and Standards for Teachers and Educational Leaders
Chapter 3. Teacher Competencies
Subchapter A. General Teacher Certification Areas and Required Competencies

§301. Overview

A. - I.5.c. ...

6. English Learners:
 - a. Subchapter A, General
 - b. Subchapter C, Disciplinary Literacy
 - c. Subchapter F, English Learners Education

J. - J.5.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7(6), R.S. 17:3902 and R.S. 17:8.1-8.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:279 (February 2025), amended LR 51:2052 (December 2025).

§303. General Competencies

A. - E. ...

F. The teacher candidate differentiates instruction, behavior management techniques, and the learning environment in response to individual student differences in cognitive, well-being, language, and physical development, incorporating trauma-informed principles and crisis intervention strategies.

G. The teacher candidate develops and applies instructional supports and plans for an individualized education plan (IEP) or individualized accommodation plan (IAP), or English Learner Accommodation Checklist to allow a student appropriate access to grade-level instruction, individually and in collaboration with colleagues.

H. The teacher candidate applies knowledge of various types of formal and informal assessments and the purposes, strengths, and limitations to select, adapt, and modify assessments to accommodate the abilities and needs of all students, including students with exceptionalities and English learners, and to guide instruction to meet diverse student needs.

I. The teacher candidate uses language proficiency data to inform instruction and challenge students as language proficiency increases.

J. The teacher candidate promotes communicative language development for classroom participation and fosters literacy growth across all content areas.

K. The teacher candidate implements strategies to create a supportive classroom that fosters student success.

L. The teacher candidate encourages family and community involvement to support student learning and achievement.

M. The teacher candidate creates lessons that simultaneously develop English language skills and discipline-specific knowledge for a native English speaker and an English learner.

N. The teacher candidate integrates teaching strategies and methods that support the development of higher-level thinking skills at all grade levels, considering all English language proficiency levels, while integrating academic language into instruction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7(6), R.S. 17:3902, R.S. 17:24.9, and R.S. 17:8.1-8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:281 (February 2025), amended LR 51:2052 (December 2025).

Subchapter C. English Language Arts (ELA) and Literacy Teacher Competencies

§315. Introduction

A. - D.1....

E. English learner (EL) literacy competencies are applicable to teacher candidates in ELA.

1. The teacher candidate understands fundamental language concepts, English language structure, and the processes of first (L1) and second (L2) language acquisition, recognizing how L1 supports L2 learning.

2. The teacher candidate demonstrates knowledge and pedagogical application of linguistic aspects of the English language, including phonology, morphology, syntax, semantics, and pragmatics.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.1-8.3, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:283 (February 2025), amended LR 51:2052 (December 2025).

Part CXLVII. Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel

Chapter 3. Personnel Evaluation

§325. Extenuating Circumstances

A. - E. ...

F. Neither the value-added model nor the measures of student growth shall include a test score or data of a student who has accrued ten or more absences, whether excused, unexcused, consecutive, or nonconsecutive, in any semester of a given school year. Credit recovery, academic credit, and attendance credit shall not be considered factors relative to such absences in an evaluation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:391.10, 17:3881-3886, 17:3901-3904, 17:3997, and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1220 (May 2012), amended LR 38:2361 (September 2012), LR 39:1274 (May 2013), LR 40:761 (April 2014), LR 45:233 (February 2019), LR 51:2052 (December 2025).

Tavares A. Walker
Executive Director

2512#057

RULE

Board of Elementary and Secondary Education

Implementation of Education Acts of the
2025 Regular Legislative Session
(LAC 28:LXXIX.107, 121, 123, 1303, 1903, 2107, 2109,
2110, 2111, and 3019 and LAC 28:CXV.Chapters 3-31)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:LXXIX in *Bulletin 741(Nonpublic)—Louisiana Handbook for Nonpublic School Administrators* and LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. During the 2025 Regular Legislative Session, laws were enacted that require revisions to Board of Elementary and Secondary Education (BESE) policy to include:

Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

- Act 409. Child Safety and Welfare
- Act 463. Nutrition
- Act 356. 10 point scale
- Act 268. Computer science

Bulletin 741—Louisiana Handbook for School Administrators

- Act 200. Military status
- Act 409. Child safety and welfare
- Act 449. Vocational/technical courses
- Act 353. Numeracy
- Act 439. School employee bill of rights
- Act 181. Discipline records
- Act 497. Expulsion exception
- Act 210. ACSBD repealed
- Act 103. Parent access to materials
- Act 42. Transportation network companies
- Act 463. Nutrition
- Act 356. 10 point scale
- Act 268. Computer Science

Further revisions reorganize sections regarding graduation course and assessment requirements, alignment of policy language to statute, frequency of work-based learning observations, assessment levels, codification, and technical edits. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

Chapter 1. Operation and Administration

§107. School Approval

A. - A.2. ...

3. the school must comply with any other requirements specific to the funding source, including specifically, but not limited to, applicable federal regulations.

B. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2342 (November 2003), amended LR 31:3073 (December 2005), LR 36:2847 (December 2010), LR 37:2145 (July 2011), LR 39:306 (February 2013), LR 39:1438 (June

2013), LR 39:3070 (November 2013), LR 50:174 (February 2024), LR 51:2053 (December 2025).

§121. Emergency Planning and Procedures

A. - D.2. ...

3. Beginning with the 2026-2027 school year and not later than September thirtieth annually, each nonpublic school shall submit a list to LDOE, in the manner communicated by the department, of all employees who have complied with the training and employees that have not complied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, R.S. 17:411, R.S. 17:416.16, R.S. 29:726.3, and CHC 603.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2343 (November 2003), amended LR 31:3074 (December 2005), LR 40:766 (April 2014), LR 51:51 (January 2025), LR 51:2053 (December 2025).

§123. Personnel

A. - F.1. ...

G. Beginning August 1, 2025, no person whose name is recorded on the DCFS state central registry as a perpetrator for a substantiated finding of abuse or neglect of a child on or after August 1, 2018, shall be hired by any elementary or secondary school as a teacher, substitute teacher, bus driver, substitute bus driver, janitor, or as a temporary, part-time, or permanent school employee of any kind.

1. An administrator, teacher, or other school employee whose name is recorded on the DCFS state central registry on or after August 1, 2025, shall report the recordation to the employer and LDOE within two business days, exclusive of weekends and holidays.

2. A school shall dismiss any teacher or any other school employee whose name is recorded on the DCFS state central registry after August 1, 2025.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:15, 17:22(6), 17:391.1-391.10, 17:411, and 17:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2344 (November 2003), amended LR 31:3074 (December 2005), LR 39:1439 (June 2013), LR 44:2132 (December 2018), LR 50:1447 (October 2024), LR 51:2053 (December 2025).

Chapter 13. Preventive Programs

§1303. Abuse

A. - D. ...

E. All instances of alleged child abuse that occur in a school setting shall immediately be reported to parents and to local or state law enforcement, regardless of the alleged perpetrator.

F. If more than one child is involved in the allegations, the school shall immediately report to the parent of all involved children.

G. Any sexual abuse cases in which the alleged perpetrator is a child shall be referred to DCFS.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; R.S. 17:411, R.S. 14:403.3, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2348 (November 2003), amended LR 31:3079 (December 2005), LR 51:51 (January 2025), LR 51:2053 (December 2025).

Chapter 19. Support Services

§1903. School Food Service

A. - E. ...

F. Beginning with the 2028-2029 school year and beyond, no public school governing authority or nonpublic school that receives state funds shall serve any food or beverage containing a prohibited ingredient identified in R.S. 197.2 to students in schools under its jurisdiction.

1. The provisions of the Subsection shall apply to breakfast and lunches served to a student on a school campus during regular school hours and to any food or beverages served by the school to a student during aftercare.

2. The provisions of this Subsection shall not apply to food or beverages served or sold in concession stands and vending machines.

3. Each public school and any nonpublic school that receives state funds shall purchase food produced in Louisiana, to the extent practicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), 17:82, 17:191, R.S. 17:391.1-391.10, R.S. 17:197.2, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2349 (November 2003), amended LR 31:3080 (December 2005), LR 39:1443 (June 2013), LR 47:1494 (October 2021), LR 51:2053 (December 2025).

Chapter 21. Curriculum and Instruction

Subchapter C. Secondary Schools

§2107. Unit of Credit

A. ...

B. Beginning with the 2024-2025 school year and beyond, each school shall use the ten point grading scale for the purpose of assigning grades used in the calculation of the minimum GPA required for any TOPS award, regardless of whether the school uses a different grading scale for other purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2350 (November 2003), amended LR 31:3081 (December 2005), LR 51:2054 (December 2025).

§2109. TOPS University Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

B. - F.8. Repealed.

G. - G.3.b. ...

H. For incoming freshmen in the 2014-2015 through 2023-2024 school years who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. - 2.k.Repealed.
3. English—four units;
4. Mathematics—four units;
5. Science—four units;
6. Social studies—four units;
7. Foreign language—two units;
8. Art—one unit;
9. Physical Education—one and one-half units;
10. Health—one-half unit; and
11. Electives—three units.
12. Total—24 units.

I. For incoming freshmen in the 2024-2025 through 2026-2027 school years who are completing the TOPS

university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit; and
10. Electives—two units.
11. Total—24 units.

J. For incoming freshmen in the 2027-2028 school year and beyond who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit;
10. Computer Science—one unit; and
11. Elective—one unit.
12. Total—24 units.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 30:2776 (December 2004), LR 31:3081 (December 2005), LR 34:2099 (October 2008), LR 36:2849 (December 2010), LR 37:2142, 2144 (July 2011), repromulgated LR 37:2390 (August 2011), amended LR 37:2597 (September 2011), LR 38:769 (March 2012), LR 38:1008 (April 2012), LR 39:1444 (June 2013), LR 40:1682 (September 2014), LR 40:2535 (December 2014), LR 41:915 (May 2015), LR 41:1485 (August 2015), LR 41:2127 (October 2015), LR 42:1064 (July 2016), LR 43:1289 (July 2017), LR 45:38 (January 2019), LR 45:1456 (October 2019), LR 46:1084 (August 2020), amended LR 48:34 (January 2022), LR 48:2098 (August 2022), LR 49:642 (April 2023), LR 50:483 (April 2024), LR 51:2054 (December 2025).

§2110. Career Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

B. Curriculum and Entrance Requirements

1. The 23 units required for the career diploma shall include academic credits and a sequence of seven credits in career and technical education for incoming freshmen prior to the 2014-2015 school year or participation in approved training programs that lead to an approved industry-based credential for incoming freshmen in the 2014-2015 school year and beyond.

2. Students with exceptionalities assessed on the regular academic content standards who meet certain requirements may attain a career diploma by meeting the requirements of their IEP. See *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities*. Students

with exceptionalities assessed on the alternate academic content standards may attain a career diploma by meeting the requirements in §2320 of this bulletin.

C. Career diploma students may qualify for the State Seal of Biliteracy in accordance with §2109.G of this Part.

D. For incoming freshmen in the 2014-2015 through 2022-2023 school years who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one-half unit;
6. Health—one and one-half units; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.
8. Total—23 units.

E. For incoming freshmen in the 2023-2024 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education— one and one-half units;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—23 units.

F. For incoming freshmen in the 2024-2025 through the 2026-2027 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education— one and one-half units;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—23 units.

G. For incoming freshmen in the 2027-2028 school year and beyond who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;

5. Physical Education—one and one-half units;
6. Health—one-half unit;
7. Computer Science—one unit;
8. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

9. Total—23 units.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2054 (December 2025).

§2111. State Diploma

A. A nonpublic high school choosing to issue a state diploma shall meet state requirements in accordance with LAC 28:CXV.2316.

B. ...

1. - 3.d.Repealed.

C. Any state-approved nonpublic school that wishes to award the state diploma shall contact the LDOE for time lines and other administrative guidelines for administering state assessments. Any nonpublic school that opts to participate in the state assessment program shall follow BESE policy including the test security policy as defined in LAC 28:XI, *Bulletin 118—Statewide Assessment Standards and Practices*.

C.1. - 2. Repealed.

D. Any approved nonpublic school that does not choose to participate in the state assessment program may grant a school diploma, which shall carry the same privileges as one issued by a state-approved public school.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 31:636 (March 2005), LR 31:3082 (December 2005), LR 36:1498 (July 2010), LR 39:1446 (June 2013), LR 48:38 (January 2022), LR 48:2560 (October 2022) LR 49:642 (April 2023), LR 49:861 (May 2023), LR 51:2055 (December 2025).

Chapter 30. Health and Safety Rules and Regulations for Approved Non-Public School Three-Year-Old Programs

§3019. Child Safety and Welfare Minimum Standards

A. To ensure the safety and welfare of children, all early learning centers and all public and nonpublic prekindergarten programs shall meet minimum standards in accordance with this Chapter. As used in this Section, center includes both early learning centers and prekindergarten programs.

B. There shall be a minimum of two staff members present at any facility when more than four children are present, except under an extenuating circumstance that temporarily prevents compliance with this Paragraph.

C. The child-to-staff ratios shall not exceed the following:

1. Infants and under one year, 5 to 1.
2. One year, 7 to 1.
3. Two years, 10 to 1.
4. Three years, 13 to 1.

5. Four years, 15 to 1.

6. Five years, 19 to 1.

D. An average of the child-to-staff ratios may be applied to mixed age groups of children only for groups that include no children under the age of two.

E. When a mixed age group includes children younger than age two, the age of the youngest child determines the child-to-staff ratio for the group.

F. When the nature of a child with special healthcare needs or the number of children with special healthcare needs warrants added care, the center shall add sufficient staff as necessary.

G. Only staff members directly providing care, supervision, or guidance to children shall be counted in the child-to-staff ratios. The same staff members shall not be used to meet the ratio requirements for two different groups of children at the same time.

H. Sufficient staffing needed to satisfy child-to-staff ratios shall be present during rest time and available to assist as needed. Children ages one and older may be grouped together at rest time with one staff member in each room supervising the resting children.

I. Information regarding required child-to-staff ratios and a phone number to file complaints regarding supervision with LDOE shall be posted in each classroom in a location that is visible to parents.

J. Children shall be supervised at all times including on the playground, on field trips, and on non-vehicular excursions.

K. Children shall not be left alone in any room, outdoors, or in vehicles, even momentarily, without staff present.

1. The provisions of this Section shall not apply to restroom use in accordance with this Section, if a child is being provided services by therapeutic professionals, or if a child is in the custody of a parent or legal guardian.

L. A staff member shall be assigned to supervise children whose names and whereabouts that the staff person shall know and with whom the staff members shall be physically present. Staff shall be able to state how many children are in their care at all times.

M. A child who is developmentally able may be permitted to use the restroom independently if a staff member is in proximity to and can see the child to ensure immediate intervention to safeguard a child from harm or to assist with an accident while in the restroom.

1. An individual who is not a staff member shall not enter the restroom are while in use by any child other than his own child.

N. A child age five and older may be permitted to go to and return from the restroom without staff.

O. If a prekindergarten program or early learning center is part of a school with children in kindergarten or older, staff shall ensure that the children enrolled in the prekindergarten program or early learning center are not unsupervised in the restroom at the same time as any older children who are using the restroom. For any facility constructed after January 1, 2026, there shall be designated separate restrooms for the children enrolled in the prekindergarten program or early learning center.

P. Children shall be cleaned and changed immediately following a toileting accident.

Q. By August 1 annually, the LDOE shall provide an informational document to each early learning center and prekindergarten program. The document shall be distributed to the parents and legal guardians of all children enrolled in the center or program at the beginning of each school year and may be distributed electronically.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2055 (December 2025).

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§301. General Authority

A. - B. ...

C. Each local education agency (LEA) shall ensure that all eligible persons, regardless of race, creed, color, national origin, military status, sex, or disability, have access to educational programs supported by public funds.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with La. Const. Art. VIII §1 and §3; R.S. 17:6; R.S. 17:7; R.S. 17:111; R.S. 17:151; R.S. 17:172; R.S. 17:1941, et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1257 (June 2005), amended LR 51:2056 (December 2025).

§326. Child Safety and Welfare Minimum Standards

A. To ensure the safety and welfare of children, all early learning centers and all public and nonpublic prekindergarten programs shall meet minimum standards in accordance with this Chapter. As used in this Section, center includes both early learning centers and prekindergarten programs.

B. There shall be a minimum of two staff members present at any facility when more than four children are present, except under an extenuating circumstance that temporarily prevents compliance.

C. The child-to-staff ratios shall not exceed the following:

1. Infants and under one year, 5 to 1.
2. One year, 7 to 1.
3. Two years, 10 to 1.
4. Three years, 13 to 1.
5. Four years, 15 to 1.
6. Five years, 19 to 1.

D. An average of the child-to-staff ratios may be applied to mixed age groups of children only for groups that include no children under the age of two.

E. When a mixed age group includes children younger than age two, the age of the youngest child determines the child-to-staff ratio for the group.

F. When the nature of a child with special healthcare needs or the number of children with special healthcare needs warrants added care, the center shall add sufficient staff as necessary.

G. Only staff members directly providing care, supervision, or guidance to children shall be counted in the child-to-staff ratios. The same staff members shall not be used to meet the ratio requirements for two different groups of children at the same time.

H. Sufficient staffing needed to satisfy child-to-staff ratios shall be present during rest time and available to assist as needed. Children ages one and older may be grouped together at rest time with one staff member in each room supervising the resting children.

I. Information regarding required child-to-staff ratios and a phone number to file complaints regarding supervision with LDOE shall be posted in each classroom in a location that is visible to parents.

J. Children shall be supervised at all times including on the playground, on field trips, and on non-vehicular excursions.

K. Children shall not be left alone in any room, outdoors, or in vehicles, even momentarily, without staff present.

1. The provisions of this Section shall not apply to restroom use in accordance with this Section, if a child is being provided services by therapeutic professionals, or if a child is in the custody of a parent or legal guardian.

L. A staff member shall be assigned to supervise children whose names and whereabouts that the staff person shall know and with whom the staff members shall be physically present. Staff shall be able to state how many children are in their care at all times.

M. A child who is developmentally able may be permitted to use the restroom independently if a staff member is in proximity to and can see the child to ensure immediate intervention to safeguard a child from harm or to assist with an accident while in the restroom.

1. An individual who is not a staff member shall not enter the restroom area while in use by any child other than his own child.

N. A child age five and older may be permitted to go to and return from the restroom without staff.

O. If a prekindergarten program or early learning center is part of a school with children in kindergarten or older, staff shall ensure that the children enrolled in the prekindergarten program or early learning center are not unsupervised in the restroom at the same time as any older children who are using the restroom. For any facility constructed after January 1, 2026, there shall be designated separate restrooms for the children enrolled in the prekindergarten program or early learning center.

P. Children shall be cleaned and changed immediately following a toileting accident.

Q. By August 1 annually, the LDOE shall provide an informational document to each early learning center and prekindergarten program. The document shall be distributed to the parents and legal guardians of all children enrolled in the center or program at the beginning of each school year and may be distributed electronically.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2056 (December 2025).

§339. Emergency Planning and Procedures

A. - M.5. ...

N. Each employee shall annually complete a mandatory reporter training course regarding the statutory requirements and responsibility of reporting child abuse and neglect.

1. A record of completion of the course shall be provided to the employee and retained by the school.

2. The school shall retain a list of all employees who have not completed the training.

3. Beginning with the 2026-2027 school year and not later than September thirtieth annually, each LEA shall submit a list to LDOE of all employees who have complied with the training and employees that have not complied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:154.1, R.S. 29:726.5, et seq., R.S. 40:1137.3, and 17:416.16.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1262 (June 2005), amended LR 39:3258 (December 2013), LR 41:372 (February 2015), LR 45:36 (January 2019), LR 45:1746 (December 2019), LR 50:175 (February 2024), LR 51:55 (January 2025), LR 51:2057 (December 2025).

§345. Requesting Waivers of BESE Policy

A. - D. ...

E. If the high school's approved mission or curriculum model does not align with providing vocational and technical education courses, the governing authority of the school may request a waiver from BESE. The waiver request shall include:

1. a letter of justification from the local superintendent; and

2. documentation of the approved mission or curriculum model.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.2(B)(5), R.S. 17:24.10(C)(1)(c), R.S. 17:151(B)(2), R.S. 17:192(B)(2), R.S. 17:274(D), R.S. 17:183.4 and R.S. 17:416.2(B).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1264 (June 2005), amended LR 39:2198 (August 2013), LR 46:1085 (August 2020), LR 51:2057 (December 2025).

Chapter 5. Personnel

§501. Criminal Background Checks

A. - C. ...

D. A teacher or other school employee, upon final conviction or plea of guilty or nolo contendere to any criminal offense, excluding traffic offenses, shall report the fact of the conviction or plea to his employer within 48 hours, excluding weekends and holidays, of the conviction or plea.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:15, and 17:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:431 (March 2007), LR 34:607 (April 2008), repromulgated LR 35:443 (March 2009), amended LR 35:1473 (August 2009), LR 39:2200 (August 2013), LR 44:2132 (December 2018), LR 50:1448 (October 2024), LR 51:2057 (December 2025).

§502. Staff Misconduct

A. Each LEA, prior to hiring any employee, shall require that the applicant for employment sign a statement providing for the disclosure of information by DCFS regarding the state central registry and by the applicant's current or previous employer, if such employer is an LEA, relative to all instances of sexual misconduct with students committed by the applicant, if any, and releasing the current or previous employer, if such employer is a city, parish, or other local public school board, and any school employee acting on behalf of such employer from any liability for providing such information.

1. - 10. ...

11. Beginning August 1, 2025, a person whose name is recorded on the DCFS state central registry as a perpetrator for a substantiated finding of abuse or neglect of a child on or

after August 1, 2018, shall not be hired by any elementary or secondary school as a teacher, substitute teacher, bus driver, substitute bus driver, janitor, or as a temporary, part-time, or permanent school employee of any kind.

B. - D.7. ...

8. An administrator, teacher, or other school employee whose name is recorded on the DCFS state central registry on or after August 1, 2025 shall report the recordation to the employer and LDOE within two business days, exclusive of weekends and holidays. A school shall dismiss any teacher or any other school employee whose name is recorded on the DCFS state central registry after August 1, 2025.

E. - E.6.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:15; R.S. 17:81.9; R.S. 17:587.1; R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:431 (March 2007), LR 34:607 (April 2008), repromulgated LR 35:444 (March 2009), amended LR 35:1099 (June 2009), LR 37:1138 (April 2011), LR 38:41 (January 2012), amended LR 48:31 (January 2022), LR 51:2057 (December 2025).

§511. Completion of Approved Numeracy Skills Course

A. ...

B. For the purposes of the Section, *teacher* means a public school kindergarten through eighth grade mathematics teacher.

C. Not later than the beginning of the 2025-2026 school year, each fourth through eighth grade teacher must successfully complete at least one approved professional development course and provide documentation of successful completion of the course to the employing school. A teacher who provides documentation of successful completion of an approved professional development course within the five years prior to August 1, 2025, shall be considered in compliance with the provisions of this Paragraph.

D. Documentation of Completion. Any teacher hired must provide documentation to the employing school of successful completion of an approved professional development course within two years of the date of employment, as follows:

1. Any fourth through eighth grade teacher hired after July 31, 2025.

2. Any kindergarten through third grade teacher hired after July 31, 2027.

E. - G. ...

H. Not later than August 1, 2027, each kindergarten through third grade teacher must successfully complete at least one approved professional development course and provide documentation to the teacher's employing school. A teacher who provides documentation of successful completion of an approved professional development course within five years prior to August 1, 2027, shall be considered in compliance with the provisions of this Subsection.

I. Each LEA shall provide for numeracy coaches for math teachers in kindergarten through third grade for the purposes of providing on-site training on evidence-based mathematics instruction, demonstrating lessons, co-teaching or observation, and providing feedback for improving instruction, subject to the allocation of funds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:176 and R.S. 17:2119.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:176 (February 2024), amended LR 51:2058 (December 2025).

§520. School Employee Bill of Rights

A. Respecting the authority of school employees is essential to creating a safe environment conducive to learning, effective instruction in the classroom, and proper administration of city, parish, and other local public schools. To maintain and protect that authority, it is important that school employees, administrators, parents, and students are fully informed of the various rights conferred upon school employees pursuant to this policy, which are:

1. A school employee has the right to work in a safe, secure, and orderly environment that is conducive to learning and free from recognized dangers or hazards that are causing or likely to cause serious injury.

2. A school employee has the right to work free from the fear of frivolous lawsuits, including the right to qualified immunity and to a legal defense, and to indemnification by the employing school board for actions taken in the performance of duties of the school employee's employment.

3. A school employee has the right to hold students accountable for disorderly conduct in accordance with state law and a city, parish or other local public school board regulation.

4. A school employee has the right to have his or her professional judgment and discretion respected by school and district administrators in any disciplinary action taken by the school employee in accordance with state law and with school and district policy.

5. A school employee has the right to be involved in decisions regarding student behavior management.

6. A school employee has the right to have additional compensation in accordance with state law and any compensation provided by any city, parish, or other local public school board regulation.

7. A school employee shall not have his or her wages reduced for any school year below the amount paid to the school employee in hourly wage or annual salary during the previous school year, nor shall the amount of the hourly wage or annual salary paid to any school employee be reduced at any time during the academic year.

8. A school employee serving as a substitute teacher shall have the right to additional compensation.

9. A school employee has the right to be treated with civility and respect.

10. A school employee shall have the right to perform noncomplex medical procedures only if all requirements have been met and documented in accordance with LAC 28: CLVII.

11. A school employee shall have the right to administer medication only if all requirements have been met and documented in accordance with LAC 28: CLVII.

12. A school employee required by law or regulation to be trained for a specific job requirement shall be required to perform those specific duties only if they have receive the mandated training and the training has been documented as required by law or regulation.

13. A school employee shall have the right to professional development and career advancement and should be supported in advancing their careers.

14. A school employee shall have the right to complete only paperwork that is not excessively burdensome and that, if required by law or regulation, adheres to the law or regulation and does not result in overly cumbersome interpretations of that law or regulation.

B. No LEA shall establish policies that prevent school employees from exercising the rights as provided in this Section. No principal or administrator shall retaliate or take adverse employment action against a school employee for exercising the rights provided in this Section. The provisions of this Section do not authorize the school employee to violate the provisions of any discipline policy adopted by the public school governing authority.

C. The provisions of this Section shall not be construed to supersede any other state law, BESE policy, or LEA policy enacted or adopted relative to the discipline of students.

D. Each LEA shall provide a copy of this policy to all school employees at the beginning of each school year, shall post a copy of the rights provided in this policy in a prominent place in every school and administrative building it operates, and shall provide a copy to parents or legal guardians of all children attending such schools in a form and manner approved by the school board. Each LEA and every school under its jurisdiction that maintains an internet website shall post on such website a copy of the School Employee Bill of Rights.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416, R.S. 17:416.18.1, and R.S. 17:416.8.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2058 (December 2025).

Chapter 7. Records and Reports

§709. Transfer of Student Records

A. - A1. ...

2. Transferred records shall include the student's full school disciplinary record, including but not limited to the dates of any suspension or expulsion and the reasons for which the student was suspended or expelled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:112 and R.S. 17:221.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1270 (June 2005), amended LR 36:1224 (June 2010), LR 39:2203 (August 2013), LR 51:2059 (December 2025).

Chapter 11. Student Services

§1135. Child Abuse

A. - D. ...

E. All instances of alleged child abuse that occur in a school setting shall immediately be reported to the child's parent and to local or state law enforcement, regardless of the alleged perpetrator.

F. If more than one child is involved in the allegations, the school shall immediately report to the parent of all involved children.

G. Any sexual abuse cases in which the alleged perpetrator is a child shall be referred to DCFS.

AUTHORITY NOTE: Promulgated in accordance with R.S. 14:403.3., R.S. 17:6, R.S. 17:7, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 51:49 (January 2025), LR 51:2059 (December 2025).

Chapter 13. Discipline

§1307. Reasons for Expulsions

A. - A.3.c. ...

4. Any student in sixth grade and above found guilty of being in possession of tobacco, alcohol, or vaping products or found guilty on first occurrence of being in possession of marijuana, tetrahydrocannabinol, or any chemical derivative thereof on school property, on a school bus, or at a school-sponsored event may be recommended for expulsion.

5. A student in grades six and above who is found guilty of being in possession of a firearm, a knife with a blade equal to or in excess of two and one-half inches in length, or any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be expelled from school for a minimum period of two complete school semesters and shall be referred to the district attorney for appropriate action. The school principal or designee shall, within five days of arrest, refer such student for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances. If evidence of abuse is found, the principal or designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian.

6. ...

7. A student in grades six through twelve found guilty of being in possession of marijuana, tetrahydrocannabinol, or any chemical derivative thereof shall not be subject to the provisions of Paragraph 5 of this Subsection unless the offense is the second or subsequent occurrence.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 39:2211 (August 2013), LR 43:2483 (December 2017), LR 48:1013 (April 2022), LR 51:58 (January 2025), LR 51:2059 (December 2025).

§1319. Advisory Council on Student Behavior and Discipline

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1 and R.S. 17:253.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2096 (August 2022), amended LR 51:36 (January 2025), repealed LR 51:2059 (December 2025).

Chapter 17. Instructional Support

§1701. Instructional Materials and Equipment

A. - B. ...

C. Each LEA shall adopt policies for each school to make instructional materials readily available for review, upon request, by parents or legal guardians of students enrolled in the school. The policy shall:

1. specify reasonable hours for in-person review;
2. provide access to instructional materials, including online access;
3. impose no fee for in-person viewing or access to online instructional materials;
4. establish reasonable and customary fees to be collected to cover the cost of providing copies, if requested; and

5. permit parents to make their own copies on school premises via mobile or other device that has the capability of making copies.

D. Assessments of academic knowledge, skills, or abilities, including non-secure tests, assessments, and

assessment answer keys, may be made available to parents at the discretion of the local school board and may include only in-person viewing at the school.

E. The requirement to provide online access to instructional materials shall be limited to curricula that is adopted in accordance with R.S. 17:351.1.

F. Other instructional materials may be made available to a parent in-person in accordance with local rules and policies adopted by the local school board.

G. Each local school board shall submit to the LDOE an electronic copy or a digital link to rules and policies that are adopted pursuant to this Section. The submission shall include the reasonable and customary fee schedule which may be charged to the parent pursuant to this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:355, R.S. 17:6; R.S. 17:7; R.S. 17:351.1 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1286 (June 2005), amended LR 51:2059 (December 2025).

Chapter 21. Support Services

§2101. Transportation

A. - C. ...

D. Alternate means of transportation may be contracted with a transportation network company in accordance with LAC 28:CXIII.1909.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1287 (June 2005), amended LR 39:2212 (August 2013), LR 51:2060 (December 2025).

§2103. School Food Service

A. - E. ...

F. Beginning with the 2028-2029 school year and beyond, no public school governing authority or nonpublic school that receives state funds shall serve any food or beverage containing a prohibited ingredient identified in R.S. 17:197.2 to students in schools under its jurisdiction.

1. The provisions of the Subsection shall apply to breakfast and lunches served to a student on a school campus during regular school hours and to any food or beverages served by the school to a student during aftercare.

2. The provisions of this Subsection shall not apply to food or beverages served or sold in concession stands and vending machines in accordance with R.S. 17:197.1.

3. Each public school and any nonpublic school that receives state funds shall purchase food produced in Louisiana, to the extent practicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:82, R.S. 17:191 et seq., and R.S. 17:197.1-2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1287 (June 2005), amended LR 38:3135 (December 2012), LR 39:2212 (August 2013), LR 47:1494 (October 2021), LR 51:2060 (December 2025).

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2302. Uniform Grading Policy

A. - A.5. ...

B. Beginning with the 2024-2025 school year and beyond, each school shall use the ten point grading scale for the purpose of assigning grades used in the calculation of the minimum GPA required for any TOPS award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(31)(A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2390 (August 2011), amended LR 39:2213 (August 2013), LR 51:50 (January 2025), LR 51:2060 (December 2025).

§2303. Planning and Instruction

A. - H. ...

I. All public high schools shall provide students the opportunity to enroll in available vocational and technical education courses.

1. If a high school does not offer vocational and technical education courses, the governing authority of the school may enter into agreements to partner with other public schools or with one or more two-year public postsecondary education institutions in the state or with nonprofit proprietary schools or Course Choice providers approved by BESE to provide available courses.

2. No student shall be assessed a course fee when the LEA receives career development funds in the MFP for such course. Prioritization of Course Choice funding shall be accordance with LAC 28:CLI.701.

AUTHORITY NOTE: Promulgated in accordance with Louisiana Constitution Art. VIII Preamble and R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 39:2213 (August 2013), LR 40:764 (April 2014), LR 51:58 (January 2025), LR 51:2060 (December 2025).

§2305. Ancillary Areas of Instruction

A. - G. ...

H. Beginning with the 2026-2027 school year, each public high school shall provide instruction in computer science to students, and each public school with students in sixth through eighth grade shall provide instruction in exploratory computer science.

I. Beginning with the 2027-2028 school year, each public elementary school shall provide instruction in the basics of computer science and computational thinking.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:81, 17:154, 17:261 et seq., 17:263, 17:270, 17:280, 17:281 et seq., 17:404, and 17:405 et seq., and 36 USC 106.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 33:2353 (November 2007), LR 39:2214 (August 2013), LR 39:3259 (December 2013), LR 40:2531 (December 2014), LR 44:1443 (August 2018), LR 44:1868 (October 2018), LR 45:36 (January 2019), LR 45:1746 (December 2019), amended LR 48:33 (January 2022), LR 49:251 (February 2023), repromulgated LR 49:857 (May 2023), amended LR 50:177 (February 2024), LR 51:59 (January 2025), LR 51:2060 (December 2025).

§2316. Assessment Requirements

A. For incoming freshmen in 2010-2011 and beyond, students must meet assessment requirements to earn a standard diploma.

B. Prior to or upon the student's entering the tenth grade, all LEAs shall notify each student and his/her parents or guardians of the requirement of passing LEAP tests.

C. Upon their entering a school system, students transferring to any high school of an LEA shall be notified by that system of the graduation requirement for passing LEAP.

D. Students enrolled in a course for which there is a LEAP test must take the LEAP test.

E. The LEAP test score shall count as a percentage of the student's final grade for the course. The percentage shall be between 15 percent and 30 percent inclusive, and shall be determined by the LEA.

1. For students with disabilities identified under IDEA who meet the participation criteria found in *Bulletin 1530—Louisiana’s IEP Handbook for Students with Exceptionalities*, §405.B and R.S. 17:183.2, the LEAP test score shall count for 5 percent of the students’ final grade for the course.

2. The grades assigned for the test achievement levels shall be as follows.

- a. Excellent = A.
- b. Good = B.
- c. Fair = C.
- d. Needs Improvement = D or F.

F. For incoming freshmen in the 2010-2011 through 2016-2017 school years must pass three end-of-course tests in the following categories:

1. English II or English III;
2. Algebra I or geometry;
3. biology or American history.

G. For incoming freshmen in the 2017-2018 through 2023-2024 school years must pass three LEAP 2025 assessments in the following categories:

1. English I or English II;
2. Algebra I or geometry;
3. biology or U.S. history.

H. Students who enter traditional grade 9 during or after the 2017-2018 school year are required to score level 2 (approaching basic) or above on English I or English II, Algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

I. Covid Exemption. For high school seniors enrolled during spring 2021 and graduating by August 31, 2021, and for high school seniors enrolled during spring 2022 and graduating by August 31, 2022, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all required assessments:

1. a score of Silver or higher on ACT WorkKeys for students pursuing a Career Diploma; or

2. an ACT composite score of 17 or higher for all students; or

3. an ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment pair, as follows:

a. a score of 17 or higher on the ACT English or Reading tests shall satisfy the English I/English II LEAP 2025 high school assessment requirement;

b. a score of 17 or higher on the ACT Mathematics test shall satisfy the Algebra I/Geometry LEAP 2025 high school assessment requirement; and

c. a score of 17 or higher on the ACT Science test shall satisfy the Biology/U.S. History LEAP 2025 high school assessment requirement; or

4. the student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above, with such instruction provided by a qualified teacher.

a. the instruction must take place following the academic year, and the student must demonstrate proficiency corresponding to level 2 (approaching basic) or above, as determined by either the school or school system.

b. a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of effective: emerging or higher.

c. for purposes of this Section, a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of effective: emerging or higher.

J. For incoming freshmen in 2024-2025 and beyond, the LEAP 2025 Civics assessment will replace the LEAP 2025 U.S. History assessment as the social studies assessment required for graduation. The LEAP 2025 U.S. History assessment will be available through 2026-2027 for those students requiring a retest to fulfill graduation requirements. Students must pass three LEAP 2025 assessments in the following categories:

1. English I or English II;
2. Algebra I or geometry;
3. biology or civics.

K. A maximum of one Carnegie unit of elective credit may be applied toward meeting high school graduation requirements by an eighth grade student who has scored at the *unsatisfactory* achievement level on either the English language arts and/or the mathematics component(s) of the eighth grade LEAP provided the student:

1. successfully completed specially designed elective(s) for LEAP remediation;

2. scored at or above the *basic* achievement level on those component(s) of the 8th grade LEAP for which the student previously scored at the *unsatisfactory* achievement level.

L. During the transition to new tests, the requirement to count a LEAP 2025 test score as a percentage of the student’s final grade will be waived for high school state assessments as follows:

1. English I, English II, Algebra I, and geometry scores from the fall 2017 administration; the decision to include scores from these assessments in final grades in spring 2018 shall be a district decision that must be outlined in the pupil progression plan.

2. U.S. history scores from the fall and spring administrations in 2017-2018;

3. biology scores from the fall and spring administrations in 2018-2019; and

4. civics scores from the fall and spring administration in 2024-2025.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2060 (December 2025).

§2317. High Schools

A. - L.3.b. ...

M. All public high schools shall advise students of the availability of the TOPS Tech Early Start Award for eligible students and shall provide information on the eligibility criteria of the award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:154, 17:264, 17:1944, 17:1945, and 17:4073.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 36:1485 (July 2010), LR 37:1137 (April 2011), LR 38:754 (March

2012), LR 39:1038 (April 2013), LR 39:2216 (August 2013), LR 40:1328 (July 2014), repromulgated LR 40:1528 (August 2014), amended LR 40:2530 (December 2014), LR 45:37 (January 2019), LR 45:227 (February 2019), LR 46:1671 (December 2020), amended LR 48:33 (January 2022), LR 50:178 (February 2024), LR 51:1128 (August 2025), LR 51:2061 (December 2025).

§2318. The TOPS University Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

A.1. - C.3. Repealed.

D. - F. Reserved.

G. For incoming freshmen in the 2014-2015 through 2023-2024 school years who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. - 2.k. Repealed.
3. English—four units;
4. Mathematics—four units;
5. Science—four units;
6. Social studies—four units;
7. Foreign language—two units;
8. Art—one unit;
9. Physical Education—one and one-half units;
10. Health—one-half unit; and
11. Electives—three units.
12. Total—24 units.

H. For incoming freshmen in the 2024-2025 through 2026-2027 school years who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit; and
10. Electives—two units.
11. Total—24 units.

I. For incoming freshmen in the 2027-2028 school year and beyond who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit;
10. Computer Science—one unit; and
11. Elective—one unit.
12. Total—24 units.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR

31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), LR 47:860 (July 2021), amended LR 48:33 (January 2022), LR 48:39 (January 2022), repromulgated LR 48:1092 (April 2022), amended LR 48:2098 (August 2022), LR 48:2560 (October 2022), LR 49:642 (April 2023), LR 49:862 (May 2023), LR 50:480 (April 2024), LR 51:50 (January 2025), LR 51:2062 (December 2025).

§2319. The Career Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

A.1. - C.3.h. Repealed.

D. ...

E. Curriculum and Entrance Requirements

1. The 23 units required for the career diploma shall include academic credits and a sequence of seven credits in career and technical education for incoming freshmen prior to the 2014-2015 school year or participation in approved training programs that lead to an approved industry-based credential for incoming freshmen in the 2014-2015 school year and beyond.

2. Students with exceptionalities assessed on the regular academic content standards who meet certain requirements may attain a career diploma by meeting the requirements of their IEP. See *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities*. Students with exceptionalities assessed on the alternate academic content standards may attain a career diploma by meeting the requirements in §2320 of this bulletin.

F. - H. Reserved.

I. For incoming freshmen in the 2014-2015 through 2022-2023 school years who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half unit;
6. Health—one-half units; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.
8. Total—23 units.

J. For incoming freshmen in the 2023-2024 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;

3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—23 units.

K. For incoming freshmen in the 2024-2025 through the 2026-2027 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—24 units.

L. For incoming freshmen in the 2027-2028 school year and beyond who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit;
7. Computer Science—one unit;
8. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

9. Total—24 units.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, 17:183.3, 17:274, 17:274.1, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 35:1230 (July 2009), LR 35:1876 (September 2009), LR 35:2321 (November 2009), LR 35:2750 (December 2009), LR 36:1490 (July 2010), LR 37:548

(February 2011), LR 37:1130 (April 2011), LR 37:2130 (July 2011), LR 37:3197 (November 2011), LR 38:761 (March 2012), LR 38:1005 (April 2012), LR 40:2522 (December 2014), LR 41:1482 (August 2015), LR 41:2594 (December 2015), LR 42:232 (February 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2484 (December 2017), LR 44:1868 (October 2018), LR 45:1747 (December 2019), LR 46:557 (April 2020), LR 46:1086 (August 2020), LR 47:860 (July 2021), LR 48:39 (January 2022), repromulgated LR 48:1093 (April 2022), LR 48:2560 (October 2022), LR 49:252 (February 2023), LR 49:643 (April 2023), repromulgated LR 49:858 (May 2023), LR 50:482 (April 2024), amended LR 50:972 (July 2024), LR 51:50 (January 2025), LR 51:2062 (December 2025).

Chapter 31. Career and Technical Education (CTE) §3113. Work-Based Learning

A. - E.4. ...

5. The teacher-coordinator shall visit each student on the job to observe the student at work, to confer with the employer, and to obtain an evaluation of the student's progress at least two times during the school year or semester or one time during summer months in which the student is employed as part of a work-based learning program.

A.6. - F.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1310 (June 2005), amended LR 33:280 (February 2007), LR 39:2228 (August 2013), LR 43:2134 (November 2017), LR 50:1148 (August 2024), LR 51:2063 (December 2025).

Tavares A. Walker
Executive Director

2512#058

RULE

Board of Elementary and Secondary Education

Implementation of Education Acts of the
2025 Regular Legislative Session
(LAC 28:CXIII.1909; LAC 28:CXXXIX.Chapters 3-43;
LAC 28:CLV.Chapters 1-11; and LAC 28:CLVII.307)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:CXIII in *Bulletin 119—Transportation*, LAC 28:CXXXIX in *Bulletin 126—Charter Schools*, LAC 28:CLV in *Bulletin 134—Tuition Donation Rebate Program*, and LAC 28:CLVII in *Bulletin 135—Health and Safety*. During the 2025 Regular Legislative Session, laws were enacted that require revisions to Board of Elementary and Secondary Education (BESE) policy to include:

- Bulletin 119—Transportation
 - Act 42. Transportation network companies
- Bulletin 126—Charter Schools
 - Act 413. Charter school start up loan fund
 - Act 129. Charter school assets
 - Act. 497. Expulsion exception
- Bulletin 134—Tuition Donation Rebate Program
 - Act 282. Lab schools and tuition donation program
 - Act 403. Tax credit for donations to school tuition organizations

- Bulletin 135—Health and Safety
 - Act 402. Diabetes information

Further revisions to *Bulletin 126* are proposed to clarify processes for criminal background checks, update application submission, and include an attestation of compliance. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CXIII. Bulletin 119—Louisiana School Transportation Specifications and Procedures

Chapter 19. Transporting Students

§1909. Alternate Means of Transportation

A. A local public school board may contract with a transportation network company to transport students under the age of eighteen to or from a school or school related activity when the transportation network company is in compliance with R.S. 17:166.1.

B. Driver Requirements.

1. The driver is at least twenty-one years of age and possesses a valid Louisiana driver's license for a minimum of three years.

2. The driver has undergone a background check process which includes:

a. a national and state fingerprint-based criminal background check through the Bureau of Criminal Identification and Information in the Office of State Police pursuant to R.S. 15:587.1 and R.S. 17:15; and

b. a clear Louisiana DCFS child abuse and neglect screen.

3. The company shall provide child safety education to the driver, to include:

- a. safe driving practices;
- b. first aid and CPR;
- c. special considerations for transporting students with disabilities;
- d. safe pick-up and drop-off procedures; and
- e. laws on proper child restraint systems.

C. Minimum Safety and Technology Requirements.

1. The company shall implement a technology-enabled solution that:

a. provides end-to-end viability of the ride and GPS tracking of the ride in real-time for the company, the passenger's legal guardian, and if different from the legal guardian, the person or entity who scheduled the ride;

b. monitors the ride in real-time for safety-related anomalies; and

c. provides the passenger's legal guardian with the ability to contact the driver and the company directly.

2. The company shall implement ride-tracking technology that allows for the detection of the following driving behaviors:

- a. device use;
- b. speeding;
- c. hard turning;
- d. hard braking;
- e. hard acceleration; and
- f. collision detection.

D. Vehicle Minimum Standards. The company shall ensure that vehicles used to provide services are vehicles originally designed for not more than eight passengers, including the driver; no more than thirteen years old; and annually inspected by a mechanic.

1. The driver shall complete and document a daily pre-trip inspection before providing a ride pursuant to a contract.

2. The pre-trip inspection shall list any defects of deficiencies which would affect the safety of operation of the vehicle. Prior to performing services, any noted defects or deficiencies listed in the annual or pre-trip inspection shall be repaired or corrected.

3. If no defects or deficiencies are discovered by or reported to the driver, the documented inspection shall so indicate.

E. The company shall maintain commercial automotive insurance that does not contain an exclusion for the transportation of an unaccompanied minor.

F. The company shall publish an annual safety report on its website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:166.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2064 (December 2025).

Title 28

EDUCATION

Part CXXXIX. Bulletin 126—Charter Schools

Chapter 3. Charter School Authorizers

§305. BESE Duties Relating to Charter Schools

A. ...

1. Repealed.

2. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1359 (July 2008), amended LR 37:2383 (August 2011), LR 51:2064 (December 2025).

Chapter 5. Application and Approval Process for BESE-Authorized Charter Schools

§503. Eligibility to Apply for a Type 2 Charter School

A. - A.3. ...

a. At the time of application, all new operators and/or experienced operators not currently operating a charter school in Louisiana must undergo a criminal background check for each board member identified with the submission of the full application. The request for information shall be from the Bureau of Criminal Identification and Information and the Federal Bureau of Investigation concerning whether the person has been arrested for, convicted of, or pled nolo contendere to any criminal offense.

b. Subsequent board member nominations or replacements shall also be required to undergo the required criminal background check upon appointment.

4. - 5.e. ...

6. Applicants who have been denied or have withdrawn an application during an application cycle to BESE for a Type 2 or 4 charter may not reapply to BESE until the subsequent calendar year, provided the applicant meets eligibility criteria in accordance with this Part.

B. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, R.S. 17:3981, R.S. 17:3982, R.S. 17:3983, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1360 (July 2008), amended LR 37:868 (March 2011), LR 38:3117 (December 2012), LR 39:1431 (June 2013), LR 39:3064 (November 2013), LR 44:232 (February 2018), LR 47:571 (May 2021), LR 51:37 (January 2025), LR 51:2064 (December 2025).

Chapter 16. School Closure

§1603. Asset Transfer for Charter School Closures

A. If the charter agreement of Type 1, 3, or 3B charter school is revoked or the school otherwise ceases to operate, all assets purchased by the charter school with any public funds becomes the property of the chartering authority.

B. If the charter agreement of a Type 2 charter school that was previously any other type of charter school is revoked or the school otherwise ceases to operate, any property owned by the local school board that was used by the charter school prior to such revocation or cessation operation remains the property of the local school board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, R.S. 17:3981, R.S. 17:3982, R.S. 17:3983, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2065 (December 2025).

Chapter 21. Charter School Governance

§2103. Board Member Responsibilities

A. - J. ...

K. Beginning January 1, 2026, the board chair of BESE-authorized charter schools shall submit signed attestations of compliance with all requirements set forth by LDOE in accordance with this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:1370 (July 2008), amended LR 37:874 (March 2011), amended LR 50:657 (May 2024), LR 51:270 (February 2025), LR 51:2065 (December 2025).

Chapter 25. Charter School Fiscal Responsibilities

§2509. Assets of BESE-Authorized Charter Schools

A. - E. ...

F. If a Type 1, 3, or 3B charter school is approved for conversion to a Type 2 charter school, all assets purchased with any public funds prior to such conversion shall remain the property of that charter school for the duration of the charter agreement with BESE, subject to federal regulations applicable to any federal funding source used for the purchase.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, R.S. 17:3991, R.S. 3983(B)(2), and R.S. 17:3995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:1373 (July 2008), amended LR 39:3252 (December 2013), LR 44:242 (February 2018), LR 51:2065 (December 2025).

Chapter 40. Charter School Autonomy

§4003. Applicability of State Laws

A. - A.23. ...

24. reporting by a school employee employed by the governing authority of a public elementary or secondary school of his arrest for one or more of the specified offenses relative to sexual morality affecting minors, R.S. 17:16, any of the crimes provided in R.S. 15:587.1, or any substantiated allegation of child abuse or neglect on file in the central registry pursuant to Article 615 of the Children's Code;

25. - 45. ...

46. Student records, R.S. 17:112.

47. Vocational and technical education, R.S. 17:183.4.

48. Child health and safety minimum standards, R.S. 17:407.41.

49. School nutrition, R.S. 17:193.3.

50. Cameras in special education classrooms, R.S. 17:1948.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3996.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:246 (February 2018), amended LR 48:1269 (May 2022), LR 50:178 (February 2024), LR 50:657 (May 2024), repromulgated LR 50:783 (June 2024), amended LR 51:42 (January 2025), LR 51:2065 (December 2025).

§4313. Reasons for Expulsions

A. - A.3.c. ...

4. Any student in sixth grade and above found guilty of being in possession of tobacco, alcohol, or vaping products or found guilty on first occurrence of being in possession of marijuana, tetrahydrocannabinol, or any chemical derivative thereof on school property, on a school bus, or at a school-sponsored event, may be recommended for expulsion.

5. - 6. ...

7. A student in grades six through twelve found guilty of being in possession of marijuana, tetrahydrocannabinol, or any derivative thereof shall not be subject to the provisions of Paragraph 5 of this Subsection unless the offense is the second or subsequent occurrence.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1003 (April 2022), amended LR 51:43 (January 2025), LR 51:2065 (December 2025).

Title 28

EDUCATION

Part CLV. Bulletin 134—Tuition Donation Rebate Program

Chapter 1. General Provisions

§103. Definitions

A. - A.2. ...

Administrative Costs—all costs and expenses associated with the operation of a school tuition organization, including promotional costs and the costs associated with administering state testing, other than scholarship awards. Administrative costs shall not exceed 5 percent of any donation.

Qualified School—a nonpublic elementary or secondary school in Louisiana which is approved by the Board of Elementary and Secondary Education (BESE) or public elementary or secondary laboratory school operated by a public college or university in Louisiana and which complies with the criteria set forth in *Brumfield, et al. v. Dodd, et al.*, 425 F. Supp 528.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6301.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1024 (April 2013), amended LR 41:41 (January 2015), LR 42:553 (April 2016), LR 43:2480 (December 2017), LR 51:2065 (December 2025).

Chapter 3. School Tuition Organizations

§303. Awarding of Scholarships

A. - G. ...

H. Any qualified student receiving a scholarship from a school tuition organization may receive any other publicly funded scholarship, voucher, or other form of public financial assistance specific to that student for purposes of attending a nonpublic school.

I. A qualified student may receive scholarships from multiple school tuition organizations the total amount of which may not exceed the lesser of actual tuition and mandatory fees at the qualified school or:

1. - 2. ...

J. The sum of scholarships received by each qualified student from school tuition organizations and any other publicly funded scholarship, voucher, or other form of financial assistance specific to that student for purposes of attending a nonpublic school shall not exceed the actual tuition and fees at the qualified school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6301.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education LR 39:1025 (April 2013), amended LR 40:499 (March 2014), LR 41:41 (January 2015), LR 42:554 (April 2016), LR 51:2065 (December 2025).

§311. Scholarship and Tuition Payments

A. School tuition organizations shall distribute scholarship payments on a quarterly basis each year as payments made out to a parent of a qualified student that are mailed to the qualifying school where the student is enrolled. The parent shall approve the payment for deposit into the account of the school. If the payment is made by check, the parent may endorse the check electronically. The parent shall not designate any entity or individual associated with the school as the parent's attorney to endorse a scholarship check.

B. ...

C. The LDOE shall verify that each qualified student has received scholarships from school tuition organizations not to exceed the lesser of actual tuition and fees at the qualified school or 80 percent of the state average MFP per pupil funding amount for the previous year in the case of a qualified student enrolled in kindergarten-eighth grade, or 90 percent of the state average MFP per pupil funding amount for the previous year in the case of a qualified student enrolled in ninth-twelfth grade. If the total amount of scholarships received from school tuition organizations by a qualified student has exceeded one of these amounts, as applicable, the school tuition organization that awarded the scholarship that caused the student's total scholarship amount to exceed this amount shall refund the state the difference.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6301.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1025 (April 2013), amended LR 40:499 (March 2014), LR 43:2481 (December 2017), LR 51:2066 (December 2025).

Chapter 11. Qualified Schools

§1109. Testing of Scholarship Students

A. Using funds retained for administrative costs by the school tuition organization, schools enrolling participating students shall annually administer either any examination in ELA and mathematics required pursuant to the school and district accountability system at the prescribed grade level or a nationally norm-referenced test or assessment approved by BESE.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6301.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1028 (April 2013), amended LR 40:500 (March 2014), LR 51:2066 (December 2025).

Title 28

EDUCATION

Part CLVII. Bulletin 135—Health and Safety

Chapter 3. Health

§307. Diabetes Information, Management, and Treatment

NOTE: This Rule was developed in coordination with the Louisiana State Board of Nursing (LSBN). Any waivers, deletions, additions, amendments, or alterations to this policy shall be approved by both BESE and LSBN.

A. - I.6. ...

J. Distribution of Type I Diabetes Information. The LDOE shall provide informational materials developed by LDH to each LEA. Each LEA shall distribute the information to parents and legal guardians of all pre-k, elementary, and secondary students upon enrollment and annually thereafter by posting the information on the school website or by electronic distribution. The information includes, but is not limited to:

1. a description of type 1 diabetes;
2. a description of the risk factors and warning signs associated with type 1 diabetes;
3. a description of the need for screening of all students for early detection of type 1 diabetes using a blood autoantibody test; and
4. a recommendation that a parent or guardian of a student displaying warning signs associated with type 1 diabetes or positive early detection screening results should immediately consult with the student's primary care provider to develop an appropriate treatment plan. The treatment plan may include consultation with and examination by a specialty care provider, including but not limited to a properly qualified endocrinologist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:436.3, and R.S. 17:436.3.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education and the Board of Nursing, LR 39:1033 (April 2013), amended LR 39:2194 (August 2013), LR 39:3069 (November 2013), LR 51:2066 (December 2025).

Tavares A. Walker
Executive Director

2512#056

RULE

Board of Elementary and Secondary Education

Safe Learning Environments
(LAC 28:XLIII.301 and Chapter 5;
LAC 28:CXV.331 and 332)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:XLIII in *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act* and LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. Act 479 of the 2025 Regular Legislative Session implemented regulations that require revisions to BESE policy regarding the use of seclusion and restraint to provide for increased oversight and safety. The Act also establishes annual reporting criteria, mandates installation of cameras in certain special

education classrooms, and requires that teachers receive instruction in crisis intervention strategies. Further revisions provide language alignment and clarification as well as technical edits. This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

**Part XLIII. Bulletin 1706—Regulations for
Implementation of the Children with Exceptionalities
Act**

**Chapter 3. Evaluations, Eligibility Determinations,
Individualized Education Programs, and
Educational Placements**

Subchapter A. Parental Consent

§301. Parental Consent

A. - A.3.b. ...

4. Within a reasonable amount of time, and not longer than 10 business days, from receipt of a written parental request for a special education evaluation, an LEA shall either request parental consent for evaluation or provide prior written notice of refusal.

B. - D.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2058 (October 2008), amended LR 36:1502 (July 2010), LR 50:1151 (August 2024), LR 51:2067 (December 2025).

Chapter 5. Procedural Safeguards

Subchapter C. Seclusion and Physical Restraint

§540. Definitions as Used in this Subchapter

A. - A.8. Repealed.

Crisis Intervention—the implementation of an action plan for school personnel to use when a student exhibits disruptive behaviors that prevent the student from participating in classroom or daily activities. Information about a school’s use of crisis intervention, including the proper use of seclusion and physical restraint, shall be included in the school’s student handbook and made available to the parent and legal guardian of each student with an IEP or Behavioral Intervention Plan (BIP). Crisis intervention may include the following:

1. the use of positive behavioral supports and sensory rooms or other calming spaces intentionally designed to help comfort and stabilize a student in order that the student may return to the classroom or daily activities;

2. in extraordinary cases, the use of seclusion and physical restraint as a means to safely de-escalate a situation in which a student poses a risk of imminent harm to self or others.

Imminent Risk of Harm—an immediate and impending threat of a person causing substantial injury to self or others.

Mechanical Restraint—the application of any device or object used to limit a person’s movement, but does not include:

1. a protective or stabilizing device used in strict accordance with the manufacturer’s instructions for proper use and which is used in compliance with orders issued by an appropriately licensed health care provider; or

2. any device used by a duly licensed law enforcement officer in the execution of his official duties.

Physical Restraint—the use of manual restraint techniques that involve physical force applied to restrict the movement of all or part of a person’s body, but does not include:

1. consensual, solicited, or unintentional contact;

2. momentary blocking of a student’s action if said action is likely to result in harm to the student or any other person;

3. a school employee holding a student for less than three consecutive minutes within any given hour for the protection of the student or others;

4. holding of a student, by one school employee, for the purpose of calming or comforting the student, provided the student’s freedom of movement or normal access to his or her body is not restricted; or

5. minimal physical contact for the purpose of safely escorting a student from one area to another; or

6. minimal physical contact for the purpose of assisting the student in completing a task or response.

Positive Behavioral Interventions and Support—a systematic approach to embed evidence-based practices and data-driven decision making when addressing student behavior in order to improve school climate.

Seclusion—a procedure that isolates and confines a student in a designated separate room or area until the student is no longer an imminent risk of harm to self or others.

Seclusion Room—a room or other confined area, used on an individual basis, in which a student is removed from the regular classroom setting for a limited time to allow the student the opportunity to regain control in a safe, secure, and supervised setting and from which the student is involuntarily prevented from leaving, until the student is no longer at risk of imminent harm to self or others. A seclusion room shall:

1. be free of any object that poses a danger to the student placed in the room;

2. have an observation window and be of a size that is appropriate for the student’s size, behavior, and chronological and developmental age; and

3. have heating, cooling, ventilation, and lighting systems and a ceiling height comparable to operating classrooms in the school.

School Employee—a teacher, paraprofessional, administrator, support staff member, or a provider of related services.

School Health Designee—a school employee designated to assess the use of seclusion and physical restraint in the event that a school nurse is not present on a school campus at the time such measure is used.

Sensory Room—a room or space that is used for the monitored or timeout space. The appropriate use of sensory rooms shall not be considered seclusion, which shall only be used for the limited purpose of responding to a student posing an imminent risk of harm to self or others.

Written Guidelines and Procedures—the written guidelines and procedures adopted by a public school governing authority regarding appropriate responses to student behavior that may require immediate intervention.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:7(5)(b) and 17:416.21.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1006 (April 2012), amended LR 42:2177 (December 2016), LR 51:2067 (December 2025).

§541. Use of Seclusion

A. Seclusion shall be used only:

1. for student behaviors that involve an imminent risk of harm to self or others;

2. as a last resort when de-escalation and other positive behavioral interventions and support attempts have failed and the student continues to pose an imminent risk of harm to self or others.

B. Seclusion shall not be used as a routine school safety, discipline, or intervention measure or to address behaviors such as general noncompliance, self-stimulation, academic refusal, and other behaviors that, while disruptive to a classroom setting or other daily school activities, do not present an imminent risk of harm to self or others. School employees shall respond to such behaviors with less stringent and less restrictive techniques, such as those included in a school or student crisis intervention plan or a student's IEP or BIP.

C. A seclusion room shall be used only as a last resort and when less restrictive crisis intervention measures, such as positive behavioral supports, constructive and non-physical de-escalation, and restructuring of a student's environment, have failed to stop a student's actions that pose an imminent risk of harm to self or others.

D. A student shall be placed in a seclusion room only by a school employee who uses accepted methods of escorting a student to a seclusion room, placing a student in a seclusion room, and supervising a student while the student is in the seclusion room.

E. ...

F. - F.3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:7(5)(b) and 17:416.21.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1007 (April 2012), amended LR 51:2067 (December 2025).

§542. Physical Restraint

A. - A.1. ...

2. to the degree necessary to stop dangerous behavior;
3. in a manner that causes no physical injury to the student, results in the least possible discomfort, and does not interfere in any way with a student's breathing or ability to communicate with others; and

4. by trained personnel, except in emergency situations in which there is not sufficient time to have trained personnel respond. Minimum training requirements shall be in accordance with §549 of this Subchapter.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.17:7(5)(b) and 17:416.21.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1007 (April 2012), amended LR 51:2068 (December 2025).

§543. Restrictions on the Use of Seclusion or Physical Restraint

A. ...

B. No school employee shall subject a student to unreasonable, unsafe, or unwarranted use of seclusion or physical restraint.

C. No school employee shall seclude or physically restrain a student who is known to have any medical or psychological condition that precludes such action, as certified by a licensed-pediatrician, neurologist, or mental health-provider in a written statement provided to the school in which the student is enrolled.

D. A school employee shall continuously monitor a student who is secluded or physically restrained for the duration of such seclusion or restraint.

E. A school employee shall release a student from seclusion and physical restraint as soon as the reasons for justifying such action have subsided.

F. Each principal or such designee shall notify each parent or legal guardian of a student enrolled at the school with an IEP of the prohibition of the use of seclusion and physical restraint if the student has a condition as provided in this Section. Such notification shall be made annually and be incorporated into the student's IEP.

F.1. - O. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:7(5)(b) and 17:416.21.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1007 (April 2012), repromulgated LR 38:1225 (May 2012), amended LR 38:1404 (June 2012), LR 39:3261 (December 2013), LR 42:2177 (December 2016), LR 51:2068 (December 2025).

§545. Seclusion and Restraint Post-Incident Requirements

A. Upon a student's release from seclusion or physical restraint, the following shall occur:

1. A school employee who secluded or physically restrained the student shall notify the school principal, and the principal or designee shall electronically notify the director or supervisor of special education as soon as is practicable but no later than one hour following the release of the student, or the end of the same school day, whichever occurs first.

2. A school employee who secluded or physically restrained the student or a school administrator shall notify the student's parent or legal guardian via a phone call as soon as is practicable, but no later than the end of the same school day.

3. A school nurse or school health designee shall visit the student as soon as possible, but no later than the end of the same school day, to look for and document any signs of injury or distress.

4. A school employee shall immediately notify the school principal and the director or supervisor of special education any time a student is secluded or physically restrained.

5. A school principal or his designee and the director or supervisor of special education shall review video and audio footage, if available, to ensure policies and proper techniques were followed during the incident.

B. A school employee who secluded or physically restrained a student shall document and report the incident in accordance with the policies adopted by the public school governing authority. The employee shall submit such report to the school principal by the end of the next school day. The principal or designee shall submit the report to the parent by the end of the next school day following receipt of the report. At a minimum, the incident report shall include the following;

1. the name, age, grade, gender, race, and disability of the student secluded or restrained;

2. the date, time, location, and duration of the seclusion or physical restraint;

3. the name and title of each school employee involved or any witness;

4. a description of the events requiring the use of seclusion or physical restraint, including a description of the procedures and types of restraint used, any actions taken in an attempt to de-escalate the situation, and the student's behavior that suggest the student posed an imminent risk of harm to self or others.

5. a description of any student injuries, visible marks, or medical emergencies that occurred during or after the seclusion or physical restraint;

6. a description of the actions taken immediately following the student's release from seclusion or physical restraint, including actions to notify the student's parent or legal guardian; and

7. a description of the student's actions immediately following the student's release from seclusion or restraint.

C. If a student is involved in three incidents in a school year involving the use of seclusion or physical restraint as a result of posing an imminent risk of harm to self or others, the special education teacher shall send prior written notice of the intention to call an IEP team meeting to the student's parent or legal guardian. At such meeting, the IEP team shall review and revise the student's BIP, including any crisis intervention plans, to include any appropriate and necessary behavioral supports. Thereafter, if the student's challenging behavior continues or escalates, requiring repeated use of seclusion or physical restraint, the director or supervisor of special education or designee shall review the student's plans at least once every three weeks.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:7(5)(b) and 17:416.21.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2068 (December 2025).

§547. Policy and Reporting Requirements

A. Each public school governing authority shall adopt written guidelines and procedures regarding the following:

1. proper use of crisis intervention plans, including the use of positive behavioral interventions and support, sensory rooms, seclusion, and physical restraint, and how these strategies differ;

2. all seclusion and physical restraint safety, reporting, and notification requirements, including any follow-up procedures;

3. an explanation of the methods of physical restraint and the school employee training requirements relative to the use of restraint; and

4. an explanation of how school employees may utilize and be trained in a crisis intervention training program.

B. LEA guidelines and procedures shall be annually provided to all school employees, all parents and legal guardians of students with an exceptionality, and the LDOE by May 31, 2026, and prior to the start of each school year thereafter.

C. The guidelines and procedures shall also be annually submitted to the local special education advisory council, prior to the beginning of each school year.

D. At the beginning of each school year, each public school governing authority shall post on its website the guidelines and procedures adopted in accordance with this Subsection.

E. The LDOE shall maintain on its website, and annually distribute to public school governing authorities, updated guidance for recommended best practices relative to the use

of seclusion and physical restraint for students with exceptionalities.

F. The LDOE shall provide guidance to public school systems for establishing local guidelines and procedures. LEAs shall follow the incidents of seclusion and physical restraint reporting requirements in accordance with this Subsection, including specific data elements to be included in such reporting.

G. Each public school governing authority shall report all instances where seclusion or physical restraint is used to address student behavior to the LDOE.

H. The LDOE shall maintain a database of all reported incidents of seclusion and physical restraint of students with exceptionalities and shall disaggregate the data for analysis by school, student age, race, ethnicity, gender, and disability, where applicable, and any involved school employee(s).

1. Based upon the data collected, the LDOE shall annually compile a comprehensive report regarding the use of seclusion and physical restraint of students with exceptionalities. The report shall include the following:

a. the number of incidents of physical restraint disaggregated by school system, student age, race, ethnicity, gender, and student disability classification;

b. the number of incidents of seclusion disaggregated by school system, student age, race, ethnicity, gender, and student disability classification; and

c. a list of the school systems and charter schools that have complied with the reporting requirements in accordance with this Subsection.

2. The annual report shall be posted on the LDOE website and submitted to the House and Senate Committees on Education and the Special Education Advisory Panel.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:7(5)(b) and 17:416.21.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2069 (December 2025).

§549. Training Requirements

A. Crisis intervention training programs used by LEAs shall include, at a minimum, the following:

1. Teach evidence-based techniques that are shown to be effective in the prevention and safe use of seclusion and physical restraint.

2. Provide evidence-based, competency-based skills training relating to positive support, conflict prevention, de-escalation, and crisis response techniques including but not limited to:

a. guidelines on understanding when there is an imminent danger of serious physical harm to a student or others and when to intervene in such a scenario;

b. an emphasis on safety and respect for the right and dignity of each person involved in an incident that involves the use of seclusion or physical restraint on a student;

c. an emphasis on using the least restrictive form of intervention and taking incremental steps in an intervention;

d. alternatives to the use of seclusion and restraint;

e. strategies for the safe implementation of restrictive interventions;

f. the use of emergency safety interventions that include continuous assessment and monitoring of the physical well-being of a student and the safe use of seclusion and physical restraint throughout the duration of a restrictive intervention;

- g. prohibited actions relative to seclusion and physical restraint;
- h. debriefing strategies and the importance and purpose of debriefing;
- i. best practices for documentation of instances of the use of seclusion and physical restraint on a student;
- j. measurable learning objectives for participants in the training;
- k. an overview of seclusion rooms, sensory rooms, the differences between each, and authorizations and prohibitions relative to the use of such rooms in accordance with LEA guidelines and procedures and this Subsection.

3. Educators not trained to implement seclusion and restraint may receive professional learning in effective strategies for behavior management of students with disabilities and crisis intervention procedures.

B. The school principal shall designate such employees that are required to complete a training program when the local policy includes implementation procedures for seclusion and restraint.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:7(5)(b) and 17:416.21.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:2069 (December 2025).

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§331. Special Education Programs

A. - E.3. ...

4. The superintendent or administrative head of a charter school shall provide an annual report to the SEAC which shall include but not be limited to the following information regarding the school system or school:

- a. ...
- b. subgroup academic data on students receiving special education and related services;
- c. compliance violations relative to special education requirements; and
- d. the number of designated seclusion rooms as defined by R.S. 416.21.

5. - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.21 and R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 39:2197 (August 2013), LR 51:62 (January 2025), LR 51:2070 (December 2025).

§332. Installation and Operation of Cameras in Certain Special Education Settings

A. Each public school governing authority shall install a camera in each classroom as defined in R.S. 17:1948. Each LEA shall adopt policies relative to the installation and operation of cameras that record both video and audio in a classroom.

1. The policies shall be adopted within sixty days of the receipt of funding for the installation of cameras.

2. Each governing authority shall submit a copy of the policies adopted pursuant to this Section to the state Department of Education.

3. ...

B. For the purposes of this section, “classroom” shall mean a self-contained classroom or other special education setting in which a majority of students in regular attendance

are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least fifty percent of the instructional day. “Classroom” shall not mean special education classrooms and other special education settings where the only students with exceptionalities receiving special education and related services are those who have been deemed to be gifted or talented and have not been identified as also having a disability.

C. - C.6. ...

7. - 8. Repealed.

9. ...

10. periodic verification that the camera is in operation, including that should the camera be out of operation for more than two consecutive school days, the school shall provide notice to parents of students in the affected classroom via normal school communication channels.

D. - E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.21 and R.S. 17:1948.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:34 (January 2023), amended LR 51:63 (January 2025), LR 51:2070 (December 2025).

Tavares A. Walker
Executive Director

2512#059

RULE

**Department of Environmental Quality
Office of the Secretary
Legal Affairs Division**

**Hazardous Waste Pharmaceutical Rule
(LAC 33:V.Chapters 1, 3, 10, 12, 15, 22, 43, and 49)**

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Hazardous Waste regulations, LAC 33:V.Chapters 1, 3, 10, 12, 15, 22, 43, and 49 (HW133).

The Rule adopts the mandatory and optional portion of the Federal Management Standards for Hazardous Waste Pharmaceuticals and amendment to the P075 listing for nicotine. The mandatory portions of the Rule create new management standards for pharmaceuticals by healthcare facilities and reverse distributors in lieu of being managed as traditional hazardous waste. The Rule prohibits the disposal of hazardous waste pharmaceuticals down the drain and eliminates dual regulation of Resource Conservation and Recovery Act (RCRA) hazardous wastes that are also Drug Enforcement Administration controlled substances under a conditional exemption. The Rule maintains the household hazardous waste exemption for pharmaceuticals collected during pharmaceutical take-back programs and events, while ensuring their proper disposal and codifies EPA’s prior policy on the regulatory status of nonprescription pharmaceuticals going through reverse logistics. The optional portion of the Rule excludes the P075 listing of nicotine and nicotine salts contained in USDA approved over the counter nicotine replacement therapies. The basis and rationale for this Rule

are to adopt and incorporate by reference the Federal Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 listing for nicotine. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality— Hazardous Waste

Chapter 1. General Provisions and Definitions

§105. Program Scope

These rules and regulations apply to owners and operators of all facilities that generate, transport, treat, store, or dispose of hazardous waste, except as specifically provided otherwise herein. The procedures of these regulations also apply to the denial of a permit for the active life of a hazardous waste management facility or individual unit at a treatment, storage, and disposal (TSD) facility under LAC 33:V.706. Definitions appropriate to these rules and regulations, including *solid waste* and *hazardous waste*, appear in LAC 33:V.109. Wastes that are excluded from regulation are found in this Section.

A. - D.1.a.i. ...

ii. any mixture of domestic sewage and other wastes that pass through a sewer system to a publicly owned treatment works (POTW) for treatment, except as prohibited by 40 CFR 266.505 and Clean Water Act requirements at 40 CFR 403.5(b). *Domestic Sewage* means untreated sanitary wastes that pass through a sewer system;

D.1.b. - N. ...

1. Except as provided in LAC 33:V.105.N.6, any person seeking to add a hazardous waste or a category of hazardous waste to the universal waste regulations of LAC 33:V.Chapter 38 may petition for a regulatory amendment under LAC 33:I.Chapter 9 and LAC 33:V.Chapter 38.

2. - 5. ...

6. Hazardous waste pharmaceuticals are regulated by 40 CFR part 266 subpart P and may not be added as a category of hazardous waste for management under this Subsection.

O. - R.8.h. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq., and in particular, 2186(A)(2).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790 (November 1988), LR 15:181 (March 1989), LR 16:47 (January 1990), LR 16:217, LR 16:220 (March 1990), LR 16:398 (May 1990), LR 16:614 (July 1990), LR 17:362, 368 (April 1991), LR 17:478 (May 1991), LR 17:883 (September 1991), LR 18:723 (July 1992), LR 18:1256 (November 1992), LR 18:1375 (December 1992), amended by the Office of the Secretary, LR 19:1022 (August 1993), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 20:1000 (September 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:813, 831 (September 1996), amended by the Office of the Secretary, LR 23:298 (March 1997), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:564, 567 (May 1997), LR 23:721 (June 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August

1997), LR 23:1511 (November 1997), LR 24:298 (February 1998), LR 24:655 (April 1998), LR 24:1093 (June 1998), LR 24:1687, 1759 (September 1998), LR 25:431 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:268 (February 2000), LR 26:2464 (November 2000), LR 27:291 (March 2001), LR 27:706 (May 2001), LR 29:317 (March 2003), LR 30:1680 (August 2004), amended by the Office of Environmental Assessment, LR 30:2463 (November 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2451 (October 2005), LR 32:605 (April 2006), LR 32:821 (May 2006), LR 33:450 (March 2007), LR 33:2097 (October 2007), LR 34:614 (April 2008), LR 34:1008 (June 2008), LR 34:1893 (September 2008), LR 34:2395 (November 2008), LR 35:1878 (September 2009), LR 36:2553 (November 2010), LR 38:791 (March 2012), amended by the Office of the Secretary, Legal Affairs Division, LR 40:1336 (July 2014), LR 42:2178, 2181 (December 2016), amended by the Office of Secretary, Legal Division, LR 43:1151 (June 2017), repromulgated by the Office of the Secretary, Legal Affairs and Criminal Investigation Division, LR 43:1523 (August 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:896 (July 2020), LR 47:1851 (December 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 50:1456 (October 2024), LR 51:2071 (December 2025).

§109. Definitions

For all purposes of these rules and regulations, the terms defined in this Chapter shall have the following meanings, unless the context of use clearly indicates otherwise.

Empty Container—

1.a. - 2.c.iii. ...

3. containers of hazardous waste pharmaceuticals are subject to LAC 33:V.1205 for determining when they are considered empty, in lieu of this Section, except as provided by 40 CFR 266.507(c) and (d).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790, 791 (November 1988), LR 15:378 (May 1989), LR 15:737 (September 1989), LR 16:218, 220 (March 1990), LR 16:399 (May 1990), LR 16:614 (July 1990), LR 16:683 (August 1990), LR 17:362 (April 1991), LR 17:478 (May 1991), LR 18:723 (July 1992), LR 18:1375 (December 1992), repromulgated by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 19:626 (May 1993), amended LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:814 (September 1996), LR 23:564 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:655 (April 1998), LR 24:1101 (June 1998), LR 24:1688 (September 1998), LR 25:433 (March 1999), repromulgated LR 25:853 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:269 (February 2000), LR 26:2465 (November 2000), LR 27:291 (March 2001), LR 27:708 (May 2001), LR 28:999 (May 2002), LR 28:1191 (June 2002), LR 29:318 (March 2003); amended by the Office of the Secretary, Legal Affairs Division, LR 31:2452 (October 2005), LR 31:3116 (December 2005), LR 32:606 (April 2006), LR 32:822 (May 2006), LR 33:1625 (August 2007), LR 33:2098 (October 2007), LR 34:71 (January 2008), LR 34:615 (April 2008), LR 34:1009 (June 2008), LR 34:1894 (September 2008), LR 34:2396 (November 2008), LR 36:1235 (June 2010), repromulgated LR 36:1535 (July 2010), amended LR 36:2554

(November 2010), LR 38:774, 781 (March 2012), repromulgated LR 38:1009 (April 2012), amended by the Office of the Secretary, Legal Division, LR 40:1338 (July 2014), LR 41:2600 (December 2015), LR 42:565 (April 2016), LR 42:2178 (December 2016), LR 43:1138 (June 2017), repromulgated by the Office of the Secretary, Legal Affairs and Criminal Investigation Division, LR 43:1531 (August 2017), LR 46:898 (July 2020), LR 47:1852 (December 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 50:1457 (October 2024), LR 51:2071 (December 2025).

Chapter 3. General Conditions for Treatment, Storage, and Disposal Facility Permits

§305. Scope of the Permit

A. - C.13.d. ...

14. any person who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of LAC 33:V.Chapters 3, 5, and 7 for those activities;

15. in the case of emergency responses involving military munitions, the responding military emergency response specialist's organizational unit must retain records for three years identifying the dates of the response, the responsible persons responding, the type and description of material addressed, and its disposition or;

16. reverse distributors accumulating potentially creditable hazardous waste pharmaceuticals and evaluated, as defined in LAC 33:V.1205 and are subject to regulation under LAC 33:V.1205 for the accumulation of potentially creditable hazardous waste pharmaceuticals and evaluated hazardous waste pharmaceuticals.

D. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 16:220 (March 1990), LR 16:614 (July 1990), LR 17:658 (July 1991), LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:944 (September 1995), LR 23:567 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1105 (June 1998), LR 24:1690, 1759 (September 1998), LR 25:435 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:708 (May 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 31:3116 (December 2005), LR 33:1625 (August 2007), LR 34:619 (April 2008), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:900 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2072 (December 2025).

Chapter 10. Generators of Hazardous Waste

[Editor's Note: Chapter 10 consolidates and reorganizes the requirements for generators formerly contained in LAC:V.108 and Chapter 11.]

Subchapter A. General

§1003. Purpose, Scope, and Applicability

A. - F. ...

G. All *reverse distributors*, as defined in LAC 33:V.1205, are subject to LAC 33:V.1205 for the management of hazardous waste pharmaceuticals in lieu of this Chapter.

H. Each *healthcare facility*, as defined in LAC 33:V.1205, shall determine whether it is subject to LAC 33:V.1205 for the management of hazardous waste pharmaceuticals, based on the total hazardous waste it generates per calendar month (including both hazardous waste pharmaceuticals and nonpharmaceutical hazardous waste). A healthcare facility

that generates more than 100 kg (220 pounds) of hazardous waste per calendar month, more than 1 kg (2.2 pounds) of acute hazardous waste per calendar month, or more than 100 kg (220 pounds) per calendar month of any residue, contaminated soil, water, or other debris, resulting from the clean-up of a spill, into or on any land or water, of any acute hazardous wastes listed in LAC 33:V.4901.B or LAC 33:V.4901.E is subject to LAC 33:V.1205 for the management of hazardous waste pharmaceuticals in lieu of this Part.

I. A healthcare facility that is a very small quantity generator when counting all of its hazardous waste, including both its hazardous waste pharmaceuticals and its nonpharmaceutical hazardous waste, remains subject to LAC 33:V.1009 and is not subject to LAC 33:V.1205, except for 40 CFR 266.505 and 266.507 and the optional provisions of 40 CFR 266.504.

AUTHORITY NOTE: Promulgated in accordance with R.S.30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:901 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2072 (December 2025).

§1007. Generator Category Determination

A. - D.5....

6. universal waste managed under LAC 33:V.105.D.7 and Chapter 38;

7. managed as part of an episodic event in compliance with LAC 33:V.Chapter 10.Subchapter C; or

8. is a *hazardous waste pharmaceutical*, as defined in LAC 33:V.1205, that is subject to or managed in accordance with LAC 33:V.1205 or is a hazardous waste pharmaceutical that is also a Drug Enforcement Administration controlled substance and is conditionally exempt under 40 CFR 266.506.

E. - G.2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:903 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2072 (December 2025).

§1009. Conditions for Exemption for Very Small Quantity Generators

A. - A.5.h.ii.(a). ...

(b). an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the U.S. Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the U.S. Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association Code 704);

i. a *reverse distributor*, as defined in LAC 33:V.1205, if the hazardous waste pharmaceutical is a potentially creditable hazardous waste pharmaceutical generated by a *healthcare facility*, as defined in LAC 33:V.1205; or

j. a *healthcare facility*, as defined in LAC 33:V.1205, that meets the conditions in 40 CFR 266.502(l) and 266.503(b), as applicable, to accept noncreditable

hazardous waste pharmaceuticals and potentially creditable hazardous waste pharmaceuticals from an off-site healthcare facility that is a very small quantity generator.

A.6. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:904 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2072 (December 2025).

Chapter 12. Federal Programs Adopted by Reference

Subchapter A. Modifications and/or Exceptions

§1201. Modifications and/or Exceptions

A. The following terms in Title 40 of the Code of Federal Regulations (CFR) are changed to mean the following.

1. EPA or Regional Administrator shall refer to LDEQ or Assistant Secretary of the Office of Environmental Services.

2. CFR requirements where reports, notification and other correspondence are submitted to EPA, shall be sent to the LDEQ Office of Environmental Services.

3. Must in CFR language means shall.

4. CFR biennial reports shall be annual reports.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and specifically 2180.

HISTORICAL NOTE: Promulgated by the Office of the Secretary, Legal Affairs Division, LR 51:2073 (December 2025).

Subchapter B. Programs

§1203. Reserved

A. Reserved.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and specifically 2180.

HISTORICAL NOTE: Promulgated by the Office of the Secretary, Legal Affairs Division, LR 51:2073 (December 2025).

§1205. Pharmaceutical Waste

A. Any facility that manages hazardous pharmaceutical waste shall meet 40 CFR 266, subpart P (Hazardous Waste Pharmaceuticals), August 2019, which is hereby incorporated by reference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and specifically 2180.

HISTORICAL NOTE: Promulgated by the Office of the Secretary, Legal Affairs Division, LR 51:2073 (December 2025).

Chapter 15. Treatment, Storage, and Disposal Facilities

§1501. Applicability

A. - C.11.e. ...

f. antifreeze as described in LAC 33:V.3811;

12. LAC 33:V.5309 identifies when the requirements of this Chapter apply to the storage of military munitions classified as solid waste under LAC 33:V.5303. The treatment and disposal of hazardous waste military munitions are subject to the applicable permitting, procedural, and technical standards in LAC 33:V.Subpart 1; or

13. reverse distributors accumulating potentially creditable hazardous waste pharmaceuticals and evaluated *hazardous waste pharmaceuticals*, as defined in LAC 33:V.1205 and are subject to regulation under LAC 33:V.1205 in lieu of this Part for the accumulation of potentially creditable hazardous waste pharmaceuticals and evaluated hazardous waste pharmaceuticals.

D. - H.13. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 18:1256 (November 1992), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 23:565, 568 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1106 (June 1998), LR 24:1694, 1759 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:277 (February 2000), LR 27:711 (May 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 31:3117 (December 2005), LR 32:606 (April 2006), LR 34:623 (April 2008), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:931 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2073 (December 2025).

Chapter 22. Prohibitions on Land Disposal

Subchapter A. Land Disposal Restrictions

§2205. Storage Requirements for Generators and

Reverse Distributors

A. - A.3. ...

4. A healthcare facility accumulates such wastes in containers on site solely for the purpose of the accumulation of such quantities of hazardous waste pharmaceuticals as necessary to facilitate proper recovery, treatment, or disposal and the healthcare facility complies with the applicable requirements in LAC 33:V.1205.

5. A reverse distributor accumulates such wastes in containers on site solely for the purpose of the accumulation of such quantities of hazardous waste pharmaceuticals as necessary to facilitate proper recovery, treatment, or disposal and the reverse distributor complies with LAC 33:V.1205.

B. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 15:378 (May 1989), amended LR 16:220 (March 1990), LR 17:658 (July 1991), LR 21:266 (March 1995), LR 22:22 (January 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1724 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1799 (October 1999), LR 26:280 (February 2000), LR 27:711 (May 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 32:827 (May 2006), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:936 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2073 (December 2025).

§2245. Generator and Reverse Distributor Waste

Analysis, Recordkeeping, and Notice Requirements

A. - L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 15:378 (May 1989), amended LR 16:1057 (December 1990), LR 17:658 (July 1991), LR 21:266, 267 (March 1995), LR 21:1334 (December 1995), LR 22:22 (January 1996), LR 22:820 (September 1996), LR 22:1130 (November 1996), LR 23:565 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:669 (April 1998), LR 24:1728 (September 1998), LR 25:447 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:281 (February 2000), LR 26:2478 (November 2000), LR 27:295 (March 2001), LR 27:711 (May 2001), amended by the

Office of the Secretary, Legal Affairs Division, LR 31:2459 (October 2005), LR 33:2109 (October 2007), LR 34:996 (June 2008), amended by the Office of the Secretary, Legal Division, LR 43:1144 (June 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:41 (January 2018), LR 46:937 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2073 (December 2025).

Chapter 43. Interim Status

§4301. Purpose and Applicability

A. - D.13.f. ...

14. reverse distributors accumulating potentially creditable hazardous waste pharmaceuticals and evaluated hazardous waste pharmaceuticals, as defined in LAC 33:V.1205 and are subject to regulation under LAC 33:V.1205 in lieu of this Part for the accumulation of potentially creditable hazardous waste pharmaceuticals and evaluated hazardous waste pharmaceuticals.

E. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et. seq., and specifically R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 13:84 (February 1987), LR 16:220 (March 1990), LR 17:362 (April 1991), LR 18:1256 (November 1992), LR 20:1000 (September 1994), LR 21:266 (March 1995), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1743 (September 1998), LR 25:482 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1466 (August 1999), LR 26:2498 (November 2000), LR 27:713 (May 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2474 (October 2005), LR 31:3121 (December 2005), LR 32:612 (April 2006), LR 33:2126 (October 2007), LR 34:632 (April 2008), amended by the Office of the Secretary, Legal Division, LR 43:1146 (June 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:42 (January 2018), LR 46:947 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2074 (December 2025).

Chapter 49. Lists of Hazardous Wastes

Editor's Note: Chapter 49 is divided into two Sections: category I hazardous wastes, which consist of hazardous wastes from nonspecific and specific sources (F and K wastes), acute hazardous wastes (P wastes), and toxic wastes (U wastes) (LAC 33:V.4901); and category II hazardous wastes, which consist of wastes that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).

§4901. Category I Hazardous Wastes

A. - D.2....

3. any residue remaining in a container or an inner liner removed from a container that has held any commercial chemical product or manufacturing chemical intermediate having the generic name listed in LAC 33:V.4901.E or F, unless the container is empty as defined in LAC 33:V.109.Empty Container.2 or LAC 33:V.1205;

Note: Unless the residue is being beneficially used, reused, legitimately recycled or reclaimed, or being accumulated, stored, transported or treated prior to such use, reuse, recycling or reclamation, EPA considers the residue to be intended for discard, and thus, a hazardous waste. An example of a legitimate reuse of the residue is where the residue remains in the container and the container is used to hold the same commercial chemical product or manufacturing chemical intermediate it previously held. An example of the discard of the residue is where the drum is sent to a drum reconditioner who reconditions the drum but discards the residue.

D.4. - E. ...

Table 3. Acute Hazardous Wastes (Alphabetical Order by Substance)		
EPA Hazardous Waste Number	Chemical Abstract Number	Hazardous Waste (Substance)

P075	154-11-5	Nicotine, and salts (this listing does not include patches, gums and lozenges that are FDA-approved over-the-counter nicotine replacement therapies)

P075	154-11-5	Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (s)- and salts (this listing does not include patches, gums and lozenges that are FDA-approved over-the-counter nicotine replacement therapies)

Table 3. Acute Hazardous Wastes (Numerical Order by EPA Hazardous Waste Number)		
EPA Hazardous Waste Number	Chemical Abstract Number	Hazardous Waste (Substance)

P075	154-11-5	Nicotine, and salts (this listing does not include patches, gums and lozenges that are FDA-approved over-the-counter nicotine replacement therapies)
P075	154-11-5	Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (s)- and salts (this listing does not include patches, gums and lozenges that are FDA-approved over-the-counter nicotine replacement therapies)

F. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and specifically 2180.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 14:426 (July 1988), LR 14:791 (November 1988), LR 15:182 (March 1989), LR 16:220 (March 1990), LR 16:614 (July 1990), LR 16:1057 (December 1990), LR 17:369 (April 1991), LR 17:478 (May 1991), LR 17:658 (July 1991), LR 18:723 (July 1992), LR 18:1256 (November 1992), LR 18:1375 (December 1992), LR 20:1000 (September 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:829, 840 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:1522 (November 1997), LR 24:321 (February 1998), LR 24:686 (April 1998), LR 24:1754 (September 1998), LR 25:487 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:304 (March 2001), LR 27:715 (May 2001), LR 28:1009 (May 2002), LR 29:324 (March 2003), amended by the Office of Environmental Assessment, LR 31:1573 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:831 (May 2006), LR 33:1627 (August 2007), LR 34:635 (April 2008), LR 34:1020 (June 2008), LR 34:2392 (November 2008), LR 36:2555 (November 2010), LR

38:780 (March 2012), amended by the Office of the Secretary, Legal Division, LR 39:2492 (September 2013), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:948 (July 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2074 (December 2025).

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2512#033

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Miscellaneous Corrections
(LAC 33:XV.328, 709, and 778)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Radiation Protection regulations, LAC 33:XV.328, 709, and 778 (RP072).

The Rule updates the regulations pertaining to dosimetry and makes miscellaneous corrections to the Radiation Protection regulations. The changes in the state regulations are category B requirements for the State of Louisiana to remain a Nuclear Regulatory Commission (NRC) Agreement State. This Rule was promulgated by the NRC as RATS ID 2023-1. The basis and rationale for the Rule are to mirror the federal regulations and maintain an adequate Agreement State Program. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33

ENVIRONMENTAL QUALITY

Part XV. Radiation Protection

Chapter 3. Licensing of Byproduct Material

Subchapter D. Specific Licenses

§328. Special Requirements for Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices that Contain Byproduct Material

A. - J.1.b. ...

i. registered or licensed with the U.S. Food and Drug Administration (FDA) as the owner or operator of a drug establishment that engages in the manufacture, preparation, propagation, compounding, or processing of a drug under 21 CFR 207.17(a);

J.1.b.ii. - M.4.g. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), LR 24:2092 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2569 (November 2000), LR 26:2768 (December 2000), LR 27:1228 (August 2001), LR 30:1664 (August 2004), amended by the

Office of the Secretary, Legal Affairs Division, LR 31:2526 (October 2005), LR 33:2179 (October 2007), LR 36:1771 (August 2010), amended by the Office of the Secretary, Legal Division, LR 38:2746 (November 2012), LR 40:286 (February 2014), LR 40:1341 (July 2014), LR 41:1278 (July 2015), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:2137 (December 2018), LR 47:1853 (December 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2075 (December 2025).

Chapter 7. Use of Radionuclides in the Healing Arts §709. Supervision

A. - A.3. ...

4. require the authorized user to be immediately available to communicate with the supervised individual; and

5. require that only those individuals specifically trained, and designated by the authorized user, shall be permitted to administer radionuclides or radiation to patients.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2102 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1173 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2075 (December 2025).

§778. Other Medical Uses of Byproduct Material or Radiation From Byproduct Material

A. A licensee may use byproduct material or a radiation source approved for medical use which is not specifically addressed in this Chapter if the applicant or licensee has:

1. submitted the information required by LAC 33:XV.324; and

2. received written approval from the department, the Nuclear Regulatory Commission (NRC), or an agreement state in a license or license amendment and uses the material in accordance with the regulations and specific conditions the department, the NRC, or an agreement state considers necessary for the medical use of the material.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 51:2075 (December 2025).

Jill C. Clark
General Counsel

2512#031

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Termination of Stage II Program
(LAC 33:III.2132)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Air regulations, LAC 33:III.2132.J.3 (AQ404).

The Rule modifies the wording of LAC 33:III.2132.J.3 for existing facilities that have Stage II vapor recovery equipment. It further clarifies that failure to properly decommission Stage II vapor recovery systems may subject affected facilities to enforcement action. The Rule also replaces the stated enforcement actions of "requiring decommissioning of the stage II vapor recovery system" and "prohibition of the sale/dispensing of gasoline" with a reference to the penalties listed in LAC 33:III.2132.H.1. The basis and rationale for this Rule are to reduce the financial impact on the regulated community by providing more time to comply ahead of enforcement actions. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 21. Control of Emission of Organic Compounds

Subchapter F. Gasoline Handling

§2132. Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities

A. - J.2. ...

3. An existing facility with stage II vapor recovery equipment may complete decommissioning of the stage II equipment at any time after EPA approval of the SIP revision in Paragraph 1 of this Subsection. The failure to properly and timely decommission a stage II vapor recovery system in accordance with this Subsection is a violation of the Act and these regulations and may be subject to an enforcement action, which may include penalties as indicated in LAC 33:III.2132.H.1. Once the decommission of the stage II vapor recovery system has been completed in accordance with this Subsection, the facility is no longer subject to the requirements of this Section, except to comply with notifications, procedures, and recordkeeping associated with decommissioning.

J.4. - J.4.e.ii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 18:1254 (November 1992), repromulgated LR 19:46 (January 1993), amended LR 23:1682 (December 1997), LR 24:25 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 29:558 (April 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2086 (October 2007), LR 34:1890 (September 2008), LR 34:2397 (November 2008), LR 37:1147 (April 2011), amended by the Office of the Secretary, Legal Division, LR 38:2752 (November 2012), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2138 (November 2017), LR 44:1242 (July 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 51:2076 (December 2025).

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2512#034

RULE

Office of the Governor Auctioneers Licensing Board

Auctioneers (LAC 46:III.Chapters 1-29)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:3101 that the Auctioneers Licensing Board has amended its existing rules and regulations to comply with Act 786 of the 2024 Regular Session regarding auction business licensing and the requirement for a qualified party; bond requirements. Rules and regulations for electronic meetings and the Welcome Home Act are also included. The board has repealed the original Chapter 5 which included Board Meeting; Order of Business and Rules of Order because that information is covered in other state statutes. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part III. Auctioneers

Chapter 1. Description of Organization

§101. Organization of the Board

A. The Louisiana Auctioneers Licensing Board (hereafter referred to as board) is created by virtue of R.S. 37:3111. No member of the board shall be held liable as an individual in any suit against the board. Statutes relating thereto are found in R.S. 37:3111 et seq., of the Louisiana Statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3111 et seq.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Auctioneer Licensing Board, LR 11:335 (April 1985), amended by the Department of Economic Development, Auctioneers Licensing Board, LR 14:781 (November 1988), amended by the Office of the Governor, Auctioneers Licensing Board, LR 51:2076 (December 2025).

Chapter 3. General Course and Method of Operations

§307. Special Meetings

A. ...

B. Notice of any special meeting shall be given by electronic mail posted at least five days prior to such a meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3111 and R.S. 37:3112.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Auctioneer Licensing Board, LR 11:336 (April 1985), amended by the Department of Economic Development, Auctioneers Licensing Board, LR 14:782 (November 1988), amended by the Office of the Governor, Auctioneers Licensing Board, LR 51:2076 (December 2025).

Chapter 5. Open Meetings via Electronic Means Policy

§501. Agency Eligibility

A. The board meets the below criteria pursuant to Act 393 to be eligible to conduct open public meetings via electronic means:

1. is a state agency as defined by R.S. 49:951;
2. has powers, duties, or functions that are not limited in scope to a particular political subdivision or region;

3. conducts at least six regularly scheduled meetings in a calendar year; and

4. is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature and in accordance with R.S. 37:3111 and R.S. 37:3112

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 51:2076 (December 2025).

§503. Postings Prior to Meeting via Electronic Means

A. At least 24 hours prior to the meeting, the board shall post the following on the agency's website at www.LALB.org

1. meeting notice and agenda; and
2. detailed information regarding how members of the public may:

a. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and

b. submit written comments regarding matters on the agenda prior to the meeting.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature and in accordance with R.S. 37:3111 and R.S. 37:3112

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 51:2077 (December 2025).

§505. Electronic Meeting Requirements and Limitations

A. For any meeting conducted via electronic means, the board shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

B. The board shall not conduct any more than one-third of its open meetings via electronic means, and will only conduct successive meetings via electronic meetings as needed.

C. A schedule of meetings identifying which will be conducted via electronic means and which will be conducted as in-person meetings shall be posted on the agency's website on an annual basis.

D. All members of the board, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

E. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the agency's website.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature and in accordance with R.S. 37:3111 and R.S. 37:3112

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 51:2077 (December 2025).

§507. Disability Accommodations

A. Although an open meeting may be scheduled as in-person, the board is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities are defined as any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
2. a designated caregiver of such a person; or
3. a participant member of the agency with an ADA-qualifying disability.

C. The board shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.

D. Upon receipt of an accommodation request, the designated agency representative is only permitted to ask if the requestor has an ADA-qualifying disability or is a caregiver of such a person (yes or no). The requestor shall not be required to complete a medical inquiry form or disclose the actual impairment or medical condition to support a disability accommodation request.

E. The designated agency representative shall provide the requestor with the accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

F. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature and in accordance with R.S. 37:3111 and R.S. 37:3112

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 51:2077 (December 2025).

Chapter 10. General Provisions

§1001. Definitions

A. Auction Businesses which conduct business solely through internet-based platforms are not required to employ a licensed auctioneer to call the auction. Any live or simulcast auctions are required to employ a licensed auctioneer to call the live or real-time auction.

B. Auction Businesses which conduct any auction through an internet-based platform are responsible for the actions of the platform.

C. Definitions

Auctioneer—any person who, for another, with or without receiving or collecting a fee, commission, or other valuable consideration, sells or offers to sell property at an auction.

Board—the Louisiana Auctioneers Licensing Board created as created in R.S. 37:3111.

Department—the Office of the Governor.

Internet-Based Platform—a company that provides a forum through the internet for a person to sell the person's or movable property via the submission of silent bids using a computer or other electronic device.

Licensee—any person or business holding a license under this Chapter.

Person—an individual, partnership, company, corporation, association, or group however organized.

Property—any property, tangible and intangible, movable or immovable, real, personal, or mixed.

Secured Party—a person holding a security interest in a property, whether movable or immovable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3103 and R.S. 37:3105.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 48:490 (March 2022), amended LR 51:2077 (December 2025).

Chapter 11. License of Auctioneer

§1113. Fees

A. - A.6 ...

7. delinquent renewal fee—\$75;
8. apprentice fee—\$100
9. initial license fee for an auction business—\$300;
10. annual license renewal fee for an auction business—\$300

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3116.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Auctioneer Licensing Board, LR 11:337 (April 1985), amended by the Department of Economic Development, Auctioneers Licensing Board, LR 14:785 (November 1988), amended by the Office of the Governor, Auctioneers Licensing Board, LR 31:1326 (June 2005), amended LR 37:2147 (July 2011), LR 48:492 (March 2022), amended LR 51:2078 (December 2025).

§1115. Reciprocity and Licensure without Examination

A. - B. ...

C. Any applicant for licensing in this state who meets the requirements of LSA-R.S. 37:51 et seq. (The Welcome Home Act) will be required to take the Louisiana examination to be licensed in this state.

D. - E. ...

F. Any applicant who receives a license solely under the requirements of LSA-R.S. 37:51 et seq. (The Welcome Home Act) cannot use that license to obtain a license in a reciprocal state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3117.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Auctioneer Licensing Board, LR 11:337 (April 1985), amended by the Department of Economic Development, Auctioneers Licensing Board, LR 14:785 (November 1988), amended by the Office of the Governor, Auctioneers Licensing Board, LR 51:2078 (December 2025).

§1118. Qualifications to be Supervising Auctioneer for Apprentice

A. - A2. ...

3. The auctioneer cannot have any other apprentice being supervised at the time of application. A supervising auctioneer may have only one apprentice working under his supervision at any time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3118.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 40:2541 (December 2014), amended LR 51:2078 (December 2025).

§1119. Apprentice Auctioneer Licensing

A. The license of an apprentice auctioneer shall be automatically suspended upon the revocation or suspension of the license of the Louisiana auctioneer who is his sponsoring supervisor or in the event the supervising auctioneer becomes incapacitated; however, the apprentice auctioneer may retain his license by transferring to the supervision of another Louisiana licensed auctioneer within 21 days of the effective date of such revocation or suspension. If the apprentice auctioneer does not transfer to another Louisiana licensed auctioneer within the 21 days, he must start his one-year apprentice program over.

B. When an apprentice auctioneer's employment with the supervising auctioneer is terminated for any reason, the supervising auctioneer shall immediately contact the board office.

C. ...

D. The length of time that an applicant shall work as an apprentice auctioneer shall be 12 months. During that period of time the apprentice auctioneer shall work and be directly involved in at least 80 hours over a minimum period of 12 days.

E. The apprentice auctioneer shall receive training in the following areas:

1. the establishment and use of escrow accounts;
2. bid calling;
3. pre-auction activities which will include: handling consignments, and all related matters, including but not limited to consignment contracts, the assignment of lot numbers, the establishment of conditions and reserves for consignments, and advertising;
4. auction day activities which will include: clerking at the auction, including writing sale tickets, keeping track of all sales, and any related paper work or using appropriate auction software, ringman/spotter;
5. post auction activities which will include: closing out the auction and maintaining and balancing auction account records, collecting and remitting sales taxes to the proper government entities, settlements, closeouts and payments to consignors.

F. Any person acting as an apprentice auctioneer within the meaning of these rules and regulations without a license and any person who violates these rules and regulations shall be subject to revocation of his license. The Louisiana auctioneer serving as sponsoring supervisor is also subject to discipline of his license should his apprentice auctioneer violate these rules and regulations.

G. This Subsection of the rules and regulations specifically prohibits the apprentice auctioneer from calling an auction unless the supervising licensed auctioneer is directly supervising the sale sight at all times. If he does call an auction outside of the presence of his supervising auctioneer, his license will be suspended.

H. Upon completion of the one-year apprentice program, the apprentice auctioneer may apply to take the Louisiana auctioneer's examination and become licensed in the state of Louisiana. He must submit the following in order to be considered for administration of the test:

1. a completed application for license as an auctioneer;
2. posting of a \$10,000 surety bond, made payable to the Louisiana Auctioneers Licensing Board (see §1201);
3. a certified copy of voter registration or other appropriate proof of residency;
4. application fee in the sum of \$300 (this includes the \$150 license fee, the \$75 application fee, and \$75 examination fee);
5. a form signed by the supervising Louisiana licensed auctioneer stating that the apprentice did serve under him for the term of twelve months and during which he worked at least 80 hours over a minimum period of 12 days. Evidence of the number of days/ auctions, along with the place, date and time and the type of work done by the apprentice shall be established by completion of a form to be provided by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3112.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Auctioneer Licensing Board, LR 11:338 (April 1985), amended by the Department of Economic Development, Auctioneers

Licensing Board, LR 14:786 (November 1988), amended by the Office of the Governor, Auctioneers Licensing Board, LR 31:1326 (June 2005), LR 40:2541 (December 2014), LR 48:492 (March 2022), amended LR 51:2078 (December 2025).

§1120. Auction Business Licensing.

A. ...

B. The board shall base determination of satisfactory minimum qualifications for licensure of an entity as an auction business on the following requirements:

1. The applicant for an auction business, excluding those who conduct wholesale motor vehicle auctions in compliance with R.S. 32:794, shall designate a qualifying party who shall be the legal representative for the auction business relative to the provisions of this Chapter. The board may deny approval of the qualifying party for good cause, which may include the ability of the proposed principal owner or owners, principal shareholder or shareholders, or qualifying party to engage in the auction business as demonstrated by his prior auction business experience. Evidence which may be considered by the board shall be limited to any legal proceedings against the qualifying party or businesses where the qualifying party was in a position of control at the time a problem arose and the ultimate disposition of such proceedings, any financial history of bankruptcies, unpaid judgments, insolvencies, or any similar evidence. When the qualifying party terminates employment with the licensee, the board shall be notified in writing within thirty days of the disassociation, and another qualifying party shall qualify within 60 days. Should the qualifying party cancel or not renew his or her license, the license of the auction business shall be canceled at that time. The qualifying party or parties are any individual licensed as an auctioneer pursuant to the requirements in this Chapter and are one or more of the following:

a. An applicant sole proprietor or spouse of an applicant sole proprietor.

b. Any employee of an applicant who has been in full-time employment for one hundred twenty consecutive days immediately preceding the application. The employee may be allowed to be the qualifying party for the licensed company and related entities.

i. If the qualifying party is an employee who has recently been hired to replace a party who has already been qualified, then the board may waive the one hundred twenty-day requirement upon good cause shown.

ii. No auction business may go for more than 60 days without designating a qualifying party.

iii. If an auction business is a first-time applicant to the state of Louisiana, an authorized party must be assigned but the 120 day requirement is waived.

iv. However, the authorized party must receive final approval as the qualifying party no more than 180 days after formation of the auction business.

c. Any stockholder, officer, or director of an applicant corporation, which stockholder, officer or director has been in the office for at least 30 days prior to the application for licensing.

d. Any partner of an applicant partnership which partner has been in the office for at least 30 days prior to the application for licensing.

e. Any member or manager of an applicant limited liability company which member or manager has been in the office for at least 30 days prior to the application for licensing.

2. If the entity intends to conduct auctions wherein vehicles will be auctioned as defined by R.S. 32:1, the entity shall hold a valid dealer license pursuant to R.S. 32:1254 unless a valid dealer license is not required by the regulating agency.

C. Auction houses which conduct business solely through internet-based platforms are not required to employ a licensed auctioneer to call the auction. Any live or simulcast auctions are required to employ a licensed auctioneer to call the live or real-time auction. Auction businesses are required to have a qualifying party.

D. Auction Businesses which conduct any auction through an internet-based platform are responsible for the actions of the platform.

E. Licensing Fee. Each application for licensing shall be accompanied by a license fee in the amount of \$300. Renewal of each auction business license shall be on an annual basis, no later than February 1 of each calendar year. An auction business license renewal fee shall be \$300.

F. Application Information. Each applicant shall submit the following information on the designated application form:

1. the name of each owner of the entity and the length of time each such person has been an owner;

2. each business address of the entity;

3. each auctioneer licensed by the date of application who has been employed by the business for more than one auction in the previous calendar year;

4. the nature of the business and the product to be sold;

5. two references who shall be auctioneers currently licensed in this state in good standing with the board;

6. a good and sufficient surety bond executed by the applicant as principal and by a surety company qualified to do business in the state of Louisiana as surety in the amount of \$25,000.00.

7. a copy of the current auctioneer license of the qualifying party.

8. a copy of the current dealer license for those entities conducting auctions of vehicles if such license is required.

9. Any information required by Subsection B of this Section.

G. If, in the opinion of the board, the applicant provided inadequate information to allow the board to ascertain whether the applicant satisfies the qualifications for licensing, the applicant shall be required to provide additional information for purposes of the application or may be required to present himself for an interview for this purpose.

H. The qualifications of an applicant applying for an auction business license shall be the same as those articulated at R.S. 37:3113(a)1 through 37:3113 pertaining to the licensing of auctioneers.

I. An auction business licensee with a physical location within this State shall be able to operate the licensed auction business in any parish of the state of Louisiana. Should the licensee desire to operate the business at more than one location or change the location, the licensee shall give the Louisiana Auctioneers Licensing Board written notice of the

change at least five days prior to the change of address or establishment of new location, as well as provide a physical and mailing address of the new or additional location of the business. Failure by licensee to give notice to the Louisiana Auctioneers Licensing Board after such change of location (or establishment of an additional location) shall be grounds for revocation of the auction business license by the board.

J. A licensee's auction business license shall automatically be suspended if no licensed auctioneer is engaged in conducting the auctions for the licensee if the auction house conducts live or simulcast auctions. Such license may be reinstated by the board for the unexpired term upon proof that a duly licensed auctioneer has been affiliated with the auction business. This subsection will not apply to auction houses which conduct business solely through internet-based platforms which are not required to employ a licensed auctioneer to call the auction.

K. The provision of R.S. 37:3115 relative to renewal of license, certificate and penalties for failure to renew the license of auctioneers, shall also apply to an auction business license.

L. No auction business license shall be issued or renewed unless the applicant presents a bond in the amount of \$25,000.00 in a form approved by the board.

M. A resident Louisiana licensed auctioneer may operate an auction business without a fee, and without posting of an additional surety bond if a surety bond guaranteeing his performance as an auctioneer has previously been posted.

N. An auction business must display in its office or offices, its current license to do business as an auction business at all times. An auction business must display its Louisiana license number on its website and in all advertising in a prominent location with the license number preceded by "LA" to indicate the issuing state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3103 and R.S. 37:3113

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 48:492 (March 2022), amended LR 51:2079 (December 2025).

Chapter 12. Bonds; Funds

§1201. Bonds

A. Each applicant for licensure as a resident auctioneer, apprentice auctioneer, or auction business shall deliver to and deposit with the board at the time of application either cash or a surety bond in the amounts described below. Such bond shall:

1. For individual auctioneers, the amount of \$10,000.
2. For auction businesses, the amount of \$25,000.

3. - 6. ...

7. be executed by the applicant as principal and by a surety company qualified to do business in the state as a surety;

8. be in a form approved by the board;

B. - F. ...

G. An auction business which is owned by a nonresident auctioneer shall, prior to being licensed by the board, post a surety bond in the amount of \$25,000.

H. Such bond shall name the board as beneficiary.

I. In the case of a cash deposit, the auctioneer or auction business making the cash deposit shall deposit funds in a recognized state depository with the account or certificate pledged to the Louisiana Auctioneer Licensing Board under the same requirements as a surety bond. The funds shall be maintained in this depository for a period of one calendar year past the expiration date of the license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3112 and R.S. 37:3118

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 31:1326 (June 2005), amended LR 51:2079 (December 2025).

Chapter 15. Violations and Penalties

§1503. Fines for Advertising Violations

A. Violations of Chapter 17 requiring that the licensee place his name and license number in all advertising will result in a money fine to be levied against him after first being issued a warning letter. The amount of the fine will be \$50 for the first offense and \$100 for the second offense. A third or subsequent offense may result in a fine or other disciplinary action within the discretion of the board. Signs and business cards shall be exempt from this requirement of displaying the licensee number so long as the contact information is present since these are not considered ads.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3119.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Auctioneers Licensing Board, LR 20:1367 (December 1994), amended by the Office of the Governor, Auctioneers Licensing Board, LR 37:2148 (July 2011), amended LR 51:2080 (December 2025).

Chapter 29. Miscellaneous

§2901. Costs for Rosters of Licensees

A. The board may charge any individual, board or other party the sum of \$25 for the preparation and mailing of a roster of licensees or for preparation of electronic media or labels containing that information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3112.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Auctioneers Licensing Board, LR 31:1329 (June 2005), amended LR 51:2080 (December 2025).

Sandy Edmonds
Executive Director

2512#008

RULE

Office of the Governor Board of Pardons and Committee on Parole

Clemency (LAC 22:V.211)

In accordance with the provisions of the Administrative Procedure ACT (R.S. 49:950) and pursuant to R.S. 15:573.1, the Board of Pardons and Committee on Parole has amended LAC V.211. The amendment to §211 adds that victim testimony shall be allowed in an executive session during the hearing upon their request. This Rule is hereby adopted on the day of promulgation.

Title 22
CORRECTIONS, CRIMINAL JUSTICE AND LAW
ENFORCEMENT

Part V. Board of Pardons

Chapter 2. Clemency

§211. Hearings before the Pardon Board

A. - E.2. ...

a. The victim, spouse, witness, guardian of the victim, or a close relative of the deceased victim shall be allowed to present such testimony in executive session at their request.

E.3. - J.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:572.54, 15:574.12, and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2256 (August 2013), amended LR 42:1088 (July 2016), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 43:46 (January 2017), LR 44:574 (March 2018), LR 44:2140 (December 2018), LR 47:359 (March 2021), LR 47:1107 (August 2021), LR 50:1266 (September 2024), LR 51:295 (February 2025), LR 51:2081 (December 2025).

Sheryl M. Ranatza
Board Chair

25D12#005

RULE

Office of the Governor
Board of Pardons
and
Committee on Parole

Victims and Witnesses and Alien Removal Process
(LAC 22:XI.510 and Chapter 16)

In accordance with the provisions of the Administrative Procedure ACT (R.S. 49:950) and pursuant to R.S. 15:573.1, the Board of Pardons and Committee on Parole has amended LAC XI.510 and to create a new chapter to LAC XI titled Chapter 16 Alien Removal Process. The amendment to §510 adds that victim testimony shall be allowed in an executive session during the hearing upon their request. The purpose of Chapter 16 is to provide notice and clarification of the alien removal process, as well as the eligibility criteria and conditions for Deportation Eligibility Hearings. This Rule is hereby adopted on the day of promulgation.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW
ENFORCEMENT

Part XI. Committee on Parole

Chapter 5. Meetings and Hearings of the Committee on Parole

§510. Victims and Witnesses

A. - K. ...

1. The victim, spouse, witness, guardian of the victim, or a close relative of the deceased victim shall be allowed to present such testimony in executive session at their request.

L. - M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Officer of the Governor, Board of Pardons, Committee on Parole, LR 39:2263 (August 2013), amended by the Officer of the Governor, Board of Pardons and Committee on Parole, LR 43:47 (January 2017) LR 44:575 (March 2018), LR 44:2142 (December 2018), LR 47:1107 (August 2021), LR 49:257 (February 2023), LR 50:1269 (September 2024), LR 51:2081 (December 2025).

Chapter 16. Alien Removal Process

§1601. Definitions

Alien—shall have the same meaning as defined in Title 8, Section 1101 of the United States Code.

Committee—refers to the Deportation Eligibility Hearing Committee, which shall be comprised of a three-member panel of the members of the Committee on Parole who shall hear and decide deportation eligibility cases.

Removal—the deportation of an alien from the United States to another country.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.71 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons and Committee on Parole, LR 51:2081 (December 2025).

§1602. Eligibility

A. An inmate shall be eligible for parole consideration and release for the purposes of deportation or removal if the following conditions have been met:

1. The inmate is an alien who has a final order of removal or a detainer issued by the Department of Homeland Security;

2. The inmate is not serving a sentence for a sex offense as defined in R.S. 15:541 or a crime of violence as defined in R.S. 14:2(B), that is punishable by imprisonment for ten years or more, life, or death; and

3. The inmate has been approved for a deportation eligibility hearing by the governor and the district attorney of the parish where the conviction occurred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.71 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons and Committee on Parole, LR 51:2081 (December 2025).

§1603. Investigation and Notification

A. For any inmate who meets the criteria of Section 1602 of this Chapter, the committee shall:

1. conduct an expedited pre-hearing investigation; and

2. notify the district attorney and sheriff of the parish where the conviction occurred and any registered victim(s) at least 30 days prior to the deportation eligibility hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.71 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons and Committee on Parole, LR 51:2081 (December 2025).

§1604. Hearing Process

A. The committee shall conduct an expedited deportation eligibility hearing. During which, the committee shall render its decision granting or denying the release and transfer of the inmate for the purpose of deportation or removal within seven days of the hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.71 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons and Committee on Parole, LR 51:2081 (December 2025).

§1605. Transfer of Custody

A. If the committee grants a release on parole for the purpose of deportation or removal pursuant to this Section, the committee shall issue all orders and paperwork necessary to transfer or deliver the inmate to the custody of the Department of Homeland Security.

B. Upon the inmate’s release to the Department of Homeland Security, the committee shall issue a warrant for the return of the inmate to the state’s custody and shall be executed if the inmate is released from the custody of the Department of Homeland Security for any reason other than deportation or removal.

C. The committee shall have sole discretion as provided by R.S. 15:574.11 regarding its decision to release the inmate pursuant to this Section, and no person shall have a right of appeal from any such decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.71 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons and Committee on Parole, LR 51:2082 (December 2025).

§1606. Conditions

A. Any decision made by the committee to grant an inmate release on parole for the purpose of deportation or removal shall include the following conditions:

1. The inmate shall only be released from physical state custody directly to the custody of the Department of Homeland Security and shall be held in its custody until the inmate is physically removed from the United States;

2. The remainder of the inmate’s sentence shall be suspended upon the date the inmate is transferred out of state custody;

3. If the inmate is deemed ineligible for deportation or removal for any reason, the inmate shall be transferred back to state custody to serve out the remainder of their sentence;

4. If deported or removed from the United States, the inmate shall remain outside of the United States and the state of Louisiana and shall not attempt to reenter the country unless such reentry is in compliance with Title 8 of the United States Code; and

5. If the inmate is discovered or detained within the United States after deportation or removal, the committee shall automatically revoke the inmate’s parole, and the inmate shall be remanded to state custody to serve out the remainder of their sentence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.71 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons and Committee on Parole, LR 51:2082 (December 2025).

Sheryl M. Ranatza
Board Chair

2512#006

RULE

**Department of Health
Addictive Disorder Regulatory Authority**

Substance Abuse Counselors
(LAC 46:LXXX.Chapters 1-21)

The Addictive Disorder Regulatory Authority (ADRA) has exercised the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and under the authority of R.S. 37:3386.3A(3), and amends LAC 46:LXXX §§ 101, 103, 105, 301, 303, 503, 701, 703, 705, 707, 709, 711, 713, 719, 721, 723, 725, 727, 729, 731, 901, 903, 905, 908, 909, 911, 913, 921, 923, 925, 927, 1101, 1301, 1501, 1503, 1505, 1507, 1511, 1705, 1707 and 1709; and repeals LAC 46:LXXX §§ 505, 715, 717, 1701, 1703, 1901, 1903 and 1905; and adopts and enacts LAC 46:LXXX §2001 regarding conduct of meetings with allowed participation of certain individuals by teleconference, video conference or alternative means, as required by R.S. 42:14 E(1); adopts and enacts LAC 46:LXXX §2101 regarding telehealth as required by R.S. 40:1223.4A; and adopts and enacts LAC 46:LXXX §715, regarding licensed prevention professionals, LAC 46:LXXX §716 regarding certified prevention professionals, and LAC 46:LXXX §71 regarding registered prevention professionals, and LAC 46:LXXX §720 regarding certified prevention supervisors, all as required by R.S. 37:3387.10 (E), R.S. 37:3387.11 (E), R.S. 37:3387.12(E), and R.S. 37:3387.14(B), respectively; all in order to remove statements of law from the rules; to coordinate and clarify all rules regarding each practice credential, specialty certification, or learning status within the same Rule; to adhere to the requirements of Executive Order JML 25-38 to conduct a systematic review of all rules, to remove unnecessary regulatory barriers, to promulgate all rules required by law, to address costs and benefits of regulatory alternatives; to ensure that all rules are written using plain language; and to ensure that all rules are necessary, consistent with the law, and aligned with the mission of the ADRA; as approved by the Addictive Disorder Regulatory Authority in a meeting of July 27, 2025. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LXXX. Substance Abuse Counselors

Chapter 1. General Provisions

§101. Scope

A. The rules of this Part are relative to and govern the issuing of practice credentials and certifications to addiction counselors and prevention professionals by the Department of Health, Addictive Disorder Regulatory Authority, and all related matters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:646 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2082 (December 2025).

§103. Source and Authority

A. These rules are promulgated by the Department of Health, Addictive Disorder Regulatory Authority to provide for and implement its authority and responsibility pursuant to the Addictive Disorders Practice Act (the Act), R.S. 37:3386-3390.6.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386-3390.6.

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 31:646 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2083 (December 2025).

§105. Definitions

A. As used in these rules, the following terms shall have the meanings specified.

Act—the Addictive Disorders Practice Act, R.S.37:3386-3390.6.

Addictive Disorder Regulatory Authority (ADRA)—the licensing board created within the Department of Health, to regulate the practice of addictive disorder treatment and prevention.

Approved Educational Program (AEP)—any organization that register as being ADRA approved as an education provider in the field of addictive disorder counseling and prevention and conducts courses, workshops, seminars, conferences and other educational programs.

Approved Institution of Higher Education (AIHE)—any university or college accredited by a recognized regional accrediting body which has applied for, received, and maintained approval of the ADRA for higher education in addictive disorder counseling and prevention.

Clinical Supervision—the interpersonal tutorial relationship between a certified clinical supervisor and other licensed, certified, or registered addiction counselor or counselor-in-training centered on the goals of skill development and professional growth through learning and practicing. Through observation, evaluation, and feedback, clinical supervision enables professional responsibility. Clinical supervision is understood to emphasize improvement of the counseling skills and effectiveness of the supervisee and is to be distinguished from administrative supervision.

Direct Supervision—responsible, continuous, on-the-premises observation, by a certified clinical supervisor or qualified professional supervisor approved by the ADRA, whereby the supervisor is personally present in the servicing facility and immediately available to the service area. Direct supervision may include treatment team or staffing meetings, observation in group, individual, family, education or other, private conversations (one to one) discussing cases, core functions, knowledge, skills, and attitudes (KSA) or reviews of charts or medical records. The professional providing direct supervision shall be ultimately responsible for the acts or omissions of the counselor in training or prevention specialist in training he is supervising. Where off-the-premises experience is arranged for the candidate being supervised, the supervision plan shall so indicate and shall

designate an appropriate professional at the worksite to act in a supervisory capacity.

IC & RC—the International Certification and Reciprocity Consortium. *Performance Domains*—for prevention professionals are:

- a. Planning and evaluation;
- b. Prevention education and service delivery;
- c. Communication;
- d. Community organization;
- e. Public policy and environmental change; and
- f. Professional growth and responsibility.

TAP 21—Addiction Counseling Competencies: The Knowledge, Skills, and Attitudes of Professional Practice (The Competencies)—published by the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) as Technical Assistance Publication (TAP) 21.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:646 (March 2005), amended Department of Health, Addictive Disorder Regulatory Authority, LR 51:2083 (December 2025).

Chapter 3. Practice

§301. Scope of Practice

A. - B.2. ...

3. address other substance use and substance-use related behaviors including increased or retained employment or educational status;

B.4. - B.6. ...

7. increase social supports and social connectedness.

C. Nothing in these rules and regulations shall be construed to authorize an addiction counselor, compulsive gambling counselor, or prevention professional to practice medicine, social work, or psychology, or to provide any counseling other than addictive disorders counseling or prevention services. An addiction counselor, compulsive gambling counselor, or prevention professional shall not order, administer, or interpret psychological tests or utilize psychometric procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:647 (March 2005). amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2083 (December 2025).

§303. Minimum Standards of Practice

A. The minimum standard of practice for addiction counselors and prevention professionals will be met if:

1. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3A(3) and (12).

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 31:648 (March 2005), amended LR 51:2083 (December 2025).

Chapter 5. ADRA Documents and Payment of Costs

§503. ADRA Documents

A. - A.1. ...

2. All official records of the ADRA excluding materials containing information considered confidential, shall be open for inspection during regular office hours.

3. Any person desiring to examine official nonconfidential records shall be required to provide proper identification and sign a statement listing the records to be questioned and examined. Records which are stored in historical files or which have been authorized for off-site storage, may require the payment of costs for research and location.

4. Official records shall not be taken from the ADRA office without the express authorization of the executive director of the ADRA. Copies of records may be obtained upon written request and by paying a fee prescribed by the Division of Administration.

B. ...

1. The ADRA shall provide to each credentialed professional a certificate which lists the individual's name, the credential issued, date of initial certification, and certification number.

2. ...

3. Replacement certificates shall be issued when the request has been received and the cost of issuing the replacement certificate paid. Replacement certificates shall contain the same information as the original certificate.

4. Official certificates shall be signed by the executive director and be affixed with the official seal of the state of Louisiana.

B.5. - C. ...

1. Each year the ADRA shall make available a roster of all ADRA persons holding a credential or learning status issued by the ADRA. The ADRA may also make the roster available on its website.

2. The roster shall include the name, professional address, professional telephone number and credential(s) of each individual, and other information as the individual may permit.

3. The ADRA shall make copies of the roster available upon formal request and payment of the cost incurred by the ADRA for providing the copy.

C.4. - D. ...

1. All communications, including but not limited to notices, are official and are considered served when signed by the executive director of the ADRA, or other authorized person, and mailed to the address of record. It is the responsibility of the individual to ensure that the mailing address maintained by the ADRA is current and to advise the ADRA immediately of any change of mailing address.

2. The receipt of applications, forms, notices, and other communications to the ADRA shall be considered received in the ADRA office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:648 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2083 (December 2025).

§505. Advice and Consultation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:648 (March 2005), repealed by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2084 (December 2025).

Chapter 7. Credentials for License/Certification/Registration

§701. Licensed Addiction Counselor (LAC)

A. The ADRA shall recognize as an LAC each candidate who possesses requirements set forth in R.S. 37:3387, in addition to the following:

1. provides evidence of having satisfied the following requirements in education, direct clinical supervision, and work experience under direct supervision;

a. Education

i. A master's degree from a regionally accredited institution of higher education. The degree shall be in a human service or behavioral science discipline or such other discipline as the ADRA may deem appropriate. Official transcripts, including degree and date conferred, must be received by the ADRA office directly from the university.

ii. Any person seeking to be recognized as an LAC who possesses a master's degree in a discipline other than a human services or behavioral science discipline may apply to the ADRA for a degree substitution waiver. The ADRA may grant or deny the waiver on such terms, conditions, and requirements as are deemed appropriate and in the best interest of the public.

iii. Documentation that verifies the successful completion of a minimum of 300 education hours with a minimum of 180 hours specific to addictive disorders, a minimum of six hours of professional ethics, and the remaining hours in counseling education.

b. Direct clinical supervision

i. Documentation that verifies the completion of 300 hours of direct clinical supervision provided face-to-face with a Certified Clinical Supervisor (CCS) in the core competencies based on the 123 competencies in TAP 21. This supervision should take place at a rate of not less than one hour per week. This supervision must be documented and verified by the CCS providing the supervision.

c. Work experience under direct supervision

i. Documentation that verifies the successful completion of 2000 hours of supervised work experience in an agency or facility that regularly treats clients with diagnoses of addictive disorders.

ii. This work experience may not exceed 2000 hours per year.

iii. The supervision required herein must be attested to by a licensed mental health provider, CAC, RAC, or designated facility administrator.

iv. Unsupervised work experience will not be considered.

2. Examination

a. Provide documentation of professional competency in addictive disorder counseling by successfully completing the examination requirements established by the ADRA.

B. Renewal

1. For an LAC credential to be considered for renewal;

a. A completed renewal application approved by the ADRA must be filed prior to the expiration date; and

b. Include proof that within two years prior to the expiration date, the LAC has completed a minimum of 48 hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) directly applicable to or related to addictive disorder

counseling, which must include six hours in professional ethics.

2. In addition, the renewal applicant must:

- a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.
- b. report any changes in sobriety status, including relapse and recovery dates.
- c. report any felony arrests and felony convictions.
- d. report any changes in contact information, including name, address, phone number, and email address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3A(3), (5) and (12), and R.S. 37:3387B, E, and F.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:649 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2084 (December 2025).

§703. Certified Addiction Counselor (CAC)

A. The ADRA shall recognize as a CAC each candidate who possesses requirements set forth in R.S. 37:3387.1, in addition to the following:

1. Provides evidence of having satisfied the following requirements in education, direct clinical supervision, and work experience under direct supervision:

a. Education

i. possesses a bachelor's degree from a regionally accredited institution of higher education. The degree shall be in a human service or behavioral science discipline or such other disciplines as the ADRA may deem appropriate. Official transcripts, including degree and date conferred, must be received by the ADRA office directly from the university.

ii. Any person seeking to be recognized as a CAC who possesses a bachelor's degree in a discipline other than human services or behavioral science discipline may apply to the ADRA for a degree substitution waiver. The ADRA may grant or deny the waiver on such terms, conditions, and requirements as are deemed appropriate and in the best interest of the public.

iii. documentation that verifies the successful completion of a minimum of 300 education hours with a minimum of 180 hours specific to addictive disorders, a minimum of six hours of professional ethics, and the remaining hours in counseling education.

b. Direct clinical supervision

i. Documentation that verifies the completion of 300 hours of direct clinical supervision, provided face-to-face with a Certified Clinical Supervisor (CCS) in the core competencies based on the 123 competencies in TAP 21.

ii. This supervision should take place at a rate of not less than one hour per week.

iii. This supervision must be documented and verified by the CCS providing the supervision.

c. Work experience under direct supervision

i. documentation that verifies the successful completion of 4000 hours of supervised work experience in an agency or facility that regularly treats clients with diagnoses of addictive disorders.

ii. This work experience may not exceed 2000 hours per year.

iii. The supervision required herein must be attested to by a licensed mental health provider, CAC, RAC, or designated facility administrator.

iv. Unsupervised work experience will not be considered.

2. Examination

a. provide documentation of professional competency in addictive disorder counseling by successfully completing the examination requirements established by the ADRA.

B. Renewal

1. For a CAC credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date;

b. include proof that within two years prior to the expiration date, the CAC has completed a minimum of 48 hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) directly applicable to or related to addictive disorder counseling, which must include six hours in professional ethics.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3387.1(B) and (F) and R.S. 37:3388.4(A)(5) and (12), R.S. 3386.3A(5) and (12) and R.S. 37:3387.1(B) and (F).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:649 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 40:1005 (May 2014), amended by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2085 (December 2025).

§705. Registered Addiction Counselor (RAC)

A. The ADRA shall recognize as an RAC each candidate who possesses requirements set forth in R.S. 37:3387.2, in addition to the following:

1. provides evidence of having satisfied the following requirements in education, direct clinical supervision, and work experience under direct supervision:

a. Education

i. at least a high school diploma or its equivalent.

ii. documentation that verifies the successful completion of a minimum of 300 education hours with a minimum of 180 hours specific to addictive disorders, a minimum of six hours of professional ethics, and the remaining hours in counseling education.

b. Direct clinical supervision

i. documentation that verifies the completion of 300 hours of direct clinical supervision, provided face-to-face with a Certified Clinical Supervisor (CCS) in the core competencies based on the 123 competencies from TAP 21.

ii. This supervision should take place at a rate of not less than one hour per week.

iii. This supervision must be documented and verified by the CCS providing the supervision.

c. Work experience under direct supervision

i. documentation that verifies the successful completion of 6000 hours of supervised work experience in

an agency or facility that regularly treats clients with diagnoses of addictive disorders.

ii. This work experience may not exceed 2000 hours per year.

iii. The supervision required herein must be attested to by a licensed mental health provider, CAC, RAC, or designated facility administrator.

iv. Unsupervised work experience will not be considered.

2. Examination

a. documentation of professional competency in addictive disorder counseling by successfully completing the examination requirements established by the ADRA.

B. Renewal

1. For an RAC credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date; and

b. include proof that within two years prior to expiration date, the RAC has completed a minimum of 48 hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) directly applicable to or related to addictive disorder counseling, which must include six hours in professional ethics.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3387.2(B) and (F) and R.S. 37:3388.4(A)(5) and (12), and R.S. 37:3386.3A(7).

HISTORICAL NOTE: Promulgated by the Department of and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:650 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 40:1005 (May 2014), amended by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2085 (December 2025).

§707. Counselor-In-Training (CIT)

A. The ADRA shall recognize as a CIT each candidate who possesses requirements set forth in R.S. 37:3387.3, in addition to the following:

1. attest that they are actively pursuing a career as a licensed, certified, or registered addiction counselor.

2. has not violated any ADRA statute or rule and has not been subject to disciplinary action by any other credentialing board.

3. possesses at least a high school diploma or its equivalent.

4. documents the completion of 180 hours of education specific to addictive disorders.

5. obtains a Certified Clinical Supervisor (CCS), and in collaboration with the CCS, develops a learning plan that includes the 123 competencies and competencies outlined in TAP 21.

a. Progressive process in the learning plan must be documented by the CCS annually; and

b. The CIT must meet face-to-face with the CCS at least one hour per week.

B. The ADRA shall develop CIT guidelines and CCS guidelines and shall post on the ADRA website. The guidelines shall be considered the minimum standards applicable to all CITs and CCSs who must regularly consult the website and review the guidelines to ensure familiarity and compliance with minimum standards.

C. CIT status is granted for a 12-month period. During the 12-month period, the CIT shall comply with the ADRA guidelines for CIT status and, if required, sign an agreement acknowledging and consenting to the provisions of the guidelines.

D. The CIT shall be allowed to maintain CIT status for an aggregate period not to exceed 72 months.

E. Scope of Work

1. CIT status does not authorize the CIT to engage in independent practice under any circumstances.

2. After the CIT has completed 300 hours of direct clinical supervision, the CIT may work in the following core functions only if a credentialed addiction professional is in the building or available by phone for consultation and supervision:

- a. screening;
- b. intake;
- c. orientation;
- d. client education; and

3. After the CIT has completed 300 hours of direct clinical supervision and documented a level of knowledge and competency as set forth in TAP 21, the CIT may work in the following core functions under the direct supervision of a credentialed addiction professional or licensed mental health professional (LMHP), which professional must be in the building or available by phone for consultation and supervision:

- a. assessment;
- b. treatment planning;
- c. counseling;
- d. referral;
- e. crisis intervention;
- f. report and record keeping;
- g. consultation; and
- h. case management.

F. Renewal

1. For a CIT to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date; and

b. include proof that within one year prior to the expiration date, the CIT has completed a minimum of 20 hours of education directly applicable to or related to addictive disorder counseling; and

c. include documentation of continued compliance of supervision by a CCS.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, and R.S. 37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:651 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 39:2275 (August 2013), amended by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2086 (December 2025).

§709. Addiction Treatment Assistant (ATA)

A. The ADRA shall recognize as an ATA each candidate who possesses the requirements set forth in R.S. 37:3387.4 and who verifies the completion of 6 hours of professional ethics training.

B. Scope of work

1. The ATA shall serve in a supportive role within the clinical environment under the supervision of a licensed mental health provider, CAC, RAC, or designated facility administrator.

C. Renewal

1. For an ATA to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date; and
b. include proof that within one year prior to the expiration date, the ATA has completed 6 hours of professional ethics training.

2. In addition, the renewal applicant:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.
b. report any changes in sobriety status, including relapse and recovery dates.
c. report any felony arrests and felony convictions.
d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, and R.S. 37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:651 (March 2005), amended by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2087 (December 2025).

§711. Certified Clinical Supervisor (CCS)

A. The ADRA shall recognize as a CCS each candidate who possesses requirements set forth in R.S. 37:3387.5, and who provide documentation of either:

1. a current and valid credential as a LAC, CAC or RAC; or
2. a current and valid mental health license with an addictive disorder specialty certification approved by the board.

B. Renewal

1. For a CCS credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date; and
b. include proof that within two years prior to the expiration date, the CCS has completed a minimum of eight hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) directly applicable to clinical supervision and a minimum of six hours in professional ethics.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.
b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.
d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, and R.S. 3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:652 (March 2005), amended Department of Health, Addictive Disorder Regulatory Authority, LR 51:2087 (December 2025).

§713. Certified Compulsive Gambling Counselor (CCGC)

A. The ADRA shall recognize as a CCGC each candidate who possesses requirements set forth in R.S. 37:3387.6.

B. Renewal

1. For a CCGC credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date; and
b. include proof that within two years prior to the expiration date the CCGC has completed a minimum of eight hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) directly applicable to compulsive gambling and a minimum of six hours in professional ethics.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.
b. report any changes in sobriety status, including relapse and recovery dates.
c. report any felony arrests and felony convictions.
d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4; and R.S. 37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:652 (March 2005), amended Department of Health, Addictive Disorder Regulatory Authority, LR 51:2087 (December 2025).

§715. Licensed Prevention Professional (LPP)

A. The ADRA shall recognize as an LPP each candidate who possesses requirements set forth in R.S. 37:3387.10 D, and who:

1. provides evidence of having satisfied the following requirements in education, direct clinical supervision, and work experience under direct supervision:

a. Education

i. a masters degree from a regionally accredited institution of higher education. Official transcripts, including degree and date conferred, must be received by the ADRA office directly from the university.

ii. documentation that verifies the successful completion of a minimum of 120 continuing education hours across all prevention domains, 90 hours must be prevention specific, 24 hours must be addiction (alcohol or other drug) specific, and a minimum of six hours must be in prevention ethics.

b. Direct clinical supervision

i. documentation that verifies the completion of a 120-hour practicum with a Certified Prevention Supervisor (CPS) in the prevention domains with a minimum of ten hours in each domain. A list of the current prevention domains can be found in policy adopted by the ADRA.

c. Work experience under direct supervision
i. documentation that verifies successful completion of 2000 hours of Alcohol, Tobacco and Other Drug (ATOD) Prevention work experience across the domains.

ii. This work experience may not exceed 2000 hours per year.

iii. The supervision required herein must be provided by a licensed mental health provider, CPP, RPP or designated facility administrator.

iv. Unsupervised work experience will not be considered.

2. is not currently and has not had an addictive disorder and/or compulsive gambling disorder within two years prior to application.

3. signs a statement that the applicant has read and will abide by the Code of Ethics.

4. Examination

a. documentation of professional competency in prevention services by successful completion of the examination requirements established by the ADRA.

B. Renewal

1. For an LPP credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date; and

b. include proof that within two years prior to the expiration date, the LPP has completed a minimum of 48 hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) across the prevention domains, which must include six hours in prevention ethics.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3386.3 A (7) and R.S. 37:3386.3 A(12).

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2087 (December 2025).

§716. Certified Prevention Professional (CPP)

A. The ADRA shall recognize as a CPP each candidate who possesses requirements set forth in R.S. 37:3387.11, and who:

1. provides evidence of having satisfied the following requirements in education, direct clinical supervision, and work experience under direct supervision:

a. Education

i. a bachelor's degree from a regionally accredited institution of higher education. Official transcripts, including degree and date conferred, must be received by the ADRA office directly from the university.

ii. documentation that verifies the successful completion of 120 total continuing education hours across all prevention domains, 90 hours must be prevention specific, 24 hours must be addiction (alcohol or other drug) specific, and with a minimum of six hours in prevention ethics.

b. Direct clinical supervision

i. documentation that verifies the completion of a 120-hour practicum with a Certified Prevention Supervisor (CPS) in the prevention domains with a minimum of 10 hours in each domain. A list of the current prevention domains can be found in policy adopted by the ADRA.

c. Work experience under direct supervision

i. documentation that verifies the successful completion of 4000 hours of Alcohol, Tobacco and Other Drug (ATOD) Prevention work experience across the domains.

ii. This work experience may not exceed 2000 hours per year.

iii. The supervision required herein must be provided by a licensed mental health provider, CPP, RPP or designated facility administrator.

iv. Unsupervised work experience will not be considered.

2. is not currently and has not had an addictive disorder and/or compulsive gambling disorder within two years prior to application.

3. signs a statement that the applicant has read and will abide by the Code of Ethics.

4. Examination

a. documentation of professional competency in prevention services by successful completion of the examination requirements established by the ADRA.

B. Renewal

1. For a CPP credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date; and

b. include proof that within two years prior to the expiration date, the CPP has completed a minimum of 48 hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) across the prevention domains, which must include six hours in prevention ethics.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3386.3 A (7) and R.S. 37:3386.3 A(12).

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2088 (December 2025).

§717. Registered Prevention Professional (RPP)

A. The ADRA shall recognize as an RPP each candidate who possesses requirements set forth in R.S. 37:3387.12 D, in addition to the following:

1. provides evidence of having satisfied the following requirements in education, direct clinical supervision, and work experience under direct supervision:

a. Education

i. at least a high school diploma or its equivalent.

ii. documentation that verifies the successful completion of 120 continuing education hours across all prevention domains, 90 hours must be prevention specific, 24 hours must be addiction (alcohol or other drug) specific, and six hours in prevention ethics.

b. Direct clinical supervision
i. documentation that verifies the completion of a 120-hour practicum with a Certified Prevention Supervisor (CPS) in the prevention domains with a minimum of 10 hours in each domain. A list of the current prevention domains can be found in policy adopted by the ADRA.

c. Work experience under direct supervision
i. documentation that verifies successful completion of 6000 hours of Alcohol, Tobacco and Other Drug (ATOD) Prevention work experience across the domains.

ii. This work experience may not exceed 2000 hours per year.

iii. The supervision required herein must be provided by a licensed mental health provider, CPP, RPP or designated facility administrator.

iv. Unsupervised work experience will not be considered.

2. is not currently and has not had an addictive disorder and/or compulsive gambling disorder within two years prior to application.

3. signs a statement that the applicant has read and will abide by the Code of Ethics.

C. Examination

i. documentation of professional competency in prevention services by successfully completing the examination requirements established by the ADRA.

B. Renewal

1. For an RPP credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date;

b. include proof that within two years prior to the expiration date, the RPP has completed a minimum of 48 hours of education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) across the prevention domains, which must include six hours in prevention ethics.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3386.3 A(7) and R.S. 37:3386.3 A(12).

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2088 (December 2025).

§719. Prevention Specialist-In-Training (PSIT)

A. ...

1. documents that he is actively pursuing a career as a LPP, CPP or RPP;

2. - 4. ...

5. does not now, and has not had, an addictive disorder and/or compulsive gambling disorder for a period of two years from the date of application;

6. has not been convicted of, pleaded guilty, or entered a plea of nolo contendere to a felony unless the applicant has applied for and been granted a waiver by the ADRA. The applicant shall sign a form prescribed by the ADRA authorizing the ADRA to obtain a criminal history or to conduct a criminal background check;

7. signs a statement that the applicant has read and will abide by the Code of Ethics; and

8. provide three letters of recommendation;

B. PSIT status is granted for a 12 month period, during which the PSIT shall comply with the ADRA guidelines for PSIT supervision;

1. The PSIT shall be allowed to maintain the PSIT status for an aggregate period not to exceed 72 months.

C. The ADRA shall develop PSIT supervision guidelines and post the guidelines on the ADRA website, which guidelines shall be considered the minimum standards applicable to all PSIT and PSIT supervisors. D. A

PSIT must work toward the requisite hours of work experience under the supervision of a CPS, licensed mental health professional (LMHP), LPP, CPP, or RPP to maintain PSIT status.

E. Renewal

1. For a PSIT to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed, prior to the expiration date;

b. include proof that within one year prior to the expiration date, the PSIT completed a minimum of 20 hours of education directly applicable to or related to the prevention domains; and

c. include documentation of the continued supervision by a CPS.

2. In addition, the renewal applicant must:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. Report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, and R.S. 37:3386.1 (14).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:653 (March 2005), amended Department of Health, Addictive Disorder Regulatory Authority, LR 51:2089 (December 2025).

§720. Certified Prevention Supervisor (CPS)

A. The ADRA shall recognize as a CPS each candidate who possesses the requirements set forth in R.S. 37:3387.14 E, in addition to the following:

1. is a legal resident of the United States;

2. is not currently and has not had any addictive disorder and/or compulsive gambling disorder for a period of two years prior to the application;

3. has not been convicted of, pleaded guilty, or entered a plea of nolo contendere to a felony unless the applicant has applied for and been granted a waiver by the ADRA;

4. signs a form prescribed by the ADRA authorizing the ADRA to obtain a criminal history or to conduct a criminal background check;

5. signs a statement that the applicant has read and will abide by the Code of Ethics;

6. documents a minimum of 10,000 hours of work experience in the field of prevention;

7. documents a minimum of 4,000 hours of work experience in a prevention supervisory position; and

8. provides evidence of the completion of a minimum of 30 hours in ADRA approved prevention supervision education.

B. Scope of supervision

1. An LPP recognized as a CPS may provide supervision for LPP, CPP, RPP, or PSIT; and

2. A CPP recognized as CPS may provide supervision for CPP, RPP, or PSIT.

C. Renewal

1. For a CPS credential to be considered for renewal:

a. a completed renewal application approved by the ADRA must be filed prior to the expiration date;

b. include proof that within two years prior to expiration date, the CPS has completed eight hours of supervision education from an approved educational provider (AEP) or an approved institute of higher education (AIHE) related to the prevention domains and six hours in prevention ethics; and

c. include proof of a current and valid LPP or CPP credential.

2. In addition, the renewal will require the applicant to:

a. report any violations of the ADRA statute and rules and disciplinary action by any other credentialing board.

b. report any changes in sobriety status, including relapse and recovery dates.

c. report any felony arrests and felony convictions.

d. report any changes in contact information, including name, address, phone number, and e-mail address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:37:3386.3 A(12) and R.S. 37:3388.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2089 (December 2025).

§721. Practice Credential by Reciprocity from Other States

A. The ADRA may issue a practice credential or specialty certification, without examination in this state to any person who meets the following requirements:

1. if the applicant is applying from an IC&RC jurisdiction, the applicant may follow the IC&RC reciprocity process;

2. if the applicant is not applying from an IC&RC jurisdiction, the applicant may submit an application and satisfy the following:

a. possess a valid credential to practice as an addiction counselor or prevention professional in any other state;

b. document and verify that the practice credential or specialty certification from the other state is based upon an examination and other requirements substantially equivalent to the requirements for the same practice in Louisiana; or

3. The applicant may be licensed by endorsement in accordance with the provisions of the Welcome Home Act, R.S. 37:51-59.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3383.4 A(12), R.S. 37:3390.2 and R.S. 37:51-59.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:654 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2090 (December 2025).

§723. Application and Examination

A. Application

1. Eligibility requirements and applications for a practice credential, specialty certification, or learning status shall be maintained on the ADRA website.

2. An application remains valid for one year.

3. The application shall contain forms for the applicant to provide information and documentation attesting to the completion of the requirements for a practice credential, specialty certification, or learning status.

4. Each application shall require such information the ADRA deems necessary and appropriate.

B. Examination

1. An application will be reviewed for test eligibility after the submitted application's complete and all required information and forms are received by the ADRA.

2. Upon completion and approval of the application, the applicant will be deemed eligible to take the appropriate examination.

3. The ADRA shall determine the scope of the examinations which satisfy the ADRA requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, and R.S. 37:3386 A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:654 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2090 (December 2025).

§725. Renewal

A. It is the responsibility of the individual to timely renew a practice credential, specialty certification, and learning status.

B. The ADRA shall renew a practice credential, specialty certification, or learning status only upon receipt of completed application for renewal and satisfaction of all renewal requirements. Upon renewal, the ADRA shall issue a new wallet card with date of renewal and new expiration date.

C. Applications for renewal which do not satisfy the renewal requirements will be deemed deficient. The individual will be notified and allowed to correct the deficiency. If a deficient renewal application is corrected after the expiration date, payment of the late fee is required.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, and R.S. 37:3386.3 A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:654 (March 2005), amended Department of Health, Addictive Disorder Regulatory Authority, LR 51:2090 (December 2025).

§727. Continuing Professional Education for Renewal

A. In-service training conducted by an employer does not serve as continuing education for renewal.

B. Continuing education hours must be approved by the ADRA.

C. If unapproved continuing education hours are submitted, renewal applicant must document that the education meets standards equivalent of the ADRA. Equivalence may be demonstrated by providing the course description and the qualifications of instructors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 A(8), 10) and (12), and R.S. 37:3386.3.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:655 (March 2005), amended Department of Health, Addictive Disorder Regulatory Authority, LR 51:2090 (December 2025).

§729. Failure to Timely Renew

A. A practice credential, specialty certification, or learning status not renewed prior to the expiration date shall be deemed suspended until renewed or reinstated.

B. Applications for renewal received within 30 days after the expiration date and which satisfy all requirements for renewal will require payment of both a renewal fee and a late fee and will be effective on the expiration date.

C. Suspended practice credentials and specialty certifications must be surrendered to the ADRA by the thirty-first day after the expiration date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3390 B and R.S. 37:3386.3 A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:655 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2091 (December 2025).

§731. Reinstatement

A. An ADRA practice credential or specialty certification suspended for nonrenewal may be reinstated within one year of the expiration date, provided:

1. a satisfactory application for renewal is submitted within a year of the date of the expiration, together with an explanation of the failure to renew and a written request for reinstatement.

2. for a practice credential the individual must document the completion of 48 hours of education required for timely renewal, plus an additional 12 hours of education if the application is received within six months of the expiration date, or an additional 24 hours of education if the application is received more than six months after the expiration date;

3. for a specialty certification the individual must document the completion of 14 hours of education required for timely renewal plus an additional four hours of education if the application is received within six months of the expiration date, or an additional eight hours of education if the application is received more than six months after the expiration date; and

4. CIT, PSIT, or ATA status must be timely renewed and are not eligible for reinstatement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4; and R.S. 37:3386.3A(12).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:655 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2091 (December 2025).

Chapter 9. Disciplinary Procedures

§901. Causes for Administrative Action

A. The ADRA after due notice and hearing as set forth herein and in the applicable provisions of the Administrative Procedure Act (APA), R.S. 49:950 et seq., may deny, revoke or suspend any practice credential, specialty certification, learning status or other recognition issued or applied for, or otherwise discipline an applicant for or holder of any practice credential, specialty certification, learning status or other recognition, upon finding that the person has violated the Addictive Disorders Practice Act, any rules or regulations promulgated by the ADRA, the Code of Ethics, or a prior final

decision or a consent order involving the holder or applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4(3) and La. R.S. 37:3390.3(B) and La. R.S. 37:3389(G), and R.S. 37:3386.3A(3), (5), and (12), and R.S. 37:3390.3B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:656 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1022 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2091 (December 2025).

§903. Disciplinary Process and Procedures

A. These rules and regulations are designed to supplement and effectuate the applicable provisions of the APA regarding the disciplinary process and procedures and are not intended to amend or repeal the provisions of the APA. To the extent any of these rules or regulations are in conflict therewith, the provisions of the APA shall govern.

B. ...

C. The purpose of a disciplinary hearing is to determine contested issues of law and fact; whether the person committed certain acts or omissions and, if so, whether those acts or omissions violate the Addictive Disorders Practice Act, a rule or regulation of the ADRA, the Code of Ethics, a prior final decision or a consent order involving the holder or applicant, and to determine the appropriate disciplinary action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3A(3), (5), and (12) and R.S. 37:3390.3B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:656 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1022 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2091 (December 2025).

§905. Initiation of Complaints

A. ...

B. All complaints shall be signed and in writing. Anonymous complaints will not be considered.

C. The ADRA executive director and the board member assigned as complaint investigator shall decide whether to investigate the complaint.

1. If decision is to not investigate, a letter of denial is sent both to the complainant and the person accused of wrongdoing.

D. If the decision is to investigate, the person shall be notified that allegations have been made that the individual may have committed a breach of statute, rule or regulation, the Code of Ethics, and/or a prior final decision or consent order; and that the individual must respond in writing to the ADRA within a specified time period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3 A (3), (5), and (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:656 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1022 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2091 (December 2025).

§908. Decision to Initiate Formal Complaint

A. - A.2. ...

3. the person's response to the ADRA letter or investigation fails to provide a satisfactory explanation, or fails to convince that no action is necessary; or

A.4. ...

B. Prior to instituting a formal complaint, the ADRA must give notice by mail or electronic means to the individual of facts or conduct which warrant the intended action, and the individual is given an opportunity to show compliance with all lawful requirements for retention of the practice credential, specialty certification, or learning status.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4(3) and La. R.S. 37:3390.3(B), La. R.S. 37:3389(G), R.S. 37:3386.3 A(3), (5), (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1023 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2091 (December 2025).

909. Sworn Complaint and Notification of Hearing

A. A sworn complaint, fixing a time and place for hearing, is filed by the executive director of the ADRA, charging the violation of one or more of the provisions of the Addictive Disorders Practice Act, the rules and regulations promulgated thereto, the Code of Ethics, or a prior final decision or consent order involving the person.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4(3) and La. R.S. 37:3390.3(B) and La. R.S. 37:3389(G).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1023 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2092 (December 2025).

§911. Formal Hearing

[Formerly §909]

A. The ADRA has the authority, granted by R.S. 37:3390.3 et seq., to bring administrative proceedings against persons holding or applying for any practice credential, specialty certification, learning status or other recognition issued by ADRA.

B. ...

C. Except for good cause shown, motions requesting a continuance of a hearing shall be in writing and shall be filed at least five days prior to the hearing date. The motion shall state the reason for the request. The executive director shall grant or deny the request in writing, within 24 hours. If the request is denied, written reasons for the denial shall be provided.

D. ...

E. Testimony shall be received under oath administered by the presiding hearing officer, the executive director, or other staff or board member designated by the hearing officer.

F. Witnesses may be directly examined and cross-examined and questioned during an administrative hearing by board members.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4(3) and La. R.S. 37:3390.3(B) and La. R.S. 37:3389(G), R.S. 37:3386.3 A(3), (5) and (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:657 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1023 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2092 (December 2025).

§913. Decision

A. ...

B. The ADRA decision and order shall be rendered at the hearing or taken under advisement and later rendered; and shall be served personally or domiciliary at the respondent's last known address or regular, registered, certified, or electronic mail, or by a diligent attempt.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4(3) and R.S. 37:3390.3(B) and R.S. 37:3389(G), R.S. 37:3386.3 A(3), (5), and (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1024 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2092 (December 2025).

§921. Refusal to Respond or Cooperate with the ADRA

[Formerly §915]

A. The application for and acceptance of a practice credential, specialty certification, or learning status issued by the ADRA obligates the applicant holder to respond to any request for information, or otherwise cooperate with any investigation conducted by the ADRA.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3 A(3), (5), and (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:659 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1025 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2092 (December 2025).

§923. Judicial Review of Adjudication

A. Any person whose practice credential, specialty certification, learning status, or application, has been denied, revoked or suspended or who has been otherwise disciplined by the ADRA shall have the right to have the proceedings of the ADRA reviewed by the Nineteenth Judicial District Court, provided that such petition for judicial review is filed within 30 days after notice of the decision of the ADRA. The ADRA decision is enforceable in the interim unless the court orders otherwise.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3 A(3), (5) and (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:659 (March 2005), amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1025 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2092 (December 2025).

§925. Appeal

[Formerly §919]

A. A person aggrieved by any final judgment rendered by the state district court may obtain a review of said final judgment by appeal to the appropriate circuit court of appeal. Pursuant to the applicable section of the APA, this appeal shall be taken as in any other civil case.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3 A(3), (5) and (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:659 (March 2005), repromulgated by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1025 (April 2012), amended

by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2092 (December 2025).

§927. Emergency Action [Formerly §921]

A. If the executive director of the ADRA finds that public health, safety and welfare requires emergency action and incorporates a finding to that effect in an order, an interim suspension of a practice credential, specialty certification or learning status, may be ordered pending proceedings for disciplinary action. Such proceedings shall be promptly instituted and a formal hearing held, after due notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3 A(3), (5), and (12) and R.S. 37:3390.3 B.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:659 (March 2005); amended by the Department of Health and Hospitals, Addictive Disorder Regulatory Authority, LR 38:1025 (April 2012), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2093 (December 2025).

Chapter 11. Declaratory Statements

§1101. Procedure

A. The ADRA may issue a declaratory statement in response to a request for clarification of the effect of the provisions contained in the Addictive Disorders Practice Act, R.S. 37:3386 et seq., the rules and regulations promulgated by the ADRA or the Code of Ethics.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3 A(12) and R.S. 49:977.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:659 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2093 (December 2025).

Chapter 13. Impaired Professional Program

§1301. Program

A. The ADRA shall develop policies and procedures for the operation of an impaired professional program which shall include provision for the identification and rehabilitation of any individual over whom the ADRA has authority pursuant to the provisions of the Louisiana Addictive Disorders Act whose quality of service is impaired or thought to be impaired due to mental or physical conditions. The policies and procedures shall be posted on the ADRA website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4, R.S. 37:3386.3 A(12) and R.S. 37:3390.3E.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:660 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2093 (December 2025).

Chapter 15. Code of Ethics

§1501. Professional Representation

A. A professional holding any ADRA practice credential, specialty certification, or learning status shall not:

1. misrepresent either directly or by implication any professional qualification, associations, or affiliations;
2. misrepresent any agency or organization by presenting it as having attributes which it does not possess; or
3. make claims about or encourage belief regarding the efficacy of any service that goes beyond those which the professional would be willing to subject to professional scrutiny.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(7).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:660 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2093 (December 2025).

§1503. Relationships with Clients

A. A professional holding any ADRA practice credential, specialty certification, or learning status:

1. shall make known to a prospective client or person served the important aspects of the professional relationship including fees and arrangements for payment which might affect the decision of the client or person served to enter the relationship;

2. shall inform the client or person served of the purposes, goals, techniques, rules of procedure, and limitations that may affect the relationship at or before the time that the professional relationship is established;

3. shall provide in-person and telehealth services only in the context of a professional relationship and not by means of newspaper or magazine articles, radio or television programs, mail, social media, or means of a similar nature;

4. shall not give or receive a commission or rebate or other form of remuneration for the referral of clients or persons served for professional services;

5. shall not use relationships with clients or persons served to promote, commercial enterprises of any kind, whether for personal gain or the profit of an agency;

6. shall not, under normal circumstances, be involved in the counseling of personal family members, intimate friends, close associates, or others whose welfare might be jeopardized by such a dual relationship;

7. shall not, under normal circumstances, offer professional services to a person concurrently receiving assistance from another professional except with knowledge of the other professional;

8. shall take reasonable action to inform responsible authorities and appropriate individuals in cases where the condition of a client or person served indicates a clear and imminent danger to self or others;

9. shall take reasonable precautions to protect individuals from physical and/or emotional trauma resulting from interaction within the professional setting;

10. shall not engage in activities that seek to meet the professional personal needs at the expense of a client or person served;

11. shall not engage in sexual intimacies with any client or person served during services provided or for five years after the last professional contact;

12. shall terminate a professional relationship when it is reasonably clear during services that the client or person served during services is not benefiting, and refer the client or person served to an appropriate qualified professional; and

13. shall ensure that any form of electronic communication and network used for sharing confidential information or telehealth services are secure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(7).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:660 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2093 (December 2025).

§1505. Relationships with the ADRA

A. A professional holding any ADRA practice credential, specialty certification, or learning status:

1. Shall have the responsibility of reporting to the ADRA any knowledge of unethical conduct, unethical practice, alleged misrepresentations or violations of ADRA statute or rules.

2. Shall notify the ADRA within 30 days of:

a. any violation of the ADRA statute, rules, or any disciplinary action taken by another occupational licensing board;

b. any changes in sobriety status, specifically relapse and recovery dates;

c. any changes in legal status, including felony arrests and felony convictions; and

d. any changes in contact information, including name, address, phone number, or e-mail address.

B. The ADRA shall consider the failure of a person to respond to a request for information or other correspondence as unprofessional conduct and grounds for disciplinary action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(7).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:660 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2094 (December 2025).

§1507. Advertising and Announcements

A. Any advertisement or announcement of services by a professional holding any ADRA practice credential, specialty certification, or learning status shall not contain information which is false, inaccurate, misleading, or deceptive information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(7).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:660 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2094 (December 2025).

§1511. Confidentiality

A. A professional holding any ADRA practice credential, specialty certification or learning status shall not disclose any information acquired from a client or person served except:

1. with the written consent of the client or person served, or in the case of death or disability, with the written consent of the personal representative of the client or person served; or

2. when a person files a complaint with the ADRA against a professional holding any ADRA practice credential, specialty certification, or status; or 3. as otherwise provided by state or federal law or regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(7).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:661 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2094 (December 2025).

Chapter 17. ADRA Approved Education Providers

§1701. Counselor in Training (CIT) or Prevention

Specialist in Training (PSIT)

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:661 (March 2005), repealed by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2094 (December 2025).

§1703. Certified Clinical Supervisor or Qualified Professional Supervisor

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:661 (March 2005), repealed Department of Health, Addictive Disorder Regulatory Authority, LR 51:2094 (December 2025).

§1705. Approved Training Institution

A. The ADRA shall develop policies and procedures for the approval and operation of an approved training institution (ATI).

B. Approved training institution (ATI) status is granted to the nearest renewal date after the request for ATI status is approved, provided a completed application is submitted to and approved by the ADRA.

C. To maintain ADRA approval, training institutions must adhere to the supervision guidelines established by the ADRA. The ADRA may inspect and review such institutions during normal hours of operation.

D. Renewal

1. ATI status shall be renewed annually, provided:

a. a completed renewal application is received prior to the expiration date; and

b. the ATI shows continued compliance with all applicable ADRA guidelines, policies, and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(10).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:661 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2094 (December 2025).

§1707. Approved Educational Provider

A. The ADRA shall develop policies and procedures for the approval and operation of an approved educational provider.

B. The designation of approved educational provider (AEP) status is granted to the nearest renewal date after the request for AEP status is approved, provided a completed application is submitted to and approved by the ADRA.

C. Registration as an AEP status shall be renewed annually: 1. a completed renewal application is received prior to the expiration date; and

2. the AEP shows continued compliance with all applicable ADRA guidelines, policies and procedures.

D. An organization may be granted approval as a single course provider provided a completed application is submitted to and approved by the ADRA prior to offering the course.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(10).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:661 (March 2005), amended

by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2094 (December 2025).

§1709. Approved Institution of Higher Education (AIHE)

A. The ADRA shall develop policies and procedures for the approval and operation of an approved institution of higher education (AIHE).

B. The designation of AIHE status is granted to the nearest renewal date one year after the request for AIHE status is approved provided a completed application is submitted to and approved by the ADRA.C. Registration as an AIHE status shall be renewed annually provided:

1. a completed renewal application is received prior to the expiration date; and

2. the AIHE shows continued compliance with all applicable ADRA guidelines, policies, and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4 and R.S. 37:3386.3 A(10).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:663 (March 2005), amended by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2095 (December 2025).

Chapter 19. Miscellaneous

§1901. Injunction

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:664 (March 2005), repealed by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2095 (December 2025).

§1903. Persons and Practices Not Affected

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:664 (March 2005), repealed by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2095 (December 2025).

§1905. Prohibited Activities

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3388.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, Addictive Disorder Regulatory Authority, LR 31:664 (March 2005), repealed by Department of Health, Addictive Disorder Regulatory Authority, LR 51:2095 (December 2025).

Chapter 20. Meetings

§2001. Conduct of Meetings

A. The ADRA is obligated to provide for participation in ADRA open meetings via teleconference or video conference or, if unavailable, by viable alternative methods on an individualized basis for people with disabilities.

1. People with disabilities may be any of the following:

- a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);

- a designated caregiver of such a person; or

- a participant member of the ADRA board.

2. The ADRA shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the board

representative to whom a disability accommodation may be submitted.

B. The designated representative shall provide the requestor with an accommodation, including the teleconference, video conference link, or alternative method for participation via electronic or alternative means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

C. Member participation via electronic or alternative means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14 E (1).

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2095 (December 2025).

Chapter 21. Telehealth

§2101. Telehealth Practice in Louisiana by Licensed, Certified or Registered Addiction Counselors, Licensed, Certified or Registered Prevention Professionals, or Certified Compulsive Gambling Counselors

A. Those licensed by the ADRA as either a licensed, certified or registered addiction counselor, or a licensed, certified or registered prevention professional, or a certified compulsive gambling counselor may render services to a client or person served using telehealth as defined in and as authorized by the Louisiana Telehealth Access Act, R.S. 40:1223.1 through R.S. 40:1223.5.

B. The client or person served must be located in the state of Louisiana at the time the telehealth interaction occurs, and the licensed, certified or registered professional must be licensed as either a licensed, certified or registered addiction counselor, or a licensed, certified or registered prevention professional or a certified compulsive gambling counselor by the ADRA.

C. All laws regarding the confidentiality of client and person served information and the rights of the client or person served to such information created during a telehealth interaction apply as if the services were rendered in person.

D. The licensed, certified or registered addiction counselor, or licensed, certified or registered prevention professional, or certified compulsive gambling counselor providing services through means of telehealth is bound to exercise the same standard of care as is required were the services rendered in person.

E. Licensing or registration of out-of-state providers possessing either a license, certification or registration as either an addiction counselor or a prevention professional, or certification as a gambling counselor may provide services for which license, certification or registration is required by the ADRA to clients or persons served in Louisiana provided the following conditions are met:

1. The individual providing telehealth services to the client or person served in Louisiana must hold a license, certification or registration from the state in which the individual providing services is located at the time the telehealth interaction occurs which license, certification or registration is in the judgment of the ADRA, comparable to the license, certification or registration requirements of the state of Louisiana for services rendered in person in the state of Louisiana.

2. The out-of-state provider must possess an unrestricted and unencumbered license, certificate or registration in good standing in order to perform the service for which this state requires a comparable license, registration or certificate, in the state in which the out of state provider is located when the services are provided.

3. The out-of-state licensee, registrant or certificate holder must apply for and obtain an out-of-state provider telehealth license, certification or registration to practice telehealth in Louisiana as either a licensed, certified or registered addiction counselor, or a licensed, certified or registered prevention professional, or a certified compulsive gambling counselor; and must pay an application fee of \$250 and an annual renewal fee of \$100.

4. Should the out-of-state provider telehealth license, certification or registration be granted by the ADRA to an out of state licensee, registrant or certificate holder, the out of state telehealth licensee, registrant or certificate holder is bound to follow all statutes, rules and regulations applicable to the comparable Louisiana licensee, registrant or certificate holder.

F. Consultation by a Louisiana licensed, certified or registered addiction counselor, or a Louisiana licensed, certified or registered prevention professional, or a Louisiana certified compulsive gambling counselor with an out of state peer professional may occur by telehealth means without need for the out of state peer professional to hold a Louisiana out-of-state provider telehealth license issued by this board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3386.3 B (3) and R.S. 40:1223.4 A.

HISTORICAL NOTE: Promulgated by the Department of Health, Addictive Disorder Regulatory Authority, LR 51:2095 (December 2025).

Lauren McNeal
Executive Director

2512#040

RULE

Department of Health Behavior Analyst Board

Application Procedures and Board Fees (LAC 46:VIII.301)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq, the Behavior Analyst Board has amended §301 Application Procedures for Licensure/State Certification/Registration, to clarify applications for licensees, certificants and registrants must be submitted pursuant to statutory requirements. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part VIII. Behavior Analysts

Chapter 3. Application Procedures and Board Fees

§301. Application Procedures for Licensure/State Certification/Registration

A. Application and/or Registration

1. Applications are to be submitted pursuant to the requirements listed in R.S. 37:3706-R.S.37:3708.

A.2. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3706-R.S. 37:3708.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Behavior Analysts Board, LR 40:1930 (October 2014), amended by the Department of Health, Behavior Analyst Board LR 51:2096 (December 2025).

Rhonda Boe
Executive Director

2512#012

RULE

Department of Health Bureau of Health Services Financing

Managed Care—Healthy Louisiana Hospital and Practitioner Directed Payments (LAC 50:I.3113)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:I.3113 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part I. Administration

Subpart 3. Managed Care for Physical and Behavioral Health

Chapter 31. General Provisions

§3113. Directed Payments

A. Hospital and Practitioner Directed Payments

1. Subject to written approval by the Centers for Medicare and Medicaid Services (CMS), the Louisiana Department of Health (LDH) shall provide directed payments to qualifying hospitals and practitioner/groups. Practitioners include physicians, physician assistants, certified registered nurse practitioners, and certified nurse anesthetists, as well practitioner groups. These entities must participate in Healthy Louisiana Medicaid managed care program. All directed payments shall be made in accordance with the applicable 42 CFR §438.6(c) preprint(s) approved by CMS, as well as relevant federal and departmental regulations.

2. *Qualifying Hospital or Practitioner*—one of the following:

a. an in-state provider of inpatient and outpatient hospital services (excluding freestanding psychiatric hospitals, freestanding rehabilitation hospitals, and long-term acute care hospitals) that meets the criteria specified in the applicable 42 CFR §438.6(c) preprint approved by CMS and departmental regulations;

b. an in-state hospital provider of long-term acute care, psychiatric services, and rehabilitation services for both inpatient and outpatient hospital services that meet the criteria specified in the applicable 42 CFR §438.6(c) preprint approved by CMS and departmental regulations; or

c. an in-state practitioner for professional services, primary care services and specialty physician services that

meet the criteria specified in the applicable 42 CFR §438.6(c) preprint approved by CMS and the departmental regulations.

3. The department shall assign qualifying hospitals or practitioners to provider classes based upon criteria specified in the applicable 42 CFR §438.6(c) preprint(s) approved by CMS, in accordance with departmental regulations.

a. Qualifying hospitals or practitioners shall have no right to an administrative appeal regarding any issue related to provider classification, including, but not limited to, provider class assignment, the effective date of provider class assignment, or qualifying determinations.

4. The department shall utilize an interim payment process, whereby interim directed payments will be calculated based on provider class assignment utilizing the data and methodology specified in the applicable 42 CFR §438.6(c) preprint(s) approved by CMS, in accordance with departmental regulations.

a. Qualifying hospitals or practitioners shall have no right to an administrative appeal regarding calculation of interim directed payments.

b. The department reserves the right to discontinue the interim directed payments to any hospital or practitioner whose projected recoupment due to shifts in utilization is greater than 50 percent of their estimated interim directed payments or any hospital or practitioner who discontinues operations during or prior to the directed payment contract period.

5. ...

a. The MCOs shall pay interim directed payments to qualified hospitals or practitioners within 10 business days of receipt of quarterly interim directed payment information from LDH. If a barrier exists that will not allow the MCO to pay the interim directed payments within 10 business days of receipt, the MCO shall immediately notify LDH. LDH at its sole discretion will determine if penalties for late payment may be waived.

b. The qualifying hospital or practitioner may request that the MCOs deposit their interim directed payments into a separate bank account owned/held by the qualifying hospital or practitioner. Interim directed payments shall not be deposited into a bank account that is owned/held by more than one qualifying hospital or practitioner.

6. In accordance with the applicable 42 CFR §438.6(c) preprint(s) approved by CMS, federal regulations, and departmental requirements, directed payments must be based on actual utilization and delivery of services during the applicable contract period.

a. Within 12 months of the end of each state fiscal year (SFY), LDH shall perform a reconciliation of hospital interim payments as specified in the applicable 42 CFR §438.6(c) preprint approved by CMS and departmental regulations.

b. LDH shall reconcile the interim payment for practitioners as specified in the applicable 42 CFR §438.6(c) preprint approval by CMS and departmental regulations.

i. Qualifying hospitals or practitioners shall have no right to an administrative appeal regarding any issue related to reconciliation, including, but not limited to, the timing and process.

c. Qualified hospitals or practitioners are strongly encouraged to submit claims as quickly as possible.

7. If a qualifying hospital or practitioner that is subject to a reconciliation or adjustment will not be participating in a directed payment arrangement in the future, the qualified hospital or practitioner shall pay all amounts owed to LDH or the MCO, if any, within 30 calendar days' notice of the amount owed, in accordance with departmental regulations.

a. In addition to all other available remedies, LDH or the MCOs has the authority to offset all amounts owed by a qualifying hospital or practitioner due to a reconciliation or adjustment against any payment owed to the qualifying hospital or practitioner, including, but not limited to, any payment owed by the MCO or LDH.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:245 and Title XIX of the Social Security Act

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 49:264 (February 2023), amended LR 49:1566 (September 2023), LR 50:1649 (November 2024), LR 51:2096 (December 2025).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Bruce D. Greenstein
Secretary

2512#042

RULE

Department of Health Bureau of Health Services Financing

Targeted Case Management
Ventilator Care Coordination
(LAC 50:XV.10101, 10701, 11101, and 11103)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:XV.10101 and 10701 and adopted LAC 50:XV.11101 and 11103 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XV. Services for Special Populations

Subpart 7. Targeted Case Management

Chapter 101. General Provisions

§10101. Program Description

A. - D.2....

E. Repealed.

F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 12:834 (December 1986), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 19:648 (May 1993), LR 23:732 (June 1997), repealed and promulgated LR 25:1251 (July 1999), repromulgated for inclusion in LAC, LR 30:1036 (May 2004), amended by the Department of Health and Hospitals, Office of the Secretary, Office for Citizens with Developmental Disabilities, LR 32:1607

(September 2006), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 47:1124 (August 2021), LR 49:2107 (December 2023), amended by the Department of Health, Bureau of Health Services Financing, LR 51:2097 (December 2025).

Chapter 107. Reimbursement

§10701. Reimbursement

A. - E. ...

F. All targeted case management services shall be reimbursed at a flat rate for each approved unit of service. The standard of service is equivalent to one month.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 30:1040 (May 2004), amended LR 31:2032 (August 2005), LR 35:73 (January 2009), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:1903 (September 2009), LR 36:1783 (August 2010), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Public Health, LR 39:97 (January 2013), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 39:3302 (December 2013), LR 40:1700, 1701 (September 2014), LR 41:1490 (August 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 44:63 (January 2018), LR 47:1128 (August 2021), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 48:2976 (December 2022), amended by the Department of Health, Bureau of Health Services Financing, LR 51:2098 (December 2025).

Chapter 111. Ventilator Care Coordination

§11101. Recipient Qualifications

A. The targeted population for ventilator care coordination shall consist of Medicaid beneficiaries, birth through age 25, who require the use of mechanical ventilation and are participants of the Children's Choice Waiver (CC), New Opportunities Waiver (NOW), Residential Options Waiver (ROW), Early Steps Program, or meet requirements to receive Early Periodic Screening Diagnostic and Treatment (EPSDT) Targeted Case Management services as specified in LAC 50:XV.11303. Those eligible for and electing to receive ventilator care coordination may not receive other Medicaid-funded case management services.

B. Ventilator care coordination provides technical medical expertise relative to mechanical ventilation, including:

1. intensive case management that focuses on medical needs and addressing socioeconomic and environmental factors;
2. discussing with beneficiary/family when medical concerns arise and acting accordingly;
3. updating physicians on medical concerns/issues between hospitalizations to maximize patient care;
4. collaborating with skilled professionals to assess equipment needs for each beneficiary to ensure appropriateness;
5. advocating between the beneficiary/family, the supply/equipment vendor, and other providers when needed;
6. assessing beneficiary needs to have updated prescriptions for ventilator supplies and durable medical equipment;
7. working with the home health agency, family, and pharmacy to avoid the risk of medication reaction or error;

8. reviewing the home health agency's plan of care to determine the accuracy and appropriateness of the services provided; and

9. providing training and technical assistance to care providers and agencies that administer the provision of care to promote the health and safety of ventilator care coordination beneficiaries in their homes, at school, and in the community.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 51:2098 (December 2025).

§11103. Ventilator Care Coordination Provider Qualifications

A. Each Medicaid-enrolled provider must employ the following staff:

1. licensed registered nurse; and
2. registered respiratory therapist.

B. The staff listed in Paragraphs A.1 and A.2 of this Section must possess at least two years of experience working with individuals who require mechanical ventilation.

C. Ventilator care coordinators may not exceed a caseload of 25 beneficiaries.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 51:2098 (December 2025).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Bruce D. Greenstein
Secretary

2512#043

RULE

Department of Health Licensed Professional Counselors Board of Examiners

Appraisal (LAC 46:LX.503)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners proposes has made a technical revision to clarify the scope of appraisal activities allowed for counselors. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LX. Professional Counselors

Subpart 1. Licensed Professional Counselors

Chapter 5. License and Practice of Counseling

§503. Definitions for Licensed Professional Counselors and Provisional Licensed Professional Counselors

A. ...

* * *

Practice of Mental Health Counseling/Psychotherapy—rendering or offering prevention, assessment, diagnosis, and treatment, which includes psychotherapy of mental, emotional, behavioral, and addiction disorders to individuals, groups, organizations, or the general public by a licensed or provisional licensed professional counselor, which is consistent with his/her professional training as prescribed by R.S. 37:1107(A)(8), and *Code of Ethics*/behavior involving the application of principles, methods, or procedures of the mental health counseling profession which includes but is not limited to the following.

a. - d. ...

e. Appraisal—

i. use or administration of tests of language, educational and achievement tests, and adaptive behavioral tests, as well as tests of abilities, interests, and aptitudes, for the purpose of diagnosing those conditions allowed within the scope of these statutes, defining counseling goals, planning and implementing interventions, and documenting clients progress as related to mental health counseling. Appraisal includes but is not necessarily limited to the following areas.

(a). - (c). ...

ii. Qualified licensed professional counselors as well as other appropriately licensed or certified professionals may also administer or use test of language, educational and achievement, and adaptive behavior tests. The administration and interpretation of these tests are not exclusively within the scope of this regulation.

e.iii. - g. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 371101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:83 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 16:302 (April 1990), LR 18:51 (January, 1992), LR 22:101 (February 1996), LR 24:437 (March 1998), LR 24:2124 (November 1998), LR 26:493 (March 2000), LR 29:130 (February 2003), LR 33:2654 (December 2007), LR 39:1783 (July 2013), LR 41:710 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners LR 45:757 (June 2019), LR 46:1686 (December 2020), LR 51:1863 (November 2025), LR 51:2098 (December 2025).

Jamie S. Doming
Executive Director

2512#036

RULE

**Department of Insurance
Office of the Commissioner**

**Regulation 25—Sale of Stock to Public; Stock Options
(LAC 37:XIII.Chapter 73)**

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby repeals Regulation 25—Sale of Stock to Public; Stock Options. The Department of Insurance has

repealed Regulation 25 due to outdated law. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

**Chapter 73. Regulation 25—Sale of Stock to Public;
Stock Options**

§7301. Sale of Stock; Stock Options

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, May 28, 1964, repealed LR 51:2099 (December 2025).

Timothy J. Temple
Commissioner

2512#021

RULE

**Department of Insurance
Office of the Commissioner**

**Regulation 106—Replacement of Limited Benefit Insurance
Policies (LAC 37:XIII.14901 and 14905)**

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby amends Regulation 106.

The purpose of the amendment to Regulation 106 is to provide the correct authority granted under the Insurance Code, specifically R.S. 22:1964(28), which prohibits the deliberate use of misrepresentation or false statements by insurance producers for the purpose of convincing a customer to replace a limited benefit insurance policy and directs the Commissioner of Insurance to promulgate rules and/or regulations addressing the replacement of limited benefit insurance policies as defined in R.S. 22:47(2)(c). This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

**Chapter 149. Regulation Number 106—Replacement of
Limited Benefit Insurance Policies**

§14901. Purpose

A. Regulation 106 implements the provisions of Act 844, of the 2014 Regular Session of the Louisiana Legislature, specifically R.S. 22:1964 (28) which mandates that the Department of Insurance promulgate rules and/or regulations addressing the replacement of limited benefit insurance policies as defined in R.S.22:47(2)(c).

B. - B.2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1964 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 44:2009 (November 2018), amended LR 51:2099 (December 2025).

§14905. Authority

A. Regulation 106 is promulgated by the commissioner pursuant to the authority granted under the Insurance Code, R.S. 22:1 et seq., particularly R.S. 22:11, and specifically R.S. 22:1964 (28).

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1964 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 44:2009 (November 2018), amended LR 51:2099 (December 2025).

Timothy J. Temple
Commissioner

2512#023

RULE

Department of Insurance Office of the Commissioner

Regulation 112—Adoption of NAIC Handbooks, Guidelines, Forms, and Instructions (LAC 37:XIII.Chapter 161)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., amends Regulation 112.

The purpose of the amendment to Regulation 112 is to identify and to incorporate by reference the current edition of handbooks, guidelines, forms, and instructions adopted by the National Association of Insurance Commissioners (NAIC) and referenced in the Louisiana Insurance Code. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 161. Regulation Number 112—Adoption of NAIC Handbooks, Guidelines, Forms and Instructions

§16101. NAIC Handbooks, Guidelines, Forms and Instructions Incorporated by Reference

A. ...

B. The following NAIC handbooks, guidelines, forms, and instructions are hereby adopted and incorporated by reference:

1. The Financial Condition Examiner's Handbook, 2024 edition.

2. The Annual and Quarterly Statement Instructions, Property and Casualty, 2024 edition.

3. The Annual and Quarterly Statement Instructions, Life, Accident, and Health, 2024 edition.

4. The Annual and Quarterly Statement Instructions, Health, 2024 edition.

5. The Annual and Quarterly Statement Instructions, Title, 2024 edition.

6. The Annual and Quarterly Statement Instructions, Fraternal, 2024 edition.

7. The Annual and Quarterly Statement Blanks, Property and Casualty, 2024 edition.

8. The Annual and Quarterly Statement Blanks, Life, Accident, and Health, 2024 edition.

9. The Annual and Quarterly Statement Blanks, Health, 2024 edition.

10. The Annual and Quarterly Statement Blanks, Title, 2024 edition.

11. The Annual and Quarterly Statement Blanks, Fraternal, 2024 edition.

12. The Accounting Practices and Procedures Manual, 2024 edition.

13. The Financial Analysis Handbook, 2024 edition.

14. The Own Risk and Solvency Assessment Guidance Manual, 2024 edition.

15. The Purposes and Procedures Manual of the NAIC Investment Analysis Office, 2024 edition.

16. The Risk-Based Capital Forecasting and Instructions, 2024 edition.

17. The Market Regulation Handbook, 2024 edition.

C. - D.3 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 258, 619(B), 640(B), 661(A), 675, 691.11, 691.54, and 1804.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 45:1208 (September 2019), amended LR 46:993 (July 2020), amended LR 47:1328 (September 2021), LR 48:2299 (September 2022), amended LR 49:1410 (August 2023), amended LR 51:73 (January 2025), amended LR 51:2100 (December 2025).

Timothy J. Temple
Commissioner

2512#007

RULE

Department of Insurance Office of the Commissioner

Regulation 117—Submission of Contact Information for Risk-Bearing Entities (LAC 37:XIII.17505)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby amends Regulation 117.

The purpose of the amendment to Regulation 117 is to make it mandatory to include disaster complaints and insurance fraud contact information for risk-bearing entities. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 175. Regulation Number 117—Submission of Contact Information for Risk-Bearing Entities

§17505. Required Contacts

A. The following shall be required contacts for each risk-bearing entity:

1. an individual responsible for the receipt of and response to consumer complaints filed with the department;

2. an individual responsible for the receipt of rules, regulations or other directives from the commissioner;

3. an individual responsible for the receipt of and response to inquiries from the department regarding the financial condition of the entity;

4. an individual responsible for the receipt of and response to inquiries from the department regarding tax payments;

5. an individual responsible for the receipt of and response to inquiries from the department regarding data security and data breaches;

6. an individual responsible for the receipt of and response to inquiries from the department in the event of a catastrophe or disaster;

7. an individual responsible for the receipt of and response to inquiries from the department regarding market conduct issues;

8. an individual responsible for the receipt of and response to inquiries from the department regarding disaster complaints;

9. an individual responsible for the receipt of and response to inquiries from the department regarding insurance fraud.

B. The risk-bearing entity may designate more than one individual to meet any one of the requirements of this section.

C. The risk-bearing entity may designate one individual as its primary contact to satisfy any one or more of the required contact requirements.

D. If the phone number provided is a general phone number of the risk-bearing entity, the contact information submitted shall include the extension of the individual.

E. The commissioner may provide additional contact types for which a risk-bearing entity may submit contact information to facilitate communication with the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2E, 22:41.2, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 47:1646 (November 2021), amended LR 51:2100 (December 2025).

Timothy J. Temple
Commissioner

2512#022

RULE

Louisiana Economic Development Office of Economic Development

High Impact Jobs Program (LAC 13:I.Chapter 53)

Louisiana Economic Development (LED), as authorized by and pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., R.S. 36:104 and Act 372 of the 2025 Regular Legislative Session, has adopted rules to be used by LED in administration of the High Impact Jobs Program. This Rule is hereby adopted on the day of promulgation.

Title 13

ECONOMIC DEVELOPMENT

Part I. Financial Incentive Programs

Chapter 53. High Impact Jobs Program

§5301. Purpose

A. The purpose of this Chapter is to implement the High Impact Jobs Program as established by R.S. 51:2771.

B. This Chapter shall be administered to achieve the following purposes:

1. to encourage companies to create jobs that pay above the parish average wage and offer a basic health plan; and

2. to encourage companies to retain highly skilled workers with advanced degrees.

C. Effective date of Act 372 of the 2025 Regular Legislative Session

1. The provisions of Act 372 of the 2025 Regular Legislative Session shall become effective July 1, 2025, however, Louisiana Economic Development shall not issue the first grant until on or after July 1, 2026.

D. Effective date of the program rules

1. Notwithstanding any provision of the Administrative Procedure Act to the contrary, rules promulgated are subject to the approval of the Joint Legislative Committee on the Budget.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2101 (December 2025).

§5303. Definitions

A. Terms not otherwise defined in this Chapter shall have the same meaning given to them in R.S. 51:2771, unless the context clearly requires otherwise.

B. In this Chapter, the following terms shall have the meanings provided herein, unless the context clearly indicates otherwise.

Advanced Degree—any academic or professional degree earned after a bachelor's degree, such as a master's or doctorate. This term shall not include certifications that demonstrate a professional's proficiency in specific areas such as IT, unless otherwise approved by the secretary.

Applicant—a person requesting a grant award from LED under this program.

Baseline Jobs—the median statewide number of employees of company, including any named subsidiary in the contract, during the payroll periods including the twelfth day of the month, in the last twelve months completed prior to the application date, or if a later contract effective date is elected and approved, the higher median number of jobs existing either during the payroll periods including the twelfth day of the month, in the last twelve months completed prior to the application date or the contract effective date, as verified on the applicable ES-4 form or equivalent filing form or other documentation as approved by LED. Baseline Jobs must be maintained in any year for which New Job creation benefits are requested.

Baseline Job Payroll—shall mean straight wages excluding overtime, bonus or relocation payments. Partial year employees' wages may be annualized.

Basic Health Benefits Plan—individual coverage for basic hospital care, physician care, and health care, effective no later than the first day of the month 90 days after hiring, that provides the same coverage as that provided to executive, administrative, and professional employees who are exempt from the minimum wage and maximum hour requirements of the federal Fair Labor Standards Act, 29 U.S.C. 2 201 et seq., and which LED determines to be in compliance with federally mandated healthcare requirements, or if no federally mandated healthcare requirements exist, as otherwise approved by LED. For the purposes of this Paragraph, the term "value" shall mean the cost to the company or the cost of equivalent coverage.

Company—an entity authorized to do business in Louisiana pursuant to state law.

Completion—the date on which all required steps for issuance of grant payments have been completed including but not limited to submission of an expenditure verification

report and all necessary support documentation, and payment in full of any CPA fees.

Contract Effective Date—may be no earlier than the date that LED received the application and fee, but no later than 180 days after the application date.

Distressed Area—an area that is economically distressed or underdeveloped, which is defined as:

a. lowest 25 percent of parishes by average annual wage according to the Bureau of Labor Statistics (BLS), or

b. areas considered *Deeply Distressed* within the New Market Tax Credit program administered by the U.S. Department of the Treasury's (Treasury) Community Development Financial Institutions Fund (CDFI) in accordance with Internal Revenue Code 26 U.S.C. 45D, and applicable Treasury regulations 26 CFR 1.45D-1, as may be amended, or

c. projects that have a significant community impact, as demonstrated by the associated Regional Economic Development Organization (REDO), or

d. as approved by the secretary.

Expenditure Verification Report—a report of expenses prepared by an independent certified public accountant, selected by LED, paid for by the company, in accordance with R.S. 36:104.1.

Headquarters—the corporate domicile of the company, together with all executive and administrative jobs normally constituting a corporate headquarters, or the regional headquarters support services of the company, together with all executive and administrative jobs normally constituting a regional corporate headquarters.

Jobs—positions of employment that meet all of the following criteria:

a. did not exist in the state for that employer prior to the effective date of the incentive contract entered into pursuant to the provisions of this Chapter.

b. are for full-time, at-will employees. Does not include seasonal or temporary positions.

c. are directly employed by the company or a named subsidiary in the contract.

d. are filled onsite or remotely by Louisiana employees of the company or a named subsidiary in the contract.

e. include a basic health benefits plan.

f. is approved by the secretary.

g. as a general rule, jobs from an acquired Louisiana company shall not be considered a new job for the purposes of this program.

h. jobs shall not mean baseline jobs.

LED—Louisiana Economic Development

Louisiana Employee—a person who qualifies as a resident individual pursuant to R.S. 47:31(1)

New Job Totals—the total number of jobs minus Baseline Jobs

Parish Average Wage—the average wage in a parish as determined annually by the United States Department of Labor, Bureau of Labor Statistics, or its successor agency.

Person—any natural person or legal entity including an individual, corporation, partnership, or limited liability company

Project Site—a physical facility in Louisiana, operating with posted business hours and employing at least one full-

time equivalent employee, as identified for a project on the program application

Qualifying Company—a company that is certified by LED as meeting the eligibility requirements of this Section and that has executed a contract with LED providing the terms and conditions for its participation in the program provided for in this Section.

Regional Average Wage—the average wage within the geographic boundaries of the regional economic development organization in which the project is located, as calculated by LED and posted on its website.

Regional Economic Development Organization—any of the following eight state organizations: the Baton Rouge Area Chamber; the Central Louisiana Economic Development Alliance; Greater New Orleans, Inc.; the Northeast Louisiana Economic Alliance; the North Louisiana Economic Partnership; One Acadiana; the South Louisiana Economic Council; the Southwest Louisiana Economic Development Alliance, or any of their successors. Abbreviated and also known as "REDO".

Retain—to keep employees within an organization

Secretary—Secretary of Louisiana Economic Development

Wages—compensation of an employee based on time worked or output of production but does not include overtime compensation, bonuses or relocation payments.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2101 (December 2025).

§5305. General Principles

A. The following general principles will direct the administration of the program.

1. Grant awards are not to be considered as an entitlement for companies, and the secretary has the final authority to determine whether or not each particular applicant is eligible and meets the criteria of the grant award, and in all such circumstances, the exercise of that discretion shall be deemed to be a final determination of the applicant's award status.

2. Applications shall be accepted on a year round basis, subject to availability of funding in any given year, or as otherwise determined by LED.

3. As a general rule applicants may apply for more than one statutory benefit program administered by LED, provided that:

a. separate applications are submitted per program; and

b. program applicants do not receive a double benefit on the same expenditure or job.

4. Except that notwithstanding any other provision of law to the contrary, a company seeking the benefits of this High Impact Jobs Program shall not also receive rebates provided for under the Quality Jobs Program as provided for in R.S. 51:2451 through 2461.

B. Program funding.

1. Funding for this program is provided by any money transferred, donated, or appropriated to the High Impact Job Fund ("Fund").

2. LED may not authorize issuance of grant payments exceeding the available monies in the Fund.

3. The issuance of grant payments shall be subject to funding availability in any given fiscal year, and administered based upon a first come, first served basis, as determined by the completion date.

a. Any applicants with completions on the same business day shall be treated as received at the same time, and if the aggregate amount of requests received on a single business day exceed the amount of funding available, payments shall be made on a pro rata basis.

b. In the event the aggregate amount of requests exceed the annual program cap, the excess requests shall be treated as having been applied for on the first day of the subsequent year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2102 (December 2025).

§5307. General Program Description

A. Companies primarily engaged in the following sectors are ineligible for participation in the program:

1. gaming;
2. retail sales;
3. professional sports teams;
4. state and political subdivision enterprises;
5. automotive rental and leasing;
6. local solid waste disposal;
7. local sewage systems;
8. local water systems;
9. professional service organizations primarily engaged in providing legal services;
10. professional service organizations primarily engaged in providing accounting services;
11. telemarketing and other call centers;
12. solar farms
13. motion picture and video industries, primarily engaged in producing, or producing and distributing, motion pictures, videos, televisions programs or commercials, broadly defined by NAICS Code 5121.
14. live entertainment and performing arts companies, primarily engaged in producing live presentations involving the performance of actors, singers, dancers and other performing artists, broadly defined by NAICS Code 7111.
15. LED may utilize economic impact methodology when evaluating submissions. Using this methodology, industries with a multiplier effect at or below 1.85 may be considered ineligible for program participation. LED shall maintain a listing by NAICS codes of such industries on its website, which may be updated annually.
16. non-profit organizations;
17. organizations primarily involved in political activities;
18. organizations primarily involved in advocacy activities;
19. organizations primarily involved in religious activities;
20. social organizations.

B. To ensure fair and transparent use of funds allocated for this program, sole proprietorships shall be considered ineligible for program participation, and small companies seeking to hire individuals closely connected to the business owner may be subject to heightened scrutiny or restrictions on related party transactions.

C. Companies primarily engaged in the following sectors are eligible for participation in the program:

1. industry sectors identified in LED's strategic plan, as may be amended from time to time;
2. energy and process industries, including but not limited to liquefied natural gas services, nuclear components and carbon ecosystem management;
3. logistics, including but not limited to ports and maritime freight, warehousing and transportation equipment;
4. aerospace and defense, including but not limited to ship building, instrument and propulsion unit manufacturing;
5. agribusiness, including but not limited to fertilizer and food manufacturing, precision and digital agriculture;
6. professional services, including but not limited to data centers and general management operations;
7. life sciences; including but not limited to medical device manufacturing, pharma manufacturing and biotech research and development;
8. technology services, including but not limited to robotics and industrial controls, IoT software and cybersecurity;
9. manufacturing;
10. biomedical or biotechnology industries;
11. corporate headquarters or regional headquarters of a multi-state business;

D. NAICS codes are one factor to be considered by LED in determining program eligibility, however, they shall not be considered dispositive for eligibility purposes.

E. For applications received on or after July 1, 2025, qualifying companies may be eligible for the following incentives:

1. A reimbursable grant based upon the annualized wages paid for qualifying new jobs, not to exceed two hundred thousand dollars per year, per job, based upon the parish average wage paid where the project is located at the time the incentive contract is executed, subject to the following conditions:
 - a. eight percent for a project located in a distressed area with wages equal to or greater than one hundred and ten percent but less than one hundred and twenty five percent of the lesser of the parish average wage or the regional average wage;
 - b. eighteen percent for a project located in a parish with wages equal to or greater than one hundred and twenty five percent but less than one hundred and fifty percent of the parish average wage;
 - c. twenty-two percent for a project located in a parish with wages equal to or greater than one hundred and fifty percent of the parish average wage.

2. A reimbursable grant to retain highly skilled workers with advanced degrees, at the invitation of, and as approved by the secretary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2103 (December 2025).

§5309. Application Procedure

A. LED will provide a standard application form which applicants will be required to use to apply for assistance under this program. Applications may be filed through LED's online Fastlane portal, or as otherwise directed by LED.

B. The application shall include, but not be limited to, the following information:

1. business name;
2. contact person and their title;
3. business physical address;
4. business phone number and email address;
5. brief description of the nature of the business;
6. number of existing employees;
7. number of proposed new jobs;
8. Secretary of State registration;
9. any additional information requested by LED;

10. In addition, applicants for projects located in a distressed region shall also provide the following:

- a. evidence of the geographic boundaries of the distressed area;
- b. letter of project support from the applicable regional economic development organization.

C. A non-refundable application fee shall be submitted with the application in accordance with R.S. 36:104.

D. A refundable expenditure verification report deposit shall also be submitted with the application, in accordance with R.S. 36:104.1. As a general rule, the deposit fee shall be \$7,500.00.

1. The expenditure verification report deposit fee may be waived or reduced at the discretion of the secretary for good cause shown. In which case, the applicant will remain liable for payment in full of the actual cost of accounting services, with payment to be made in full at a later date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2103 (December 2025).

§5311. Selection Criteria

A. LED may consider various discretionary factors when determining which applications will be funded. Among the factors which may be taken into consideration are the following:

1. industry sectors identified in LED's strategic plan, as may be amended from time to time;
2. letters of project support from the applicable regional economic development organization;
3. disbursing of funding statewide;
4. availability of funding; and
5. best interests of the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2104 (December 2025).

§5313. LED Action—Grant Approval or Denial Provisions

A. In the event LED determines that an applicant is eligible, funding is available and a grant would be appropriate, a contract will be issued, specifying the amount, the terms and conditions of the grant. Companies with project sites located in distressed areas may be subject to in-office work requirements.

1. The initial term of the contract shall be for three years;

2. The contract may be renewed for a single two-year period, if the grant recipient has complied with all terms and conditions of the contract and has not failed to perform any act which would have made the applicant default on any terms of the contract.

a. Applications for renewal shall be filed with LED in the same manner as the original request, not more than six months before, and not later than the expiration of the initial contract, and shall include an application fee and expenditure verification report deposit fee, in accordance with R.S. 36:104 and R.S. 36:104.1.

b. Applications for renewal after the expiration of the initial contract shall be considered late, and may be subject to an additional late filing fee, in accordance with R.S. 36:104.

B. A qualifying company with an executed contract shall make a request for reimbursement as follows:

1. Company shall notify LED that they are ready to proceed and make a cost report of expenses available for inspection by the independent certified accountant assigned by LED, including evidence of basic health plans provided if applicable, and any additional information as may be requested.

2. Requests may be submitted either annually or at the end of the initial or contract renewal periods, as applicable.

3. Upon completion, independent CPA shall submit the expenditure verification report to LED and the applicant, and a final invoice for accounting services rendered.

4. Company shall be refunded any amount in excess of its advance deposit or notified of any final amount due for accounting services.

5. After company payment of any outstanding fees, LED shall review the expenditure verification report and any other applicable support documentation, and upon a determination of qualification, LED shall make payment to the applicant.

C. In the event an application is denied, or if a reimbursement request is denied in whole or part, LED shall issue a written denial, specifying the basis for denial.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2104 (December 2025).

§5315. Return of Benefits

A. If a company receives a grant award pursuant to this High Impact Jobs Program and it is subsequently determined that the company did not qualify for the benefit then:

1. Future payments to the company shall be reduced by the amount wrongfully received by the company; or,

2. If there are no future payments due the company from which to deduct the amount owed, LED may recover any monies wrongfully obtained.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2771

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 51:2104 (December 2025).

Anne G. Villa
Deputy Secretary/CFO

2512#048

RULE

Louisiana Economic Development Office of Economic Development

Minority Business Enterprise
(LAC 19:III.Chapters 1-25)

Louisiana Economic Development (“LED”), Office of Economic Development, authorized by and pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104, hereby repeals rules for the administration of the Minority Business Enterprise.

In accordance with the Office of the Governor Executive Order No. JML 25-038, LED reviewed and evaluated these program rules, determined them to be obsolete and unnecessary and therefore seeks their repeal. This Rule is hereby adopted on the day of promulgation.

Title 19

CORPORATION AND BUSINESS

Part III. Minority Business Enterprises

Chapter 1. Statement of Policy/Legal Basis

§101. Statement of Policy

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969, R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:342 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

Chapter 3. General Provisions

§301. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969, R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:342 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

Chapter 5. Certification Procedures

§501. Criteria for Minority Certification

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969, R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:343 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§503. Distribution of Certification Applications

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969, R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:343 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§505. Procedure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:343 (April 1985), amended by the Department of Economic Development, Division of Minority and Women's Business Enterprise, LR 14:350 (June 1988), LR 15:960 (November 1989), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§507. Submittal of Information Requested

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§509. Certification Documents Inquiries/Assistance

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§511. Notification of Minority Certification Decision

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§513. Disapproval of Minority Certification

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§515. Verification of Information Submitted

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§517. Change in Minority Ownership/Control

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§519. Application Denied or Withdrawn

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2105 (December 2025).

§521. Liability

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§523. Exceptions to Vendor Certification Requirements

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

Chapter 7. Recertification Procedures

§701. Annual Recertification

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), amended by the Department of Economic Development, Division of Minority and Women's Business Enterprise, LR 15:959 (November 1989), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§703. Failure to Recertify

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), amended by the Department of Economic Development, Division of Minority and Women's Business Enterprise, LR 15:960 (November 1989), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

Chapter 9. Complaints Concerning Certified Vendors

§901. Ineligibility Complaints

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991. HISTORICAL NOTE:

Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:344 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§903. Investigation of Complaint

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§905. Notification of Complaint

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§907. Response to Complaint

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§909. Cooperation in Complaint Investigation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§911. Temporary Suspension

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§913. Complaint Investigation Decision

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

Chapter 11. Decertification Procedures

§1101. Certification Denied

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§1103. Petition for Reconsideration

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§1105. Petition Reconsidered or Reviewed by OMBE

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2106 (December 2025).

§1107. Decision of Reconsideration Petition

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

Chapter 13. Minority Participation in State Procurement Activity

§1301. Establishment of Annual Goals for Agencies

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1303. Preparation by Agencies of Annual Plan for Attainment of Annual Goal

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1069 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:345 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

Chapter 15. Designation and Setting-Aside of Procurement Activities for Minority-Owned Business Participation

§1501. Identification of Goods and Services

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1503. Publication of Minority Business Directory

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1505. Publication of Minority Business Directory

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1507. Goods, Services and Public Works Set-Aside

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1509. Applicable Laws

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1511. Bid Identified as Set-Aside

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1513. Bid Proposal Advertisements

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1515. Agency Receipt and Evaluation of Minority Set-Aside Bids

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1517. Designation of a Minority Set-Aside Bid

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:346 (April 1985), amended LR 13:342 (June 1987), LR 13:497 (September 1987), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

Chapter 17. Criteria for Procurement of Goods and Services

§1701. Criteria for Procurement of Goods and Services

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), amended LR 13:343 (June 1987), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2107 (December 2025).

§1703. Consulting Services

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), amended LR 13:497 (September 1987), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

§1705. Public Work Bids \$200,000 or More

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

§1707. Construction Bids under \$200,000

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

Chapter 19. Noncertified Vendor Participation

§1901. Noncertified Vendor Participation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

§1903. Liability

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

§1905. Small Business Criteria Waived

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

§1907. Annual Target Goals with Non-Certified Minority Vendor

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

§1909. Certification Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

Chapter 21. Reports

§2101. Quarterly Reporting

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:347 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

§2103. Annual Report to Legislature

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:348 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

Chapter 23. Directory of Minority Businesses

§2301. Directory of Certified Minority Business Enterprises

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1951-1969 and R.S. 39:1981-1991.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Minority Business Enterprises, LR 11:348 (April 1985), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2108 (December 2025).

Anne G. Villa:
Deputy Secretary/CFO

2512#015

RULE

**Louisiana Economic Development
Office of Economic Development**

Office of Women’s Business Enterprise
(LAC 19:Chapters 1-5)

Louisiana Economic Development (“LED”), Office of Economic Development, authorized by and pursuant to the provision of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104, hereby repeals rules for the administration of the Office of Women’s Business Enterprise.

In accordance with the Office of Governor Executive Order Number JML 25-038, LED reviewed and evaluated these program rules and determined them to be obsolete and unnecessary and therefore seeks their repeal. This Rule is hereby adopted on the day of promulgation.

Title 19
CORPORATION AND BUSINESS

Part I. Office of Women's Business Enterprise

Chapter 1. General Provisions

§101. Statement of Policy

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Women's Business Enterprise, LR 10:790 (October 1984), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2109 (December 2025).

§103. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Women's Business Enterprise, LR 10:790 (October 1984), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2109 (December 2025).

Chapter 3. Certification

§301. Delegation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Women's Business Enterprise, LR 10:790 (October 1984), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2109 (December 2025).

§303. Procedure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Women's Business Enterprise, LR 10:790 (October 1984), amended by the Department of Economic Development, Division of Minority and Women's Business Enterprise, LR 15:961 (November 1989), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2109 (December 2025).

§305. Disapproval of Women-Owned Businesses

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Women's Business Enterprise, LR 10:790 (October 1984), repealed by Louisiana Economic Development, Office of Economic Development, LR 51:2109 (December 2025).

Chapter 5. Appeal Procedures

§501. Appeal Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1735.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Women's Business Enterprise, LR 10:791 (October 1984), repealed by the Louisiana Economic Development, Office of Economic Development, LR 51:2109 (December 2025).

Anne G. Villa
Deputy Secretary/CFO

2512#014

RULE

Louisiana Works

Office of Unemployment Insurance Administration

Separation Notices (LAC 40:IV.323)

Pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 36:304 and R.S. 23:1653, notice is hereby given that the Louisiana Works amends LAC 40:IV.323 relative to separation notices. Act No. 340 of the 2025 Regular Session changed the time for employers to provide separation notices to employees either by mail, delivery, or transmission to the employee, but must be electronically delivered to Louisiana Works. The amendment to the Rule is necessary to reflect the statutory changes. This Rule is hereby adopted on the day of promulgation.

Title 40

LABOR AND EMPLOYMENT

Part IV. Louisiana Workforce Commission

Subpart 1. Board of Review

Chapter 3. Employment Security Law

§323. Separation Notices

A. Individual Separation Notices

1. Under Conditions Which May Disqualify. Whenever a worker is separated from his employment permanently or for an indefinite period or for an unexpected duration of seven or more days, under conditions which may disqualify him for benefits pursuant to the provisions of R.S. 23:1601, his employer shall within ten days after such separation give him, or if such delivery is impossible or impracticable, mail to his last known address or transmit electronically to his last known email address, a separation notice alleging disqualification on which the employer has entered the required information. Within the same period of time, the employer shall electronically transmit a copy of such separation notice, certified by himself or his duly authorized agent, to the administrator.

B - B.1. ...

C. Labor Dispute Notices

1. In case of a separation due to a labor dispute, the employer shall within ten days after such separation electronically file with the administrator notice setting forth the existence of such a dispute and the approximate number of workers affected.

2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1471-1713.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Employment Security, LR 15:489 (June 1989), amended by the Department of Employment and Training, Office of Employment Security, LR 17:40 (January 1991), amended by the Workforce Commission, Office of Unemployment Insurance Administration, LR 39:2314 (August 2013), amended by the Louisiana Works, Office of Unemployment Insurance Administration, LR 51:2109 (December 2025).

Susana Schowen
Secretary

2512#011

RULE

Department of Revenue Tax Policy and Planning Division

Louisiana Fortified Roof Tax Credit Program and Construction Code Retrofitting Deduction (LAC 61:I.1935 and 1937)

Under the authority of R.S. 47:293(2)(d), 1511, and 6044, and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division adopts LAC 61:I.1935 and 1937. These Rules are necessary to effectively administer R.S. 47:293(2) relative to the Louisiana construction code retrofitting deduction, as amended by Act 473 of the 2025 Regular Session of the Louisiana Legislature, and R.S. 47:6044 relative to the Louisiana fortified roof tax credit program enacted by Act 404 of the 2025 Regular Session.

Revised Statute 47:293(2)(a)(i) authorizes a construction code retrofitting deduction equal to 50 percent of the cost of qualifying improvements made to voluntarily retrofit a taxpayer's primary residence to comply with the State Uniform Construction Code or the FORTIFIED home standards of the Insurance Institute for Business and Home Safety. The deduction is limited to \$10,000 per retrofitted residential structure and must be claimed for the tax year in which the retrofitting is completed.

Revised Statute 47:6044 establishes a nonrefundable income tax credit for Louisiana resident taxpayers who install a fortified roof, as certified by the Insurance Institute for Business and Home Safety, on their primary residence. The credit is equal to the amount of qualified expenses, up to \$10,000 per residence, and applies only to certain owner-occupied homes with a homestead exemption. Credits which exceed the taxpayers liability may be carried forward for up to three years but cannot be claimed in combination with other state tax benefits or fortified roof grant funds received pursuant to R.S. 22:1483.1. The program is capped at \$10 million in credits per fiscal year, allocated on a first-come, first-served basis, with proration required if the amount of requests received exceed available credit cap space.

The Rule outlines the requirements for earning and the processes for claiming the construction code retrofitting deduction and the fortified roof tax credit. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 19. Miscellaneous Tax Exemptions, Credits and Deductions

§1935. Louisiana Fortified Roof Tax Credit Program

A. General

1. Revised Statute 47:6044 authorizes a nonrefundable income tax credit for Louisiana residents who install a fortified roof, as certified by the Insurance Institute for Business and Home Safety, on qualifying property owned by the taxpayer for which the resident taxpayer claims a homestead exemption.

B. Definitions

1. Terms not otherwise defined in this Section shall have the meaning given to them in R.S. 47:6044, unless the context clearly indicates otherwise.

2. For purposes of this Section, the following words have the meanings provided herein, unless the context clearly indicates otherwise.

Department—the Louisiana Department of Revenue.

FORTIFIED—a program of the IBHS.

FORTIFIED Designation—a written certificate issued by the IBHS confirming that a qualifying property meets or exceeds the IBHS fortified roof standards.

FORTIFIED Home Evaluator—an independent, third party who has completed the FORTIFIED training requirements and is certified by the IBHS as a home evaluator who can certify that a home meets the FORTIFIED roof standards. A list of certified home evaluators can be found at www.fortifiedproviders.com.

Insurance Institute for Business and Home Safety (IBHS)—a non-profit research and communications organization of the property and casualty insurance industry that defines the fortified roof standards for homes, information for which can be found at www.fortifiedhome.org.

LFRTCP-Approved Contractor—a contractor listed in the IBHS Directory at www.fortifiedproviders.com who meets the program requirements of this Section.

Louisiana Fortified Roof Tax Credit Program (LFRTCP)—a program enacted by Act 404 of the 2025 Regular Session, administered by the department, to provide an individual income tax credit to incentivize homeowners to retrofit roofs of insured property, as defined in R.S. 22:1483(C)(9), with a homestead exemption utilizing construction techniques demonstrated to reduce losses caused by a hurricane, tornado, or other catastrophic windstorm event and that meet or exceed the IBHS FORTIFIED roof standard, information for which can be found at www.ibhs.org.

C. Credit Eligibility Requirements. All of the following requirements shall be met to earn the credit:

1. The home shall be a qualifying property in good repair unless damaged by a hurricane, non-hurricane wind, or hail.

2. The fortification work shall comply with the requirements of Subsection D.

3. The taxpayer shall be responsible for paying a certified home evaluator of the homeowner's choice to provide an IBHS home evaluation as well as all other costs and fees necessary to satisfy the requirements of this Section, including, but not limited to, legally required permits or inspections. These expenses shall not constitute qualifying expenses for purposes of the credit.

D. Fortified Roof Installation Requirements

1. Prior to installation, a FORTIFIED home evaluator of the homeowner's choice must provide the homeowner with an IBHS home review evaluation of the home seeking to be FORTIFIED.

2. The FORTIFIED home evaluator shall determine whether the home meets a minimum structural standard on a pass-fail basis before identifying all improvements required to meet or exceed the FORTIFIED roof standard. Thereafter, the FORTIFIED home evaluator shall summarize his findings in a report and provide a copy to the homeowner.

3. After meeting the requirements of Paragraph (1) and (2) of this Subsection, the taxpayer must contract with an

LFRTCP-approved contractor to fortify the home. Once the LFRTCP-approved contractor completes the fortification work on the home, the contractor must provide the taxpayer with a copy of the signed contract, a final invoice, and a completed Form R-90157-B, LFRTCP Qualifying Expenses.

4. After meeting the requirements of Paragraphs (1), (2), and (3) of this Subsection, a certified home evaluator will perform all required evaluations to confirm that the LFRTCP-approved contractor completed the fortification work according to the IBHS FORTIFIED roof standard. Thereafter, the IBHS shall review the evaluation and determine whether to issue a FORTIFIED designation.

E. Documentation Requirements

1. To apply for the Louisiana fortified roof tax credit, a resident taxpayer shall complete and submit Form R-90157, Application for Louisiana Fortified Roof Tax Credit together with Form R-90157-B, LFRTCP Qualifying Expenses which has been completed by the LFRTCP-approved contractor who performed the fortification work. Completed applications must be submitted electronically through the Louisiana Taxpayer Access Point (LaTAP) and shall include all of the following supporting documents:

a. A copy of the report prepared by a FORTIFIED home evaluator which identifies all improvements required to meet or exceed the FORTIFIED roof standard.

b. A copy of the signed contract with an LFRTCP-approved contractor.

c. A copy of the final invoice issued by the LFRTCP-approved contractor.

d. A copy of the FORTIFIED designation which lists the date of certification.

2. The Department shall notify each taxpayer that submitted a timely and complete application as to whether the application has been approved or denied. If approved, the notice shall indicate the amount of credit earned and the taxable periods against which the nonrefundable credit(s) may be used. If denied, the notice shall provide the reasons for denial.

3. An application shall not be considered complete until all documentation requested by the department has been received. Failure to respond within 60 days of a request for documentation from the department will result in denial of the application and require the submission of a new application with an updated application date.

F. Contractor Eligibility Requirements

1. To be eligible to work as an LFRTCP contractor, the contractor must meet all of the following program requirements:

a. holds a valid residential license or home improvement registration issued by the Louisiana State Licensing Board for Contractors (LSLBC) and be in good standing with the LSLBC.

b. holds any other valid state or jurisdictional business licenses or work permits required by law in Louisiana.

c. maintains a general liability policy with \$1,000,000 in liability coverage.

d. maintains a workers' compensation policy in compliance with Louisiana law.

e. holds a FORTIFIED certification issued by the IBHS or its successor.

f. is listed on the IBHS Directory as an approved contractor at www.fortifiedproviders.com.

g. complies with all regulatory and tax laws regulating businesses in the state of Louisiana.

G. Conflicts of Interest

1. LFRTCP-approved contractors

a. LFRTCP-approved contractors cannot possess a financial interest in any projects for which they perform work toward a FORTIFIED designation other than for payment by the homeowner for services rendered.

b. LFRTCP-approved contractors cannot be the FORTIFIED home evaluator for a FORTIFIED designation on any project eligible for the LFRTCP.

2. FORTIFIED home evaluators

a. FORTIFIED home evaluators cannot possess a financial interest in any projects for which they perform work toward a FORTIFIED designation other than for payment by the homeowner for services rendered.

b. FORTIFIED home evaluators cannot be the LFRTCP-approved contractor or supplier of any material, products, or systems installed in any home they inspect for FORTIFIED designation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 47:6044.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 51:2110 (December 2025).

§1937. Construction Code Retrofitting Deduction

A. General Provisions

1. Pursuant to R.S. 47:293(2)(a)(i), a deduction is allowed for 50 percent of the cost paid or incurred by a taxpayer to voluntarily retrofit the taxpayer's primary residence to comply with either the State Uniform Construction Code (SUCC) or the FORTIFIED home standards developed by the Insurance Institute for Business and Home Safety (IBHS).

B. Definitions

1. The definitions set forth in R.S. 47:293(2)(a)(1) shall apply for purposes of this Section.

2. In addition, and unless inconsistent with the enabling statute or this Section, the definitions found in LAC 61:I.1935 shall apply to this Section.

C. Documentation Requirements

1. Taxpayers claiming the SUCC deduction must provide the following with their return:

a. proof that the improvements meet SUCC requirements, including copies of relevant SUCC sections and receipts or invoices verifying project costs.

b. a written statement confirming the retrofitting was done voluntarily and not required due to new construction or insurance-related repairs from previous damage.

2. Taxpayers claiming the deduction for retrofitting pursuant to the IBHS FORTIFIED standard must comply with the IBHS certification process as outlined in LAC 61:I.1935(D) and shall submit the following additional information with their return:

a. Form R-90157-B, LFRTCP Qualifying Expenses, as completed by the LFRTCP-approved contractor.

b. the report issued by a FORTIFIED Home Evaluator certifying that the home meets a minimum structural standard and identifying necessary improvements to meet or exceed the FORTIFIED Roof standard.

- c. a copy of the signed contract with an LFRTCP-approved contractor.
- d. the final invoice issued by the LFRTCP-approved contractor.
- e. the FORTIFIED designation issued by IBHS, which lists the date of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:293(2)(a)(i) and 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 51:2111 (December 2025).

Richard Nelson
Secretary

2512#029

RULE

Department of Revenue Tax Policy and Planning Division

Tax Credit Documentation Requirements (LAC 61:I.1902, 1903, and 1905)

Under the authority of R.S. 47:1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, amends LAC 61:I.1902, 1903, and 1905.

R.S. 47:1624(F) authorizes the suspension of the accrual of interest during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide information or documentation required by statute or regulation. The purpose of these amendments is to set forth the information and documentation required to be provided by a taxpayer claiming the inventory tax credit, certain school readiness tax credits, and the credit for property taxes paid by certain telephone companies. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 19. Miscellaneous Tax Exemptions, Credits and Deductions

§1902. Inventory Tax Credits

A. - D.3. ...

E. Documentation for Claiming the Credit

1. The following documentation shall be submitted with any return claiming the credit at the time of filing:

- a. Form R-10610, Schedule of Ad Valorem Tax Credit Claimed by Manufacturers, Distributors, and Retailers;
- b. a copy of the ad valorem (property) tax assessment prepared by the assessor's office; and
- c. a copy of the cancelled check or receipt of electronic payment for the ad valorem (property) tax assessment.

2. A manufacturer that has claimed the property tax exemption under the Industrial Tax Exemption Program (ITEP) during the taxable year in which the local inventory taxes were levied and members of a consolidated federal income tax return that includes a manufacturer who has claimed the property tax exemption under ITEP must submit

the following documentation with the return at the time of filing:

a. Form R-10610-ITE, Schedule of Ad Valorem Tax Credit Claimed by ITEP Manufacturers for Ad Valorem Tax Paid on Inventory;

b. a copy of the ad valorem (property) tax assessments prepared by the assessor's office; and

c. a copy of the cancelled check or receipt of electronic payment for the ad valorem (property) tax assessments.

3. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide any of the information or documentation required herein, as provided by R.S. 47:1624(F).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 6006.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 27:1705 (October 2001), amended by the Department of Revenue, Tax Policy and Planning Division, LR 51:2112 (December 2025).

§1903. Administration of the Workforce Child Care Tax Credits

A. - A.3. ...

4. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide any of the information or documentation required herein, as provided by R.S. 47:1624(F).

B. - B.1. ...

2. The provider shall complete the provider portion of the credit certificate and shall submit the certificate to each taxpayer who had a child at the facility during the calendar year no later than January 31 of the succeeding year. The provider portion of the credit certificate will include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the child care facility Louisiana tax identification number, the child care facility license number, the name of the child attending the facility and the issue date and effective year. The provider shall submit to the Department of Revenue a list of all taxpayers to whom a certificate was issued.

3. ...

4. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine the child care provider's quality rating.

C. - C.1.d. ...

2. The Department of Education shall provide documentation to each qualifying provider of the average monthly number of children participating in the Child Care Assistance Program or in the Foster Care Program. If the provider has multiple sites, the Department of Education shall provide this information for each site. The certificate shall be delivered or mailed to all qualifying child care providers by March 1 of the year following the year the credit is earned. The certificate shall include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the child care facility license number and the issue date and effective year.

3. Child care providers shall submit the credit certificate issued by the Department of Education with their Louisiana income tax return claiming the credit.

4. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine and/or verify the provider's quality rating.

D. Credit for Child Care Directors and Staff

1. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine and/or verify the director and staff levels for earning the credit

2. In order to claim this credit, the Department of Education, or its representative, must provide child care facility directors and staff members with Form R-10615, Louisiana School Readiness Tax Credit For Child Care Director and Staff Member, no later than January 31 stating which level of qualification the employee meets according to the criteria established by the Department of Education. The taxpayer must submit Form R-10615 with their Louisiana income tax return.

3. Each child care facility director and staff member will also have to verify that he/she has worked at the same child care facility for at least six months in the calendar year, unless otherwise approved by the Department of Education.

4. Child care director and staff levels will have such meaning as provided by regulation issued by the Department of Education.

E. - E.1. ...

a. In order for a business to claim this credit, the business must support the amount of qualifying expenses paid or made by providing the Department of Revenue with copies of cancelled checks, receipts, and other documentation containing the following information: the name and Louisiana revenue tax identification number of the child care facility to or for whom the eligible expenses were paid or made, the amount and nature of qualifying expenses at each child care facility as defined in R.S. 47:6102 and the child care facility's quality rating.

b. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine and/or verify the facility's quality rating

2. - 2.b....

c. The Department of Education shall provide to the Department of Revenue a list of qualifying child care resource or referral agencies for each calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:474 , R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

HISTORICAL NOTE: Promulgated by the Department of Revenue and the Department of Social Services, LR 33:2667 (December 2007), amended by the Department of Revenue, Tax Policy and Planning Division, LR 51:2112 (December 2025).

§1905. Telephone Company Property Assessment Relief Fund

A. - D.4. ...

E. Documentation for Claiming the Credit

1. The following documentation shall be attached to and submitted with the return at the time of filing:

a. a copy of the ad valorem (property) tax assessment prepared by the assessor's office;

b. a copy of the cancelled check or receipt of electronic payment for the ad valorem (property) tax assessment; and

c. a schedule stating which entity paid the tax and obtained the credit on the taxpayer's behalf, if applicable;

2. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide information or documentation required herein, as provided by R.S. 47:1624(F).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 6014.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 32:866 (May 2006), amended by the Department of Revenue, Tax Policy and Planning Division, LR 51:2112 (December 2025).

Richard Nelson
Secretary

2512#037

RULE

**Department of Public Safety and Corrections
Corrections Services**

Disaster Remediation Program (LAC 22:I.340)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Department of Public Safety and Corrections, Corrections Services, hereby amends the contents of Section 340, Disaster Remediation Program.

The Department of Public Safety and Corrections, Corrections Services, has made minor terminology changes to this regulation, such as, changing offender to inmate and unit and/or institution to facility. This Rule is hereby adopted on the day of promulgation.

Title 22

**CORRECTIONS, CRIMINAL JUSTICE AND LAW
ENFORCEMENT**

Part I. Corrections

Chapter 3. Adult Services

Subchapter A. General

§340. Disaster Remediation Program

A. Purpose—to state the secretary's policy regarding a disaster remediation program for eligible inmates to participate in emergency disaster relief efforts and to provide procedures regarding housing for those inmates who participate in such relief efforts.

B. Applicability—deputy secretary, undersecretary, assistant secretary, chief of operations, regional wardens, wardens, Director of Probation and Parole and Director of Prison Enterprises. Each unit head is responsible for ensuring that appropriate facility written policy and procedures are in place to comply with the provisions of this regulation.

C. Policy—it is the secretary's policy to establish a disaster remediation program for inmates to repair the damage done following a natural disaster or emergency. The use of inmate labor shall augment governmental personnel, private sector firms and community volunteers conducting remediation activities during the period immediately after such disaster. Inmate labor shall not replace existing employees, be utilized on a project or job involved in a labor dispute or supplant post disaster remediation activities that may otherwise be performed under contract by private sector firms employed by an affected individual or governmental entity.

D. Definitions

Advance Support Team—advance support teams secure appropriate housing, coordinate the delivery of necessary supplies, and address and/or assess current situations and conditions, as well as assess future needs. The team shall consist of a security supervisor and maintenance staff member. Other staff and/or inmates may be included as deemed necessary by the chief of operations, regional wardens and/or the warden.

Minimum Custody—general population dormitory housing area. Movement outside of a secure perimeter is usually authorized without armed supervision or restraint. Facility procedure governs the level of staff supervision when outside the secure perimeter, as well as internal movement controls.

Inmate Crews—offender crews may be composed of any inmates that are classified as minimum custody at their assigned housing unit, excluding inmates prohibited from participation as provided for in Subsection E. Eligible inmates are subject to placement on the crews regardless of their usual work assignment. Additionally, inmates are required to be on a regular duty status and be medically capable of performing emergency disaster relief work.

E. Statutory Ineligibility for Participation. Inmates shall not be eligible to participate in a disaster remediation program if the inmate was convicted of a crime defined or enumerated as a crime of violence in R.S. 14:2(13) or the inmate was convicted of a sex offense as defined in R.S. 15:541(24).

F. Pre-Deployment

1. Each warden shall determine the approximate number of inmates available for assignment to an inmate crew and develop appropriate inmate and staffing rosters. Information concerning the number of crews available from each facility shall be forwarded by the warden or designee each May to the chief of operations for inclusion in the Incident Management Center (IMC) Resource Manual.

2. Inmate crews shall not exceed ten inmates for each correctional officer supervising them.

3. In accordance with the Louisiana Homeland Security and Emergency Assistance and Disaster Act, after the governor has declared a disaster or emergency pursuant to executive order or proclamation, a disaster remediation program may be established in the parish where the work will be performed.

4. At the direction of the secretary or designee, the IMC shall contact the appropriate warden with information relative to disaster relief needs of the affected area and/or the necessity of establishing a disaster remediation program.

5. Upon receiving the instructions from the IMC, the warden shall activate the advance support team, other necessary personnel and inmate crews.

6. Inmate crews that are deployed to a community or area more than two hours travel time from the facility or for an extended period may require housing in that area. The advance support teams shall coordinate with the parish Office of Emergency Preparedness (OEP), local law enforcement and the district probation and parole office for accessing available housing resources.

G. Deployment

1. The rank structure for supervision of a disaster remediation effort shall be determined by the appropriate regional warden and the facility warden shall ensure that logs of inmate crew activities are maintained.

2. The facility warden shall be responsible for providing transportation for each inmate crew. In addition, each facility shall be responsible for providing their own communications equipment such as 700 radios, cell and/or satellite telephones and an EMT or nurse to provide emergency medical care to the inmate crews in the area as may be required.

3. The facility warden shall ensure that supervising staff receives documentation for each inmate crew member that includes an identification picture and master prison record. In addition, supervising staff shall receive any medications that the inmates may have been prescribed.

4. Inmate crew remediation assignments shall be coordinated by facility personnel on site through the state and/or local OEP. This information shall be forwarded to the facility the IMC and local law enforcement.

5. The IMC may coordinate with the Division of Probation and Parole for any additional security support needed at a disaster remediation site.

6. If the situation or conditions dictate, a centralized supply location or warehouse may be established to support inmate work crews.

H. Good Time Credit. Inmates participating in the disaster remediation program shall be eligible to earn 30 days of good time credit in addition to that otherwise authorized by law for every 30 days of service in this program. Therefore, each facility shall maintain records of the inmates assigned to the work crews and the number of days worked. These records shall be forwarded to the records office at the facility to determine the amount of good time to be awarded to the inmate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:833.1.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Corrections Services, LR 33:665 (April 2007), amended LR 37:1174 (April 2011), LR 51:2113 (December 2025).

Gary E. Westcott
Secretary

2512#024

RULE

Department of Transportation and Development Office of Operations

Combination or Double Tandem Load Permit (LAC 73:I.Chapter 21)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Department of Transportation and Development (DOTD) hereby amends LAC 73.I.Chapter 21, Weights and Standards, Chapter 21, Combination or Double Tandem Load Permit.

The amendments revise: a) Section 2101.A, clarifying Chapter 21's applicability; b) Section 2101.B, clarifying the definition of *Non-divisible Container Import/Export*; c) Section 2103.D.(1), clarifying the requirement for route approval; d) Section 2103.E, updating the amount of the permit fee; e) Section 2105.C, clarifying the intent of the Rule to exclude any responsibility of the permittee to retain a copy of a bill of lading for carriage or transport of an empty container; f) Section 2105D, clarifying the intent of the rule

to require transfer of regulated containers *intended* for international travel; and g) Section 2107.B, clarifying the responsibility of the permittee to comply with local government regulation of roads owned and maintained by parishes and municipalities. This Rule is hereby adopted on the day of promulgation.

Title 73

WEIGHTS, MEASURES AND STANDARDS

Part I. Weights and Standards

Chapter 21. Combination or Double Tandem Load Permit

§2101. General Information

A. Authority. DOTD has statutory authority to issue a special biannual permit for the operation of a combination of vehicles or tandem loads hauling divisible or non-divisible container imports or exports to and from any port facility in the state.

B. Definitions. Terms as defined in R.S. 32:1 shall retain their definitions, unless the term is specifically defined in this Subsection. As used in this Section, unless the context clearly indicates otherwise, the following terms shall have the following meanings.

Axle Group—a combination of two or more consecutive axles considered together in determining their combined load effect on a highway (as tandem, tridem, or quadrum axle groups).

Department—refers to the Louisiana Department of Transportation and Development (DOTD).

Destination Point—the location where the packer's seal is broken.

Divisible Container Import/Export—a load consisting of two non-divisible containers, hauled in tandem, rendering the load divisible.

Gross Weight—the weight of a vehicle and/or combination of vehicles plus the weight of any load thereon.

Hazardous Material—per CFR 49:385.402(b), a substance or material that the U.S. Secretary of Transportation has determined is capable of posing an unreasonable risk to health, safety, and property when transported in commerce that has been designated as hazardous in 49 U.S.C. §5103 (Revised October 2015). The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table detailed in 49 CFR §172.101 (Revised December 2022) and materials that meet the criteria for hazard classes and divisions detailed in 49 CFR §173.1 (Revised September 2005).

Individual Axle—any of the two, three, or four axles which make up the tandem, tridem, or quadrum axle groups.

Interstate Highway—a fully controlled access highway which is a part of the National System of Interstate and Defense Highways.

Length—the total longitudinal dimension of a single vehicle, a trailer, or a semi-trailer. Length of a trailer or semi-trailer is measured from the front of the cargo-carrying unit to its rear and includes load-holding devices thereon.

Non-divisible Container Import/Export—a freight container, as defined by 49 U.S.C. §5901(4), that retains the original unbroken official seal throughout transit from the point of origin until reaching the destination point. This definition shall not apply to empty containers, which may be transported without a seal and in accordance with an existing

valid permit. This definition shall not apply to empty containers, which may be transported without a seal and in accordance with an existing valid permit.

Point of Origin—the location where the packer's seal is affixed.

Quadrum Axle—any four consecutive axles whose centers are more than 40 inches but not more than 96 inches apart. A quadrum axle shall be designed to equalize the load between axles.

Sealed Containerized Load—sealed containers being used in international transport in conjunction with a maritime shipment. Pursuant to 49 U.S.C. §5901(4), containers used in providing transportation in interstate commerce.

Tandem Axle—any two consecutive axles whose centers are 40 or more inches but not more than 96 inches apart. A tandem axle shall be designed to equalize the load between the axles.

Trailer—an unpowered vehicle towed by a powered vehicle, commonly used for the transport of goods and materials.

Tridem Axle—any three consecutive axles whose centers are 40 or more inches but not more than 96 inches apart. A tridem axle shall be designed to equalize the load between axles.

Truck Tractor—a non-cargo carrying power unit used in combination with a semitrailer.

Vehicle—any device by which a person or things may be transported upon a public highway or bridge. A trailer or semitrailer shall be a separate vehicle.

Width—the total outside transverse dimension of a vehicle including any load or load holding devices thereon, but, excluding approved safety devices and tire bulge due to load.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1, R.S. 32:2, R.S. 32:387 and R.S. 32:387.2.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, Weights and Enforcement Section, LR 49:1445 (August 2023), amended by the Department of Transportation and Development, Office of Operations, LR 51:2115 (December 2025).

§2103. Obtaining the Combination or Double Tandem Load Permit

A. General. The permit shall be obtained prior to the movement of the vehicle within Louisiana.

B. Location. The permit shall be issued by the truck permit office at DOTD in Baton Rouge.

C. Application Procedure

1. The permit may be obtained by appearing in person at the permit office in Baton Rouge, by calling the permit office and providing the requisite information, or by completing the form electronically through the online permitting system.

2. All information required on a permit form shall be furnished at the time the permit is requested.

3. The applicant shall have the exact amount for payment.

4. The permit will be issued to the truck tractor, either physically or electronically. It shall be available for inspection at all times by the proper authorities.

D. Routes

1. All routes shall require approval by DOTD.

2. Only one route will be approved per application, and the permit is only valid for the approved route.

3. Each additional route requires an additional permit application, subsequent approval, and payment of the permit fee.

E. Fees. The permit fee is \$2,300 biannually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2, R.S. 32:387 and R.S. 32:387.2.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, Weights and Enforcement Section, LR 49:1446 (August 2023), amended by the Department of Transportation and Development, Office of Operations, LR 51:2115 (December 2025).

§2105. Regulations

A. The permit authorizes a driver to operate on state maintained roads only (excluding the interstate) provided the vehicle has the required number of axles and does not exceed the maximum gross weight or axle limit (See §107 for Limitations).

B. Either the truck tractor or one of the trailers shall contain a tridem axle.

C. At all times during which there is cargo present in the container(s), the permittee shall have a copy of the international bill of lading present in the vehicle and available for inspection. A bill of lading shall not be required for an empty container.

D. Containers shall be transferred to or from a ship, vessel, or a rail system intended for international travel.

E. Containers shall remain sealed from the point of origin to the point of destination.

F. Routes. The routes shall be completed via state and federal roadways, excluding the interstate system. Routes shall originate or terminate at one of the following port facilities which are recognized by the Ports Association of Louisiana.

1. Central Louisiana Regional Port (CLRP);
2. Avoyelles;
3. Port of Greater Baton Rouge;
4. The Port of Caddo—Bossier;
5. Columbia;
6. Port Fourchon;
7. Grand Isle Port;
8. Greater Ouachita Port;
9. Port of Iberia;
10. Port of Krotz Springs;
11. Port of Lake Charles;
12. Lake Providence Port;
13. Louisiana International Deep Water Gulf Transfer Terminal Authority (LIGTT);
14. Madison Parish Port;
15. Manchac;
16. Mermentau;
17. Port of Morgan City;
18. Natchitoches Parish Port;
19. Port of New Orleans;
20. Plaquemines Port;
21. Port of Pointe Coupee;
22. Red River;
23. Port of South Louisiana;
24. St. Bernard Port;
25. The Port of Terrebonne;
26. Port of Delcambre (Twin Parish Port District);
27. Port of Vermillion;
28. Port of Vidalia;
29. Port of Vinton;

30. West Calcasieu Port;

31. Cameron Parish Port; and

32. Port of West St. Mary.

G. Safety.

1. The primary concern of the department is the safety of the motoring public and protecting the state's highway infrastructure system.

2. The registration certificate issued to a vehicle shall be carried at all times in the vehicle and be available for inspection.

3. All traffic and safety laws and regulations shall be obeyed.

4. It shall be the responsibility of each permittee to review the DOTD online route planner to determine if there are any limitations to their approved route(s), prior to traveling.

5. Permittee shall adhere to any and all signage limitations posted in construction zones.

6. The vehicles are not allowed to operate on a load posted bridge.

7. The permit does not authorize the transport of hazardous material or any substances or materials that may pose an unreasonable risk to health, safety, and property when transported in commerce.

a. DOTD reserves the right to decline to issue a permit that would result in the transportation of materials deemed hazardous or that would impose an unreasonable risk to health, safety, and property when transported.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2, R.S. 32:387 and R.S. 32:387.2.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, Weights and Enforcement Section, LR 49:1446 (August 2023), amended by the Department of Transportation and Development, Office of Operations, LR 51:2116 (December 2025).

§2107. Limitations

A. All combination vehicles or tandem loads shall meet each of the following requirements.

1. It cannot exceed 140,000 pounds (gross weight).

2. It cannot exceed 40,000 pounds per tandem axle spread and 60,000 pounds per tridem axle spread.

3. It cannot exceed 83 feet in length.

4. It shall be equipped with a dual-axle dolly and a dolly safety system with tilt sensors attached to the dolly that provide feedback on tilt information to the driver of the vehicle to ensure safe operations.

5. The truck tractor shall be licensed for 88,000 pounds.

B. The permit issued does not authorize the use of roads owned by a parish or municipality. Nor does the permit relieve the permittee of any obligation that may exist to secure a parish's and/or municipality's permission to traverse its roads.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2, R.S. 32:387 and R.S. 32:387.2.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, Weights and Enforcement Section, LR 49:1447 (August 2023), amended by the Department of Transportation and Development, Office of Operations, LR 51:2116 (December 2025).

§2109. Liability for Damages

A. Every special permit is issued on the condition that the permittee accepts and uses it at their own risk, even though all instructions, directions, and requirements of the department have been followed. Neither the state of Louisiana nor the

Department of Transportation and Development or its employees shall incur any liability of any nature from the use of the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2, R.S. 32:387, and R.S. 32:387.2.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, Weights and Enforcement Section, LR 49:1447 (August 2023), amended by the Department of Transportation and Development, Office of Operations, LR 51:2116 (December 2025).

§2111. Permit Restrictions

A. Permits are issued on the condition that all requirements and restrictions will be complied with by the permittee. Any additional cost(s) necessitated to comply with these restrictions is to be borne by the permittee.

B. Penalties for any violation of the permit will be assessed in accordance with R.S. 32:388 and R.S. 32:388.1, as well as any other applicable federal or state regulations.

C. If a permittee travels outside of their approved route, DOTD reserves the right to revoke and/or rescind their permit, resulting in the permit being null and void.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2, R.S. 32:387, R.S. 32:387.2, R.S. 32:388, and R.S. 32:388.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, Weights and Enforcement Section, LR 49:1447 (August 2023), amended by the Department of Transportation and Development, Office of Operations, LR 51:2117 (December 2025).

Glenn Ledet, Jr.
Secretary

2512#013

Notices of Intent

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences Agricultural Chemistry and Seed Commission

Certification of Specific Crops/Varieties
(LAC 7:XIII.123 and 755)

The Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, proposes to amend LAC 7:XIII.123 and LAC 7:XIII. 755. The proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 3:950 et seq. and made in accordance with R.S. 3:1433, which gives the Agricultural Chemistry and Seed Commission the authority to adopt rules and regulations. The agency evaluated the proposed Rule and determined it was necessary, consistent with law, and aligned with the agency’s mission. The benefits of the proposed Rule outweigh the burdens and costs. This proposed Rule is written in plain language in an effort to increase transparency.

The proposed Rule changes seek to increase the regulatory fee within the allowed amount based on industry standards. The proposed Rule changes will increase the regulatory fee on seeds from twenty-five cents per one hundred pounds to thirty cents per one hundred pounds. La. R.S. 3:1448 provides that the “commission may charge a regulatory fee on all seeds sold in Louisiana...” and “the amount of the fee shall be based on the cost of regulating the seed industry and shall not exceed thirty cents per one hundred pounds of seed.” An update will be made to §755 to correct a typographical error in field requirements. Additionally, the Sweet Potato Certification Standards, specifically the Seed Root Storage Requirements and Seed Root Tolerance Standards for off-types (mutations) will be updated. This factor was inadvertently omitted in a previous revision and is being added to correct the omission.

Title 7 AGRICULTURE AND ANIMALS Part XIII. Seeds

Chapter 1. General Provisions Subchapter B. Fees §123. Regulatory Fee on Seeds

A. A regulatory fee of \$0.30 for each 100 pounds of agricultural and vegetable seed sold, within this state shall be paid to the commission. The regulatory fee shall be due at the first point of sale in this state. However, the payment of a regulatory fee is not required upon the sale of Louisiana certified tagged seed upon which the regulatory fee has already been paid.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Seed Commission, LR 14:603 (September 1988), amended LR 29:2632 (December 2003), LR

38:1558 (July 2012), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:745 (April 2014), LR 42:211 (February 2016), LR 52:

Chapter 7. Certification of Specific Crops/Varieties Subchapter B. Grain and Row Crop Seeds §755. Sweet Potato (*Ipomoea batatas*) Certification Standards

A. - G. ...

1. Individual certified fields shall only contain certified sweet potato plants. Upon written request of the grower, LDAF may allow non-certified G0 plants, that originated from nuclear stock, to be produced in certified fields.

G.2. - H.5. ...

Maximum Tolerance Allowed	
Factor	G1, G2, G3 Seed Roots
Surface rots (<i>Fusarium spp.</i>) & Soft Rots (<i>Rhizopus spp.</i>)	5.0%
Bacterial Root Rot (<i>Erwinia spp.</i>)	None
Black Rot (<i>Ceratocystis fimbriata</i>)	None
Scurf (<i>Monilochaetes infuscans</i>)	None
Streptomyces soil rot (<i>Streptomyces ipomoeae</i>)	0.5%
Root-Knot Nematode (<i>Meloidogyne spp.</i>)	5.0%
Guava Rroot-Knot Nematode (<i>Meloidogyne enterolobii</i>)	None
Russet Crack (a strain of SPFMV)	None
Wilt (<i>Fusarium oxysporum f. sp. batatas</i>)	None
Internal Cork	None
Wireworm (<i>Conoderus spp.</i>)	*
Sweetpotato Weevil (<i>Cylas formicarius</i>)	None
Exotic or hazardous pests	None
Variety mixture	None
Off-types (mutations)	0.50%

*Severe damage shall be reason for rejection of certified status.

I. - K.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:579 (November 1982), amended LR 9:202 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 22:1210 (December 1996), LR 36:1220 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013), amended LR 40:755 (April 2014), LR 44:1855 (October 2018), LR 45:1168 (September 2019), repromulgated LR 45:1438 (October 2019), amended LR 51:1568 (October 2025), LR 52:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;

3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable impact on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no adverse impact on small business as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rule via U.S. Mail or hand delivery. Written submissions must be directed to Brent Cutrer, Program Coordinator, Agricultural Chemistry and Seed Commission, Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., LA 70806, and must be received no later than 4:00 p.m. on January 12, 2026. All written comments must be signed and dated.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Certification of Specific Crops/Varieties

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to have any costs to implement besides the cost of rule promulgation, which is included in the Department of Agriculture and Forestry's (LDAF) annual budget.

The proposed rule change increases the seed regulatory fee from twenty-five cents to thirty cents per 100 pounds of seed sold at the first point of sale within the state. Pursuant to R.S. 3:1448, the proposed rule change seeks to increase the regulatory fee to defray the costs associated with regulating the seed industry in Louisiana.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change increases the regulatory fee on seeds from twenty-five cents per 100 pounds to thirty cents per 100 pounds. LDAF anticipates generating an additional \$82,351 in revenue per year, assuming consumer behavior does not change as a result of the proposed rule change. This amount is based upon a three-year average of \$494,108 annual regulatory fee. Due to the regulatory fee being paid quarterly, it is estimated that only the last quarter of FY 26 will be subject to the proposed rule change. Therefore, the full projected increase in annual revenues as a result of the proposed rule's implementation will not be realized until FY 27, with projected additional revenues totaling \$17,277 in FY 26.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is anticipated to require seed sellers at the first point of sale within Louisiana to be subject to an additional five cents of the regulatory fee per 100 pounds of seed sold. There are currently 1,150 licensed seed dealers that will be subject to the fee increase. LDAF estimates the proposed rule change to generate \$82,351 annually, an average of \$72 per seed dealer. LDAF is unable to determine the exact impact on each individual dealer as seed sales vary widely across dealers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated impacts on competition and employment in the public or private sector as a result of the proposed rule change.

Dane Morgan
Assistant Commissioner
2512#044

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Agricultural and Environmental Sciences
Horticulture Commission**

Nursery Stock Quarantines and Horticulture
(LAC 7:XV.126 and 127 and
XXIX.103, 109, 111, and 117)

The Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, proposes to amend LAC 7:XV. 126 and 127, and LAC 7:XXIX. 103, 109, 111, and 117. The proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The proposed Rule change is made in accordance with R.S. 3:3801, which gives the Commissioner of Agriculture and Forestry the authority to adopt rules and regulations. The agency evaluated the proposed Rule and determined it was necessary, consistent with law, and aligned with the agency's mission. The benefits of the proposed Rule outweigh the burdens and costs. This proposed Rule is written in plain language in an effort to increase transparency.

The proposed Rule changes propose to increase fees for nursery certificate permittees to \$50. Pursuant to 3:1655(B), the proposed fee increase falls within the maximum amount permitted. The proposed Rule also makes additional technical changes to the reference material used for recommendations and standards of practice for arborists and

corrects the reference to the LDAF website. The seven-day waiting period to reapply for an examination is no longer needed and is being removed. Additionally, fees will be updated for examination and licensure or permitting fees. Pursuant to R.S. 3:3806 A(1), the fee for examination or re-examination for licensure as an arborist, landscape horticulturist, landscape irrigation contractor, or utility arborist will be raised to \$150 which is below the maximum \$350 amount permitted. The fee for issuance or renewal for licensure as an arborist, landscape horticulturist, landscape irrigation contractor, landscape architect, or utility arborist is proposed to increase to \$125, which does not exceed the maximum amount permitted in R.S. 3:3806 B. The fee for issuance or renewal of a nursery stock dealer permit is proposed to increase to \$175, which does not exceed the maximum amount permitted in R.S. 3:3806 C. Lastly, the fee for issuance or renewal of a cut flower dealer permit is proposed to increase to \$120, which does not exceed the maximum amount permitted in R.S. 3:3806 D.

Title 7

Agriculture and Animals

Part XV. Plant Protection and Quarantine

Chapter 1. Crop Pests and Diseases

Subchapter B. Nursery Stock Quarantines

§126. Nursery Certificate Permit Fees

A. Nursery permittees shall pay an annual fee as follows:

1. \$100 per location per year—Any nursery with acreage more than 2,500 square feet or greenhouse area more than 200 square feet.

2. \$50 per location per year—all other nursery certificate permittees.

3. Governmental agencies, schools, and nonprofit organizations which are not in the business of commercial sales of nursery stock are exempt from the payment of fees by this section. However, entities engaged in sales shall apply for a nursery certificate and are subject to all crop pests and disease laws and regulations.

4. There shall be a fee of \$0.10 per nursery certificate permit tag issued by the Louisiana Department of Agriculture and Forestry to the nursery certificate permittee.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1655 and R.S. 3:1652.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 15:78 (February 1989), amended LR 29:2297 (November 2003), LR 51:26 (January 2025), LR 52:

§127. Citrus Nursery Stock, Scions and Budwood

A. - G. ...

G.1. Any citrus nursery stock sold, moved, or distributed within an area quarantined for citrus greening, or citrus canker shall have attached to the article or to the container of the article, a permanent and weatherproof tag or label in a clear and legible format no less than 14 point font bearing the exact words: PROHIBITED FROM MOVEMENT OUTSIDE OF THE CITRUS QUARANTINE AREAS, PENALTY FOR VIOLATION, Louisiana Department of Agriculture and Forestry. For a current list of quarantine areas, please go to www.ldaf.la.gov.

G.2. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1652.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agricultural and Environmental Sciences, LR 11:319 (April 1985), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 40:1308 (July 2014), LR 42:730 (May 2016), LR 44:439 (March 2018), LR 45:1435 (October 2019), LR 48:993 (April 2022) LR 52:

Part XXIX. Horticulture Commission

Chapter 1. Horticulture

§103. Enforcement

A. ...

1. Investigative hearings shall be for the purpose of investigating alleged violations of the Horticulture Law or regulations promulgated by the commission.

A.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:183 (April 1982), amended LR 9:410 (June 1983), LR 34:2547 (December 2008), LR 52:

§109. Examination and Licensure or Permitting Fees

A. - B. ...

1. The fee for examination or re-examination for licensure as an arborist, landscape horticulturist, landscape irrigation contractor, or utility arborist shall be \$150.

2. The fee for issuance or renewal for licensure as an arborist, landscape horticulturist, landscape irrigation contractor, landscape architect, utility arborist shall be \$125.

C. ...

1. The fee for issuance or renewal of a nursery stock dealer permit shall be \$175.

2. The fee for issuance or renewal of a cut flower dealer permit shall be \$120.

C.3. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3806, R.S. 3:3805, and R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:184 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:8 (January 1988), LR 18:249 (March 1992), LR 20:640 (June 1994), LR 29:2297 (November 2003), LR 31:1053 (May 2005), LR 35:1227 (July 2009), LR 37:3464 (December 2011), LR 40:758 (April 2014), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 41:2098 (October 2015), LR 41:2578 (December 2015), LR 51:26 (January 2025), LR 52:

§111. Minimum Examination Performance Levels Required

A. ...

B. A passing score on an examination is valid for five years, after which time the applicant must apply to retake the examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3807 and R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:184 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 20:153 (February 1994), LR 35:1229 (July 2009), LR 37:3464 (December 2011), LR 40:759 (April 2014), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 44:2127 (December 2018), LR 47:1274 (September 2021), LR 52:

§117. Professional and Occupational Standards and Requirements

A. - E.8. ...

9. Recommendations and pruning practices shall meet the standards outlined in the *Arborists' Certification Study Guide (4th ed. 2022)* published by the International Society of Arboriculture.

F. - I.6.e. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3801 and R.S. 3:3808.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:185 (April 1982), amended LR 9:410 (June 1983), LR 11:317 (April 1985), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:8 (January 1988), LR 20:640 (June 1994), LR 27:1832 (November 2001), LR 31:1054 (May 2005), LR 32:78 (January 2006), LR 32:1010 (June 2006), LR 33:1854 (September 2007), LR 53:1228 (July 2009), LR 36:2520 (November 2010), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 42:1645 (October 2016), LR 46:1077 (August 2020), LR 48:2287 (September 2022), LR 51:27 (January 2025) LR 52:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules via U.S. Mail or hand delivery. Written submissions must be directed to Tina Peltier, Director of Horticulture and Quarantine Programs, Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806 and must be received no later than 4 p.m. on January 12, 2026. All written comments must be signed and dated.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Nursery Stock Quarantines and Horticulture

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes are not anticipated to have any costs or savings to the state or local governmental units besides the cost of rule promulgation, which is included in the department's annual budget.

The proposed rule changes increase fees for horticulture examinations, professional licenses, nursery stock, cut flower dealer permits, and nursery growers classified as Class II with nurseries under 2,500 square feet or greenhouses under 200 square feet. Under the proposed changes, horticulture exam fees increase from \$114 to \$150; professional licenses from \$100 to \$125; nursery stock dealer permits from \$150 to \$175; cut flower dealer permits from \$90 to \$120; and Class II nursery grower certificates from \$25 to \$50.

The proposed rule changes also make technical updates to the reference materials used for recommendations and standards of practice for arborists, utility arborists, and landscape horticulturists, and correct the reference to the LDAF website. Additionally, the rule removes the now-unnecessary seven-day waiting period to retake an examination.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are anticipated to increase annual revenue collections for LDAF's statutorily dedicated Horticulture and Quarantine Fund by approximately \$187,925.

Revenues deposited into LDAF's statutorily dedicated Horticulture and Quarantine Fund are projected to increase by approximately \$187,925 per year as a result of the proposed fee changes.

- Exams: With an average of 550 exams administered annually, raising the exam fee from \$114 to \$150 will generate an additional \$19,800.
- Professional Licenses: With an average of 3,700 licenses issued or renewed annually, raising the license fee from \$100 to \$125 will add \$92,500 in revenue.
- Nursery stock dealer permits: With an annual average of 1,624 permits and a fee increase from \$150 to \$175, revenue will increase by \$40,600.
- Cut flower dealer permits: With roughly 980 permits issued each year, raising the fee from \$90 to \$120 will generate \$29,400.

- Class II nursery grower certificates: With an average of 225 certificates issued annually, increasing the fee from \$25 to \$50 will result in \$5,625 in additional revenue.
- The total projected increase in revenue from increasing fees: \$19,800 + \$92,500 + \$40,600 + \$29,400 + \$5,625 = \$187,925. Actual revenue may vary from year to year depending on fluctuations in the number of exams, licenses, and permits issued, and any changes in consumer behavior in response to the higher fees.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will increase costs by \$36 for exam applicants, \$25 for all professional licensees and nursery stock dealer permit holders, \$30 for cut flower dealer permit holders, and \$25 for nursery grower class II certificate holders.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated impacts on competition and employment as a result of the proposed rule changes.

Dane Morgan
Assistant Commissioner
2512#047

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Agricultural and Environmental Sciences
Structural Pest Control Commission**

Obligation of the Licensee/Permittee and Enforcement
(LAC 7:XXV.117 and 126)

The Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission proposes to amend LAC 7:XXV.117 and proposes to adopt LAC 7:XXV.126. The proposed changes are promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The proposed Rule changes are made in accordance with R.S. 3:3366, which gives the Structural Pest Control Commission the authority to adopt rules and regulations. The agency evaluated the proposed Rules and determined it was necessary, consistent with law, and aligned with the agency's mission. The benefits of the proposed Rules outweigh the burdens and costs. This proposed Rules are written in plain language in an effort to increase transparency.

The proposed Rule amendment for LAC 7:XXV. 117, increases the fee for each standard contract and wood-destroying insect report from \$12 to \$14. La. R.S. 3:3374 gives the commission the authority to promulgate fees by rule for standard contracts and wood destroying insect reports up to \$16. The proposed Rule change was discussed and approved by the commission in a recent open meeting, and meets the precedent determined by law with the rate not exceeding the maximum amount of \$16. The proposed Rule adoption to LAC 7:XXV. 126 adds a new section to clarify the process regarding enforcement for the department and structural pest control commission. This change gives the department the ability to issue stop orders, and notices of non-compliance to provide compliance assistance.

Title 7

AGRICULTURE AND ANIMALS

Part XXV. Structural Pest Control

Chapter 1. Structural Pest Control Commission

§117. Obligations of the Licensee/Permittee

A. - K. ...

L. The fee for each standard contract and wood-destroying insect report that has been issued is \$14. All such fees are due and payable to the department at the time the reports required by §119.E are due.

M. - Q. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366 and 3:3368.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:327 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:956 (November 1989), LR 21:930 (September 1995), LR 23:855 (July 1997), LR 26:2437 (November 2000), LR 29:1062 (July 2003), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 30:196 (February 2004), LR 31:2761 (November 2005), LR 35:1468 (August 2009), LR 37:280 (January 2011), LR 39:301 (February 2013), LR 42:214 (February 2016), LR 44:1236 (July 2018), LR 46:1541 (November 2020), LR 49:2076 (December 2023), repromulgated LR 50:776 (June 2024), amended LR 51:777 (June 2025), LR 52:

§126. Enforcement

A. Stop Orders

1. An alleged violator of Structural Pest Control laws, rules, and regulations may be issued a written stop order to prevent possible future violations from occurring.

2. Enforcement of an issued stop order is not affected by failure to sign or accept. If an alleged violator refuses or fails to comply with an issued stop order, an adjudicatory hearing may commence.

B. Notice of Noncompliance

1. The department may issue a notice of noncompliance.

2. A notice of noncompliance may be issued for a minor violation only. A notice of noncompliance shall not be issued for a moderate violation, nor a major violation.

3. A notice of noncompliance will be sent to the alleged violator and shall cite the specific violation, identify any corrective action for compliance and provide notice that continued noncompliance may result in enforcement action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 52:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;

6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable impact on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no adverse impact on small business as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rule via U.S. Mail or hand delivery. Written submissions must be directed to Kelly Moore, Director, Structural Pest Control, Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3000, LA 70806, and must be received no later than 12:30 p.m. on January 30, 2026. All written comments must be signed and dated.

Public Hearing

A public hearing will be held on January 30, 2026, from 8:30 a.m. – 12:30 p.m. in the Veterans’ Auditorium at the Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Kelly Moore at the address given above in the Public Comments section or at (225) 952-8042.

Mike Strain, DVM
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Obligation of the Licensee/Permittee and
Enforcement**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is anticipated to have an implementation cost of \$1,000 in FY 26 to the Louisiana Department of Agriculture and Forestry (LDAF) to update the

online site where structural pest control monthly reports are submitted. LDAF will absorb this cost into its existing operating budget.

The proposed rule change increases the fee for each standard contract and wood-destroying insect report from \$12 to \$14.

The proposed rule change also adds a new section to clarify the process regarding enforcement for the department and the Structural Pest Control Commission. The proposed rule change provides the department with the option for enforcement by the Structural Pest Control Commission. The proposed rule change gives the department the ability to issue stop orders and notices of non-compliance, providing compliance assistance to violators before bringing them to an adjudicatory hearing.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is anticipated to increase revenues for the LDAF by approximately \$171,448 annually.

Since FY 22, the average collection of the Wood Destroying Insect Eradication report (WDIE) and the Wood Destroying Insect Report (WDIR) is \$1,028,685. The proposed rule change increases the fees associated with these reports from \$12 to \$14. The three-year average of reports processed is 85,724, which would increase LDAF revenue by \$171,448 annually.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO
DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR
NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change will affect approximately 300 structural pest control businesses that submit monthly reports and corresponding fees to the department for termite control work. The proposed increase from \$12 to \$14 is the required monthly reporting fee paid by pest control companies for each WDIE contract issued and for WDIR reports issued before a home sale. This means pest-control firms would incur an additional \$2 per contract or per WDIR report each month. For an approximate base of 300 structural pest control businesses, if each company handles on average N contracts per month, the aggregated monthly burden would be 300 x \$2 x N = \$600 x N, and the annual burden would be \$7,200 x N. Even with modest contract volumes, the cumulative annual impact on the sector could be meaningful, though per-transaction costs remain small and could be passed on to customers as part of service or closing costs. Potential benefits include better funding for enforcement, training, and consumer protections, improving reporting accuracy, and the timeliness of WDIR/WDIE processes.

The proposed rule change provides the department with the option for enforcement by the Structural Pest Control Commission. LDAF reports there is no anticipated impact on directly affected persons, small businesses, or non-governmental groups related to enforcement; however, those who disobey laws related to the Structural Pest Control Commission may be issued stop orders and notices for non-compliance.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

The proposed rule changes are not estimated to influence competition or employment in either the public or private sector.

Dane Morgan
Assistant Commissioner
2512#041

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Expedited Permit Processing for a Federal Permitting Parity Program (LAC 33:I.1802)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Office of the Secretary regulations, LAC 33:I.1802 (OS107).

In accordance with Act 111 of the 2025 Regular Legislative Session, the department is authorized to institute a federal permitting parity program for advanced nuclear power generation applications submitted by electric public utilities. This proposed Rule provides that a utility shall submit that the application is for the development and construction of a small modular reactor and is consistent with a letter of collaboration entered into between the applicant and the federal government. Further, the proposed Rule indicates that the department shall provide notice that the permit is issued under the permitting parity program on the official website for the department. The basis and rationale for this proposed Rule are to institute a federal permitting parity program for advanced nuclear power generation applications submitted by electric public utilities in accordance with Act 111 of the 2025 Regular Legislative Session. This proposed Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part I. Office of the Secretary

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Chapter 18. Expedited Permit Processing Program §1802. Federal Permitting Parity Program

A. The department is authorized to institute a federal permitting parity program for advanced nuclear power generation applications submitted by electric public utilities.

B. The utility shall submit that the application is for the development and construction of a small modular reactor and is consistent with a letter of collaboration entered into between the applicant and the federal government.

C. The department shall provide notice that the permit is issued under the permitting parity program on the official website for the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 52:

Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known impact on small business as described in R.S. 49:974.1 - 974.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments on the proposed Rule. Persons commenting should reference this proposed Rule by OS107. Such comments must be received no later than February 5, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or by E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed Rule can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of OS107. The proposed regulation is available on the Internet at <https://deq.louisiana.gov/page/monthly-regulation-changes-2025%20>.

Public Hearing

A public hearing will be held on January 29, 2026, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend in person or online via Zoom at <https://deqlouisiana.zoom.us/j/6836133613?omn=93495775038> or by phone at (646) 255-1997 Meeting ID 683 613 3613. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below or at (225) 219-1325.

The proposed Rule is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Jill C. Clark
General Counsel

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Expedited Permit Processing for a Federal Permitting Parity Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to have any implementation costs or savings to state or local government units. The department reports that it will be able to implement the proposed rule change using existing budget authority. The department has already established an expedited permitting process and anticipates being able to implement the rule with current staff and resources.

The proposed rule change, in accordance with Act 111 of the 2025 RS, authorizes the Department of Environmental Quality (DEQ) to establish a federal parity program for advanced nuclear power generation applications submitted by

electric public utilities. Under the proposed rule, a utility must demonstrate that its application pertains to the development and construction of a small modular reactor and aligns with a letter of collaboration executed between the applicant and the Federal Government. Additionally, the rule requires the department to provide public notice on its official website when a permit is issued under the Permitting Parity Program.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to have any costs for directly affected persons, small businesses, or nongovernmental groups. The Permitting Parity Program is designed to benefit private utility companies, which would allow them to save time in their permitting process to construct small nuclear reactors.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to impact competition and employment.

Jill C. Clark
General Counsel
2512#030

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Division of Administration Office of Facility Planning And Control

Designer Contracts (LAC 34:III.129)

Pursuant to the authority set forth in R.S. 39:1410, the Commissioner of Administration proposes to amend LAC 34:III, Chapter 1., Subchapter A., Section 129.

The Louisiana Capital Improvement Projects Procedure Manual for Design and Construction (“Procedure Manual”) has been made a part and condition of the Contract Between Owner and Designer (“Design Contract”) that the Office of Facility Planning and Control (“OFPC”) enters into with design professionals. Currently, the Procedure Manual tracks the language in LAC 34:III.129(D), which appears to require all disputes with designers to be submitted to non-binding mediation followed by arbitration. However, it also states that any “legal action resulting from this contract shall take place in East Baton Rouge.” No such ambiguity exists in OFPC’s agreements with general contractors.

Because LAC 34:III.129(D) is arguably ambiguous, OFPC could potentially be foreclosed from initiating an action in court against a designer and, consequently, potentially forcing OFPC to pursue separate actions against a contractor and a designer in different forums. As these disputes are often complex and involve shared liability by both the general contractor and the designer, pursuing those two parties in separate actions not only results in additional attorney’s fees, but it may result in inconsistent rulings and it may prevent OFPC from obtaining complete recovery when the designer and the contractor raise irreconcilable

allegations against one another. This situation creates a peril to the welfare of the citizens of Louisiana and to the public fisc.

Title 34

GOVERNMENT CONTRACTS, PROCUREMENT, AND PROPERTY CONTROL

Part III. Facility Planning and Control

Chapter 1. Capital Improvement Projects

Subchapter A. Designer Contracts

§129. Other Conditions

A. Insurance. Prior to the signing of the contract between owner and the designer, the designer shall furnish to the owner proof of coverage for the following.

1. Insurance. Professional liability insurance shall be required as per the owner's requirements on a project by project basis. Refer to Exhibit B of the contract for the extent of coverage required. Insurance will be required at the time of contract execution between the owner and the designer. Proof of coverage will be required at that time. No deductible shall be in excess of 5 percent of the amount of the policy.

2. Comprehensive general liability with minimum limits of \$500,000 per accident/occurrence.

3. Comprehensive automobile liability insurance with minimum limits of \$300,000 per accident/occurrence.

4. The designer shall provide a certificate of insurance as proof of workmen's compensation coverage.

B. Affidavit. The designer, on signing the contract, shall submit to the owner, on such form as the owner shall designate, a noncollusion affidavit.

C. When the time schedule has been established by the owner and designer, a completion date shall be set up for delivery of 100 percent completed, coordinated and ready to bid construction documents to the owner. If the designer is delayed through no fault of his/her own, then the completion date shall be extended accordingly, provided the designer makes such request in writing before starting the subsequent phase and the owner approves such as justified. The designer shall continue to work during this process.

D. Fault. Time delays, cost overruns, design inadequacies or other problems with performance of the designer may result in the designer being held "at fault." The owner shall determine if the designer is to be held at fault as provided in R.S. 38:2313.B.(5).

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1410.

HISORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Facility Planning and Control in LR 8:478 (September 1982), amended LR 11:854 (September 1985), LR 46:1571 (November 2020), LR 52:

Family Impact Statement

The proposed Rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule is not anticipated to have an impact on poverty as defined by R.S. 49:973.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small businesses, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule.

This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

All interested persons may submit written comments through January 10, 2026, to Daina Kroll, Business Analytics Specialist, Facility Planning and Control, P.O. Box 94095, Baton Rouge, LA 70804.

Public Hearing

A public hearing on the proposed Rule will be held on January 26, 2026, at the Claiborne Building, 1-141 Colorado Room, 1201 North 3rd Street, Baton Rouge, LA 70802, beginning at 8:30 a.m., and ending at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact Christina Cardona at least seven working days in advance of the hearing. For assistance, call 225-342-6060.

Matthew Baker
Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Designer Contracts

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change may result in potential savings to the state by removing the requirement that designers submit all contractual disputes to nonbinding mediation and then arbitration before pursuing litigation.

The Office of Facility Planning & Control (OFPC) reports that requiring designers to submit disputes to non-binding mediation and arbitration before litigation can result in additional costs. These disputes are often complex and involve shared liability by both the general contractor and the designer. Pursuing those two parties in separate actions would not only result in additional attorneys' fees, but it could potentially result in inconsistent rulings, and it could prevent OFPC from obtaining complete recovery when the designer and the contractor raise irreconcilable allegations against one another.

The proposed rule change removes the mediation and arbitration requirements, thereby eliminating the additional exposure to the state before resolving the dispute in litigation. However, OFPC indicates that although the current rule allows designers to force OFPC into non-binding mediation, no designer has recently attempted to enforce this provision against OFPC. This proposed rule change would avoid potential expenses by preventing designers from forcing OFPC into non-binding mediation in the future. Therefore, any realized savings would be minimal if actually realized.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on state or local governmental revenues as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change may result in savings to designers who dispute contracts with OFPC by removing the requirement to submit all contractual disputes to nonbinding mediation and then arbitration before pursuing litigation. However, OFPC indicates that although the current rule allows designers to force OFPC into non-binding mediation, no designer has recently attempted to enforce this provision against OFPC. This proposed rule change would avoid potential expenses by removing the ability for designers to use non-binding mediation in the future. Therefore, any realized savings would be minimal if actually realized.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated direct material effect on competition and employment as a result of the proposed rule change.

Matthew H. Baker
Director
2512#004

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Division of Administration Tax Commission

Ad Valorem Taxation
(LAC 61:V.Chapters 2-33)

In accordance with provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), and in compliance with statutory law administered by this agency as set forth in R.S. 47:1837, notice is hereby given that the Tax Commission intends to adopt, amend and/or repeal sections of the Louisiana Tax Commission real/personal property rules and regulations for use in the 2026 (2027 Orleans Parish) tax year.

The full text of this proposed Rule may be viewed in the Emergency Rule section of this issue of the *Louisiana Register*.

Family Impact Statement

As required by Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the Louisiana Tax Commission hereby submits the following Family Impact Statement.

1. The Effect on the Stability of the Family. Implementation of these proposed rules will have no effect on the stability of the family.

2. The Effect on the Authority and Rights of Parent Regarding the Education and Supervision of Their Children. Implementation of these proposed rules will have no effect on the authority and rights of parents regarding the education and supervision of their children.

3. The Effect on the Functioning of the Family. Implementation of these proposed rules will have no effect on the functioning of the family.

4. The Effect on Family Earnings and Family Budget. Implementation of these proposed rules will have no effect on family earnings and family budget.

5. The Effect on the Behavior and Personal Responsibility of Children. Implementation of these proposed rules will have no effect on the behavior and responsibility of children.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in these Proposed Rules. Implementation of these proposed rules will have no effect on the ability of the family or local government to perform this function.

Poverty Impact Statement

The proposed Rule will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule will have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule will have no adverse impact on providers of services for individuals with developmental disabilities as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules. Written submission must be directed to Michael Matherne, Tax Commission Administrator, LA Tax Commission, 1051 North 3rd St, Room 224, Baton Rouge, LA 70802 or P. O. Box 66788, Baton Rouge, LA 70896 and must be received no later than 4 p.m., Friday, January 9, 2026.

Public Hearing

A public hearing, on this proposed Rule, will be held on Wednesday, January 28, 2026, at 9 a.m., at the Louisiana State Capitol, 900 North Third St., Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments, by the deadline mentioned above, on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, please contact (225) 219-0339.

Michael Matherne
Administrator

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Ad Valorem Taxation

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rules reflect annual changes in valuation procedures for taxation purposes based on the most recent available data. There are no estimated costs or savings associated with the proposed rules for state governmental units. An impact to local governmental workload resulting in additional administrative costs will occur, but is expected to be minimal.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes to property valuation tables will result in a decrease of approximately -\$22,577,400 in revenue collections for local governments based upon revisions to valuation tables decreasing certain 2026 real and personal property assessments by approximately 1.13% in total. However, these revisions will not necessarily affect revenue collections of local government units as any net increase or decrease in assessed valuations are authorized to be offset pursuant to millage adjustment provisions of Article VII, Section 23 of the state Constitution.

On average, these revisions will generally decrease certain 2026 real and personal property assessments for property of similar age and condition in comparison with the latest available equivalent assessments. However, the assessments of certain property types will increase compared to prior year. Composite multiplier tables for assessment of most personal property will decrease by an estimated 1.20%. Specific valuation tables for assessment of pipelines will increase by an estimated 0.65% overall (Onshore pipelines will increase by an estimated 2% and Offshore pipelines will decrease by an estimated 0.7%). Drilling rigs will decrease by an estimated 3.80% overall (Land rigs to decrease by an estimated 15.5%, Jack-Ups to increase by an estimated 2% and Semisubmersible rigs to increase by an estimated 2%). The net effect determined by averaging these revisions is estimated to decrease assessments by 1.13% and local tax collections by an estimated \$22,577,400 in FY 26/27 on the basis of the existing statewide average millage. However, these revisions will not necessarily affect revenue collections of local government units as any net increase or decrease in assessed valuations are authorized to be offset by millage adjustment provisions of Article VII, Section 23 of the state Constitution.

In accordance with Act 104 of the 2025 Regular Legislative Session, the proposed rule changes also authorize certain banks to deduct 100% of the assessed value of real estate, improvements, buildings, furniture, and fixtures owned by the bank from the assessed value of the bank stock, up from 50% under current rules. This will result in an undeterminable decrease in local property tax collections. Under current experience, the Tax Commission reports that the deduction is about 10% of the assessed value of bank stock. This bill will increase that deduction (exemption) to an estimated 20% of bank stock. Based on tax year 2024 figures, the taxable assessed value of bank stock statewide (net of the existing 50% deduction for other property) is about \$1 B. The deduction is valued at about \$107.6 M and is doubled under the bill which would reduce the assessed value to \$909 M from \$1,016.6 M, a reduction of about 10.5%. To illustrate possible magnitude, an average state millage of 109 applied to an estimated \$107.6 M decrease in assessed value translates to an estimated statewide tax reduction of about \$11.7 M. Any entity with a millage or fee based upon bank stock assessments will be impacted by the bill. It is expected that the maximum impact will likely occur at the first opportunity, which will occur in FY 27 for Orleans and FY 26 for the remaining parishes. Through June 30, 2026, the Louisiana Tax Commission is authorized to levy a fee of 0.03% of the assessed value of financial institutions that pay ad valorem taxes. Any reduction in assessed value would necessarily reduce deposits to the Tax Commission Expense Dedicated Fund Account (SGR) by about \$30,000 annually. The fund is used for Tax Commission operations.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The effects of these new rules on assessments of individual items of equivalent real and personal property will generally be lower in the aggregate in 2026 compared to the last year of actual data. Specific assessments of real and personal property will depend on the age and condition of the property subject to assessment. Taxpayers will be impacted based on the changes to the valuation guidelines for assessments as listed in Section II. The magnitude will depend on the taxable property for which they are liable. Regardless of the guidelines adopted by the Tax Commission, all taxpayers continue to have the right to appeal their assessments. Additionally, Small Businesses' real and personal property is assessed in the same manner as for all other property owners.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)

The impact on competition and employment cannot be quantified. In as much as the proposed changes in assessments are relatively small any aggregate impact on competition and employment statewide will likely be minimal.

Michael Matherne
Administrator
2512#016

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Board of Medical Examiners**

Athletic Trainers
(LAC 46:XLV.161, Chapter 31, and 5705)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the State Board of Medical Examiners (the board) by the Medical Practice Act, R.S. 37:1270 et seq., the board proposes to amend its rules for licensure and certification to restructure certain provisions within the chapters and to add additional definitions and requirements, to wit: to amend §161 to add a new B requiring additional information on annual renewal; to amend §3103 to add numbered paragraphs, to modify the definition of Athlete, to add a definition for Athletic Injury, to modify the definition of Athletic Trainer, and to add a definition for Residency-Trained Athletic Trainer; to amend §3104.A and B to make minor wording changes; to delete §3104.D.4 to remove the requirement of the advisory committee regarding a continuing education subcommittee and the duties thereof; to amend to update the wording for the Athletic Training Advisory Committee; to amend §3107.B to establish the requirements for certification of a residency-trained athletic trainer; to add new §3107.C incorporating requirements for proof of qualifications moved from previous §3107.B; to delete §3133, §3147, and §3149 relative to examinations; to amend §3162.A to remove references to temporary licenses; to delete §3162.C relating to permits pending application; to delete §3167 relative to qualifying programs and activities; to delete §3169 regarding the continuing education subcommittee; to delete §3171 regarding approval of program sponsors; to delete §3173 regarding approval of activities; to amend §3179 to make a minor wording change to the provision for authority to waive all or part of continuing education requirements; to amend §5705.A relative to the definition of athletic trainer; to amend §5705.B regarding the definition of athletic trainer scope of practice; to amend §5705.C regarding the definition of practice of prevention; to amend §5705.D regarding the definition of emergency management; to amend §5705.E relative to the definition of physical rehabilitation; to add §5705.F relative to the definition of supervising physician; to add §5705.G relating to the definition of supervision; and to add §5705.H relative to the definition of clinical practice guidelines.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS
Part XLV. Medical Professions
Subpart 1. General**

Subchapter F. Athletic Trainers Fees

§161. Licenses

A. ...

B. Upon annual license renewal, the athletic trainer shall provide the name and NPI number of the physician serving as the supervising physician for their primary practice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:907 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 30:234 (February 2004), LR 43:1370 (July 2017), LR 52:

Subpart 2. Licensure and Certification

Chapter 31. Athletic Trainers

Subchapter A. General Provisions

§3103. Definitions

A. As used in this Chapter, the following terms and phrases shall have the meanings specified.

1. *Advisory Committee*—the Athletic Training Advisory Committee to the Board, constituted under and pursuant to §3104.

2. *Applicant*—a person who has applied to the board for licensure as an athletic trainer.

3. *Application*—a request received by the board, in a manner prescribed by the board, for licensure as an athletic trainer in the state of Louisiana.

4. *Athlete*—an individual designated as such by the board, an educational institution, a professional athletic organization, or other board-approved organization who participates in an athletic activity.

5. *Athletic Injury*—an injury, illness, or medical condition sustained by an athlete as a result of their participation in exercises, sports, games, or recreational activities.

6. *Athletic Trainer*—an individual licensed by the board as an athletic trainer with the specific qualifications set forth in R.S. 37:3306.1 who, under the general supervision of a physician, carries out the practice of prevention, emergency management, and physical rehabilitation of athletic injuries and sports-related conditions incurred by athletes. In carrying out these functions, the athletic trainer shall use whatever physical modalities are prescribed by a team physician or consulting physician, or both.

7. *BOC*—Board of Certification for the athletic trainer or its successor.

8. *Board*—the Louisiana State Board of Medical Examiners.

9. *Board-Approved Organization*—one of the following:

a. approved organization, including but not limited to the Amateur Athletic Union, the International Olympic Committee and its affiliates including but not limited to the

U.S. Olympic Committee, the Pan American Sports Organization, the National Collegiate Athletic Association, the National Association of Intercollegiate Athletics, college and university intramural sports, and sports events of the National Federation of State High School Associations;

b. an organization whose athletic activity meets one or more of the following:

i. has an officially-designated coach or individual who has the responsibility for athletic activities of the organization;

ii. has a regular schedule of practices or workouts that are supervised by an officially-designated coach or individual;

iii. is an activity generally recognized as having an established schedule of competitive events or exhibitions;

iv. has a policy that requires documentation of having a signed medical clearance by a licensed physician or other board authorized health care provider as a condition for participation for the athletic activities of the organization.

10. *CAATE*—the Commission on Accreditation of Athletic Training Education or its successor.

11. *Educational Institution*—a university, college, junior college, high school, junior high school, or grammar school, whether public or private.

12. *LATA*—the Louisiana Athletic Trainer's Association.

13. *Licensure* or *License*—the board's official recognition of a person's lawful authority to act and serve as an *athletic trainer* as such term is defined by the law, R.S. 37:3302.

14. *Louisiana Athletic Trainers Law or the Law*—Acts 1985, number 288, as amended, R.S. 37:3301-3313.

15. *Residency-Trained Athletic Trainer (RTAT)*—an individual licensed by the board as a specially qualified athletic trainer who has additional education and training as determined by the board. The residency-trained athletic trainer specializes in the prevention, diagnosis, treatment, and rehabilitation of musculoskeletal injuries and management of acute and chronic musculoskeletal medical conditions. The residency-trained athletic trainer works under the direct supervision of and in collaboration with physicians and other healthcare providers on the physicians' patients.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:937 (May 1998), LR 43:1370 (July 2017), LR 52:

§3104. Athletic Training Advisory Committee

A. Constitution. An advisory committee to the board is hereby constituted, to be composed and appointed, to have such functions, and to discharge such responsibilities as hereinafter provided.

B. - D.3. ...

D.4. Repealed.

E. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3313 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:937

(May 1998), amended by the Department of Health, Board of Medical Examiners, LR 43:1371 (July 2017), LR 52:

Subchapter B. Requirements and Qualifications for Licensure

§3107. Requirements for Certification

A. - A.7. ...

B. To be eligible and qualified for certification as a residency-trained athletic trainer (RTAT), an applicant shall:

1. meet all the qualifications for an athletic trainer;

2. complete an approved residency program;

3. pass the OTC exam or other required credentialing examination as determined by the board; and

4. submit documentation as required by the board listing the supervising physician(s) and the location of the healthcare facilities for whom the RTAT will be working.

C. The burden of satisfying the board as to the qualifications and eligibility of the applicant for licensure shall be upon the applicant. An applicant shall not be deemed to possess such qualifications unless the applicant demonstrates and evidences such qualifications in the manner prescribed by, and to the satisfaction of, the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 12:522 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 30:235 (February 2004), LR 35:1886 (September 2009), LR 43:1371 (July 2017), LR 52:

Subchapter F. Examination

3133. Designation of Examination

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1887 (September 2009), LR 43:1373 (July 2017), repealed LR 52:

§3147. Passing Score

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1887 (September 2009), LR 43:1373 (July 2017), repealed LR 52:

§3149. Reexamination

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986), amended by House Concurrent Resolution 69 of the 2012 Regular Legislative Session, LR 38:1460 (June 2012), amended by the Department of Health, Board of Medical Examiners, LR 43:1373 (July 2017), repealed, LR 52:

Subchapter G. License Issuance, Expiration, Renewal, Reinstatement, Temporary Permit

§3162. Temporary Permit

A. General. The board may, in its discretion, issue such temporary permits which are in its judgment necessary or appropriate to its responsibilities under law.

B. Effect of Permit. A permit entitles the holder to engage in the practice of athletic training in the state of Louisiana only for the period specified by such permit and creates no right or entitlement to licensure or renewal of the permit after its expiration,

AUTHORITY NOTE: Promulgated in accordance with R.S.37:1261-1292, 37:1270,37:3301-3313 and 37:3303.A(4).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 28:830 (April 2002), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1888 (September 2009), LR 43:1374 (July 2017), LR 52:

Subchapter H. Continuing Education

§3167. Qualifying Programs and Activities

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990), amended by the Department of Health, Board of Medical Examiners, LR 43:1374 (July 2017), repealed LR 52:

§3169. Continuing Education Subcommittee

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:938 (May 1998), LR 43:1374 (July 2017), repealed LR 52:

§3171. Approval of Program Sponsors

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:939 (May 1998), LR 43:1375 (July 2017), repealed LR 52:

§3173. Approval of Activities

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998), LR 43:1375 (July 2017), repealed LR 52:

§3179. Waiver of Requirements

A. The board may, in its discretion and upon the recommendation of the Athletic Training advisory committee, waive all or part of the continuing education required by these rules in favor of an athletic trainer who makes written request for such waiver to the board and evidences to the satisfaction of the board a permanent physical disability, illness, financial hardship, or other similar extenuating circumstances precluding the athletic trainer's satisfaction of the continuing education requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), amended LR 24:939 (May 1998), LR 43:1376 (July 2017), LR 52:

Subpart 3. Practice

Chapter 57. Athletic Trainers

Subchapter A. General Provisions

§5705. Special Definitions

A. *Athletic Trainer*—an individual licensed by the board as an athletic trainer who, under the general supervision of a physician, carries out the practice of prevention, emergency management, and physical rehabilitation of athletic injuries and sports-related conditions incurred by athletes. In carrying out these functions, the athletic trainer shall use whatever physical modalities are prescribed by a supervising physician or consulting physician, or both. The results of these activities must be recorded.

B. *Athletic Trainer Scope of Practice*—under the general supervision of a physician, athletic trainers optimize athlete physical health and well-being. The practice of athletic training encompasses injury prevention, clinical evaluation and diagnosis, emergency care, treatment and rehabilitation of athletic injuries.

1. The practice of an athletic trainer shall include the performance of medical services that are delegated by the supervising physician and are within the scope of the athletic trainer's education, training, and licensure.

2. An athletic trainer is considered to be an agent of his supervising physician in the performance of all practice-related activities, and the level and method of supervision shall be determined by the supervising physician.

3. The supervising physician shall maintain written clinical practice guidelines or standing orders for the athletic trainer to follow within his or her work setting.

4. These guidelines shall be reviewed annually and shall reflect the acuity of athlete care and the nature of an athletic injury.

C. *Practice of Prevention*—In accordance with written clinical practice guidelines or protocols approved by the supervising physician, the following preventative healthcare services may be rendered, but is not limited to the following:

1. working cooperatively with supervisors and coaches in establishing and implementing a program of physical conditioning, diet, flexibility, rest, and reconditioning for athletes in the prevention of athletic injuries.

2. working cooperatively with supervisors, coaches, and supervising physicians in the selection and application of protective or injury-preventive equipment such as taping, padding, bandaging, strapping, wrapping, or bracing; other durable medical equipment for the prevention of athletic injuries.

3. reviewing health histories; charting and recording pertinent data athlete health status; identifying comorbidities and athletes with complex medical conditions; assessing gait function.

4. making preliminary decisions for appropriate management or treatment of athletic injuries based upon best practices and pre-established written clinical guidelines or protocols.

5. analysis and assessment of an initial athletic injury or follow-up assessment of a previously diagnosed athletic injury.

6. referrals to supervising physicians or other physicians as needed; preparing chart summaries; recommending, in concert with supervising physicians, certain laboratory studies.

7. actions to determine athlete safety regarding potential environmental injuries. This may include but is not limited to: lightning proximity to play, excessive cold or wind chill temperatures, increased heat, humidity, and/or wet bulb globe temperatures that could result in death if exposed over an extended period.

D. *Emergency Management*—the immediate, on-site care given to an injured athlete under the general supervision of a physician. To accomplish this care, an athletic trainer may use such methods as accepted first aid procedures approved by the American Red Cross, the American Heart Association, or protocols previously established by the athletic trainer and the supervising physicians. This may include;

1. initiating appropriate evaluation and emergency management for emergency situations such as cardiac arrest.

2. administration of supplemental oxygen, suction, noninvasive airways and/or meter dosed inhalers as prescribed for respiratory distress,

3. treatment of hypothermia or hyperthermia based upon established methods of core temperature management.

4. management of cervical spine, head trauma, external hemorrhage, fractures and dislocations amenable to closed reductions, other severe musculoskeletal or ligamentous athletic injuries.

5. recognition and administration of pre-approved emergency care related to anaphylaxis, exertional sickling, diabetic emergency, rhabdomyolysis, hyponatremia or dehydration.

E. *Physical Rehabilitation*—the care given to athletes following athletic injury and recovery. These treatments and rehabilitation programs may consist of pre-established methods of physical modality use and exercise as prescribed by the supervising physician. Physical rehabilitation also includes working cooperatively with and under the general supervision of a physician with respect to the following:

1. Implementation of reconditioning procedures and return to sport protocols;

2. Application of therapeutic modalities such as, but not limited to, electrical stimulation, ultrasound, compression devices, ice, heat, hydrotherapy, manual therapy interventions in soft tissue mobilization, etc.;

3. Selection, fabrication, and/or customization of prophylactic, assistive, and restrictive devices, materials, and techniques for incorporation into the plan of athletic injury care, including the following:

a. durable medical equipment,

b. orthotic devices,

c. taping, splinting, protective padding, and casting.

4. Additional modalities.

a. A physician may approve an athletic trainer to provide board-approved additional therapeutic modalities such as dry needling of the periphery, venopuncture for laboratory testing, minor wound care and suturing, and the intravenous administration of medically appropriate solutions, in accordance with rules adopted by the board based upon the following criteria:

i. The athletic trainer holds a license for a minimum of three years.

ii. The athletic trainer holds a certificate from a BOC-approved course, a copy of which shall be furnished and submitted through the board's continuing education tracking system. The AT shall participate in ongoing professional development to maintain competency in best practices and techniques to perform additional modalities.

iii. The clinical practice guidelines from the supervising physician shall document the proficiency of the athletic trainer to perform additional modalities.

iv. Additional modalities or therapeutic devices may not be performed on a minor without written consent of a parent or guardian.

v. The AT must maintain detailed records of each use of an additional modality, including the anatomical area treated, the patient's tolerance, and the clinical outcome.

vi. The AT must obtain informed consent from the patient, or if the patient is a minor, from a parent or guardian.

b. The authorization for the use of additional therapeutic modalities shall not be construed to allow the practice of medicine.

5. Referrals to physicians or auxiliary healthcare services in the management of athlete care. Referrals will be made with the agreement of the athlete or, in the case of a minor, with agreement of a parent or guardian except when circumstances require emergency transfer and the parent or guardian is unavailable.

6. Therapeutic and corrective exercise; joint mobilization; gait training, muscle re-education proprioceptive activities; sport- specific functional training; return to sport activities.

F. *Supervising Physician*—a physician approved by and registered with the board, as a primary supervising physician or a to provide supervision to one or more athletic trainers.

G. *Supervision*—responsible direction and control, with the supervising physician assuming responsibility for the services rendered by an athletic trainer in the course and scope of employment, with respect to the athlete or aspect of care the physician oversees. Supervision shall not be construed in every case to require the physical presence of the supervising physician. However, the supervising physician and athletic trainer must have the capability to be in contact with each other by either telephone or other telecommunications device. Supervision shall exist when the supervising physician responsible for the care or aspect of care of the athlete gives informed concurrence with the actions of the athletic trainer, whether given prior to or after the action, and when a treatment plan or action is made in accordance with written clinical practice guidelines or protocols set forth by the supervising physician. Such guidelines or protocols shall require that the athletic trainer contact the supervising physician when there is a question or uncertainty as to what should be done in a given case or when an approved protocol does not address the clinical situation presented. The clinical practice guidelines and protocols shall be documented and reviewed annually by both the supervising physician and the athletic trainer.

H. *Clinical Practice Guidelines*—a written set of directives or instructions regarding routine medical conditions, to be followed by an athletic trainer in patient

care activities. The supervising physician and athletic trainer shall maintain a written copy of such clinical practice guidelines and protocols, which shall be made immediately available for inspection by authorized representatives of the board. The level and method of supervision shall be at the discretion of the supervising physician. A physician may supervise more than one athletic trainer. The Clinical Practice Guidelines shall include a mandate that an athlete must complete a physical examination and be cleared by a physician prior to participation. The Clinical Practice Guidelines shall state that the supervising physician has the final and superseding authority regarding athlete return to play decisions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health, Board of Medical Examiners, LR 43:1376 (July 2017), LR 52:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is not anticipated that the proposed amendments will have any impact on family, formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on those that may be living at or below one hundred percent of the federal poverty line has been considered. It is not anticipated that the proposed amendments will have any impact on child, individual or family poverty in relation to individual or community asset development, as described in R.S. 49:973.

Small Business Analysis

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

Provider Impact Statement

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

Public Comments

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m. January 27, 2026.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the Board within 20 days of the date of this notice. If a public hearing is requested to provide data, views, arguments, information or comments orally in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on

January 27, 2026, at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

Vincent A. Culotta, Jr., M.D.,
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Athletic Trainers

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule changes. The cost for the Louisiana State Board of Medical Examiners is approximately \$1,270 in FY 26 for the notice and rule publication in the *Louisiana Register*.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are not anticipated to impact the revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes are not anticipated to result in significant costs or economic benefits to directly affected persons, small businesses, or non-governmental groups. The revisions clarify existing practice standards for athletic trainers and establish an optional advanced credential for residency-trained athletic trainers (RTATs). Athletic trainers who elect to pursue the RTAT designation may incur minimal, voluntary expenses associated with completing a board-approved residency program or additional certification.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will have no effect on competition or employment.

Vincent A. Culotta, Jr., M.D.
Executive Director
2512#064

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Health Standards Section

Hospitals—Licensing Standards
(LAC 48:1.9505, 9507, 9513, 9515)

The Department of Health, Health Standards Section (the department), proposes to amend LAC 48:1.9505, §9507, §9513, and §9515 as authorized by R.S. 36:254 and R.S. 40:2100 – 2115. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The department proposes to amend the provisions governing the licensing of hospitals in order to comply with the requirements of Act 77 of the 2025 Regular Session of the Louisiana Legislature to require in-house obstetric anesthesia personnel on a 24 hour basis.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification
Subchapter S. Obstetrical and Newborn Services
(Optional)

§9505. General Provisions for Hospitals Licensed as of January 1, 2022

A. - B.1. ...

C. For purposes of this Subchapter, the requirements for hospital staff and/or equipment as being immediately or readily available shall be defined by hospital policy and approved by each hospital's governing body.

NOTE: Repealed.

D. Any transfer agreements shall be in writing and approved by the hospital medical staff and by each hospital's governing body. Transfer agreements shall be reviewed at least annually and revised as needed.

E. For those hospitals providing transports, the qualifications of the transport team shall be in writing, defined by hospital policy and approved by each hospital's governing body. Such qualifications shall be reviewed at least annually and revised as needed.

F. The hospital shall have data collection and retrieval capabilities in use, and shall cooperate and report the requested data to the appropriate supervisory agencies to review.

G. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2427 (November 2003), amended LR 33:284 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:75 (January 2017), LR 46:1087 (August 2020), LR 48:2569 (October 2022), amended by the Department of Health, Health Standards Section, LR 52:

§9507. Obstetrical Units

A. - C. ...

D. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2427 (November 2003), amended LR 33:284 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:75 (January 2017), LR 51:960 (July 2025), amended by the Department of Health, Health Standards Section, LR 52:

§9513. Organization and Staffing

A. - A.1. ...

B. For purposes of this Subchapter, the requirements for hospital staff and/or equipment as being physically present at all times specifies the hospital staff and/or equipment shall be on-site in the location 24 hours a day, 7 days a week.

NOTE: Repealed.

C. For purposes of this Subchapter, the requirements for hospital staff and/or equipment as being readily available at all times means that the hospital staff and/or equipment shall be available, as approved by hospital policy, 24 hours a day, 7 days a week.

D. Any transfer agreements shall be in writing and approved by the hospital medical staff and by each hospital's governing body. Transfer agreements shall be reviewed at least annually and revised as needed.

E. For those hospitals providing transports, the qualifications of the transport team shall be in writing, defined by hospital policy and approved by each hospital's governing body. Such qualifications shall be reviewed at least annually and revised as needed.

F. The hospital shall have data collection and retrieval capabilities in use, and shall cooperate and report the requested data to the appropriate supervisory agencies to review.

G. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2429 (November 2003), amended LR 33:286 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:78 (January 2017), LR 43:1979 (October 2017), LR 48:2569 (October 2022), amended by the Department of Health, Health Standards Section, LR 50:1493 (October 2024), amended by the Department of Health, Health Standards Section, LR 52:

§9515. Obstetrical Units

A. - C. ...

D. The obstetrical unit shall provide the mother and her family members with information about post-birth warning signs, including symptoms and available resources.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2429 (November 2003), amended LR 33:288 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:82 (January 2017), LR 48:2570 (October 2022), amended by the Department of Health, Health Standards Section, LR 52:

§9517. Obstetrical Unit Functions

A. - B.3.a.ii. ...

C. Obstetrical Level III Unit (Subspecialty Care)

1. - 1.f. ...

2. Personnel Requirements

a. - a.iii. ...

b. Personnel

i. - iv. ...

v. Anesthesia services shall be physically present at all times.

C.2.vi. - E.3.b.ii.(b). ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2570 (October 2022), amended by the Department of Health, Health Standards Section, LR 50:1493 (October 2024), amended by the Department of Health, Health Standards Section, LR 52:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule may impact the staffing level requirements and/or qualifications required to provide the same level of service, and may result in an indeterminable increase in direct costs. The total fiscal impact of this proposed Rule is indeterminable since there is no way to estimate how many hospitals will be required to employ additional staff.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule may impact the staffing level requirements and/or qualifications required to provide the same level of service, and may result in an indeterminable increase in direct costs. The total fiscal impact of this proposed Rule is indeterminable since there is no way to estimate how many hospitals will be required to employ additional staff.

Public Comments

Interested persons may submit written comments to Cecile Castello, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 2, 2026.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on January 10, 2026. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on February 4, 2026 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after January 10, 2026. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building).

Bruce D. Greenstein
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Hospitals Licensing Standards

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
It is anticipated that implementation of this proposed Rule will have no programmatic fiscal impact to the state or local governmental units other than the cost of promulgation in FY 26. It is anticipated that \$639 SGR will be expended in FY 26 for the state's administrative expense for promulgation of this proposed Rule and the final Rule.
This proposed Rule amends the provisions governing the licensing of hospitals in order to comply with the requirements of Act 77 of the 2025 Regular Session of the Louisiana Legislature to require in-house obstetric anesthesia personnel on a 24-hour basis.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
It is anticipated that implementation of this proposed Rule will have no impact on state or local revenue collections. This is a licensing Rule that does not add any licensing fees.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)
It is anticipated that this proposed Rule may impact the staffing level requirements and/or qualifications required to provide the same level of service, and may result in an increase in direct costs. The total fiscal impact of this proposed Rule is indeterminable since there is no way to estimate how many hospitals may be required to employ additional staff.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed Rule is not anticipated to effect competition, but may increase the need for additional staff for some licensed hospitals.

Cecile Castello, RN
Interim Deputy Assistant Secretary
2512#049

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Licensed Professional Counselors Board of Examiners

PLMFT Educational Licensure Requirements
(LAC 46:LX.3309, 3311, and 3315)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners proposes technical rule revision to clarify and update provisions governing the academic, coursework, supervision, and practice requirements for provisional licensed marriage and family therapists (PLMFTs). The Licensed Professional Counselors Board of Examiners hereby gives Notice of Intent to propose changes to Chapter 33, Section 3309, 3311, and 3315 for publication in the December 20, 2025, edition of the *Louisiana Register*.

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS REVISED

Part LX. Professional Counselors

Subpart 2. Professional Standards for Licensed
Marriage and Family Therapists and Provisional
Licensed Marriage and Family Therapists

Chapter 33. Requirements for Licensure and
Provisional Licensure

§3309. Academic Requirements for MFT Licensure or
Provisional Licensure
[Formerly §3311]

A. - A.3. ...

4. Repealed

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:156 (February 2003), amended LR 29:2785 (December 2003), LR 35:1113 (June 2009), LR 37:1602 (June 2011), repromulgated LR 37:2163 (July 2011), amended LR 38:1965 (August 2012), repromulgated LR 41:741 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1982 (October 2017), amended LR 45:1204 (September 2019), LR 49:1086 (June 2023), LR 52:

§3311. Coursework and Academic Supervision
Requirements, for Options 2, 3, and 4

A. - A.8. ...

9. Repealed

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 37:1602 (June 2011), repromulgated LR 37:2163 (July 2011), amended LR 38:1966 (August 2012), LR 41:742 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1983 (October 2017), LR 49:1087 (June 2023), LR 52:

§3315. Application, Practice, and Renewal
Requirements for Provisional Licensed
Marriage and Family Therapists

A. - C.1. ...

a. At least 1500 hours must qualify as direct work experience. Direct work experience received during the completion of a graduate program that is systemically oriented as determined by the advisory committee may be counted toward the required 2000 hours.

C.1.b. - C.2. ...

a. Face-to-face supervisor contact received during the completion of the applicant's qualifying academic experience graduate program that is systemically oriented as determined by the advisory committee may be counted toward the required 200 hours of qualified supervision.

C.3. - F.5.iv. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:158 (February 2003), amended LR 29:2787 (December 2003), LR 35:1114 (June 2009), LR 38:1966 (August 2012), LR 39:1806 (July 2013), LR 41:742 (April 2015), amended by the Department of Health, Licensed Professional Counselors

Board of Examiners, LR 43:1983 (October 2017), LR 45:1204 (September 2019), LR 47:1529 (October 2021), LR 50:1848 (December 2024), LR 50:1851 (December 2024), effective April 1, 2027, repromulgated LR 51:403 (March 2025), LR 52:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed change should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by January 10, 2026, at 5 p.m.

Jamie S. Doming
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: PLMFT Educational Licensure
Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Louisiana Licensed Professional Counselors Board of Examiners is approximately \$600 in FY 26 for the notice and rule publication in the *Louisiana Register*.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to impact small businesses or non-governmental groups. There are no expected economic losses. The rule does not change the current academic requirements that are set forth by the Council for Accreditation of Counseling and Related Educational Programs (CACREP). This rule simply removes language to not create confusion. It does not create any new financial or administrative requirements.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.

Jamie S. Doming
Executive Director
2512#035

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Insurance
Office of the Commissioner**

Regulation 138—Premium Discount for Dashboard Cameras with Telematic Systems: Commercial Motor Vehicles (LAC 37:XIII.Chapter 213)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to promulgate Regulation 138—Premium Discount for Dashboard Cameras with Telematic Systems: Commercial Motor Vehicles.

The Premium Discount for Dashboard Cameras with Telematic Systems: Commercial Motor Vehicles, enacted through the passage of Act 19 of the 2025 Regular Session of the Louisiana Legislature, requires insurers to provide a premium discount for the liability portions of policies covering commercial motor vehicles equipped with dashboard cameras and telematics systems.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 213. Regulation Number 138—Premium Discount for Dashboard Cameras with Telematic Systems: Commercial Motor Vehicles

§21301. Purpose

A. The purpose of Regulation 138 is to enhance public safety, reduce insurance fraud, and lower costs of claims by incentivizing the use of dashboard cameras paired with telematics systems in commercial motor vehicles, thereby warranting a reduction in liability insurance premiums.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21303. Applicability and Scope

A. Regulation 138 shall apply to all admitted insurers authorized to issue commercial motor vehicle insurance in Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21305. Definitions

A. For the purposes of Regulation 138, the following terms are defined as follows:

1. *Commercial Motor Vehicle*—the same as the term is defined in R.S. 32:401 and includes fleet operations.

2. *Commissioner*—the Louisiana Commissioner of Insurance.

3. *Dashboard Camera*—a dashboard-mounted video recording device capable of continuous loop recording with a minimum resolution of 1080p, designed to capture footage of the road ahead of the vehicle.

4. *Liability Premium*—the portion of an insurance premium attributable to bodily injury liability and property damage liability coverage under a commercial motor vehicle insurance policy.

5. *Telematics System*—a device or software integrated with a vehicle that collects and transmits real-time data on driving behavior, including but not limited to speed, braking, and mileage, to an insurer, fleet owner, or third-party vendor designated by an insurer or policyholder.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21307. Premium Discounts Required

A. Every insurer authorized to issue commercial motor vehicle insurance policies in this state, except for a surplus lines insurer, shall provide a discount on the liability premium for each commercial motor vehicle equipped with a dashboard camera and telematics system meeting the requirements set forth in this Regulation 138.

B. The discount required in this subsection does not extend to collision, comprehensive, or other coverage types unless otherwise determined by the insurer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21309. Amount of Discount

A. The insurer shall provide the discount in an amount actuarially justified based on loss experience, claims data, or other relevant factors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21311. Technical Standards

- A. Dashboard cameras:
1. front facing;
 2. 1080p resolution;
 3. continuous loop recording;
 4. mounted onto the dashboard according to Federal

Motor Carrier Safety Administration standards;

- B. Telematic Systems:
1. device or software;
 2. integrated with the vehicle;
 3. transmits real time data of driving behavior

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21313. Qualification for Premium Discount

A. To qualify for the premium discount set forth in this regulation, the equipment used must:

1. be installed and operational at policy issuance or renewal;
2. meet technical standards, including compatibility between equipment. Compatibility is subject to verification;
3. be in continuous use during the policy term. Use is subject to verification;

B. Policyholders must provide proof of installation and/or operation via certificate from a vendor or a telematics data report upon request from insurer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21315. Verification Procedures

A. Insurers are to annually verify compliance through policyholder's submission of:

1. a telematics summary report, or;
2. a signed affidavit attesting to continuous operation of equipment.

B. Failure to maintain qualification for the premium discount may result in forfeiture of the discount at the next policy renewal, unless the discount is reinstated for proof of compliance.

C. Insurers are to submit an annual report to the commissioner by March 1 of each calendar year detailing:

1. number of commercial motor vehicles that are receiving the discount;
2. aggregate savings provided to policyholders;
3. observed changes in claim frequency and severity.

D. Commissioner is to compile and submit a summary of the reports received.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21317. Exemptions for Insurers

A. Insurers may qualify for an exemption but must:

1. demonstrate the exemption is based upon actuarial justification that the discount is not warranted based on claims data specific to the insurer's portfolio.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21319. Penalties

A. Any insurer found to be in willful noncompliance with this Regulation 138, or the provisions of R.S. 22:1482.2, is subject to the penalties of R.S. 22:1969.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

§21321. Effective Date

A. This regulation shall become effective upon final publication in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1482.2, Act 19, 2025 Regular Session of the Louisiana Legislature and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact on the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact on the rights and authority of parents regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact on the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact on family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact on the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the regulation.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no impact on household income, assets, or financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no impact on early childhood development or on preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no impact on employment or workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no impact on taxes or tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no impact on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

Small Business Analysis

A. The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact on small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact on small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact on small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, there are no less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

Public Comments

Interested persons who wish to make comments may do so by writing to Jacob Carter, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by faxing comments to (225) 342-6704, or electronically at regulations@ldi.la.gov. Comments will be accepted through the close of business, 4:30 p.m., January 9, 2026.

Timothy J. Temple
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Regulation 138—Premium Discount for Dashboard Cameras with Telematic Systems: Commercial Motor Vehicles

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule implements the provisions of Act 19 of the 2025 Regular Session of the Louisiana Legislature, which requires insurers to provide a premium discount for the liability portions of policies covering commercial motor vehicles equipped with dashboard cameras and telematics systems.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no anticipated effect on revenue collections of state or local government units as a result of the proposed rule changes. To the extent insurers fail to comply and are assessed penalties by the Department of Insurance, any resulting state revenue is expected to be minimal.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule may benefit directly affected persons by enhancing public safety, reduce insurance fraud, and lower costs of claims by incentivizing the use of dashboard cameras paired with telematics systems in commercial motor vehicles. Admitted insurers authorized to issue commercial motor vehicle insurance in Louisiana shall provide a discount for commercial vehicles equipped with dashboard cameras paired with telematics system. The discount will be in an amount actuarially justified based on loss experience, claims data and other relevant factors.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition and employment.

Christopher Cerniauskas
Chief of Staff
2512#052

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Louisiana Works Office of Workers' Compensation Administration

Finance and Audit (LAC 40:I.Chapter 17)

The Louisiana Works does hereby give notice of its intent to amend certain portions of the Louisiana Administrative Code, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 1, General Administration, Chapter 17. The purpose of this amendment is to correct outdated titles, modify terms to match definitions, remove old references, and align with current

practices. These changes modernize the rules for current OWCA's Finance and Audit unit. This Rule is promulgated by the authority vested in the Assistant Secretary of the Office of Workers' Compensation found in R.S. 23:1168 and R.S. 23:1291.

Title 40

LABOR AND EMPLOYMENT

Part I. Workers' Compensation Administration

Subpart 1. General Administration

Chapter 17. Fiscal Responsibility Unit

§1701. Financial Compliance

A. Every employer subject to the jurisdiction of the Louisiana Workers' Compensation Act shall file with the Office of Workers' Compensation proof of its compliance with the workers' compensation insurance provision of R.S. 23:1168. A notice from the insurer, on a form developed by the assistant secretary, certifying compliance will be accepted as proof. The form must be received within 30 days of the policy's effective date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:960 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1703. Termination of Coverage by Insurance Carriers; Employer to Obtain New Coverage

A. Any insurance carrier that intends to cancel or terminate an insurance policy before the expiration date stated in the policy shall give 20 days prior notice thereof in writing to the Office of Workers' Compensation, the employer, and the Commissioner of Insurance.

B. The employer whose policy has been canceled or terminated shall, on or before the twentieth day after receipt of the notice of cancellation or termination, file proof of new coverage with the Office of Workers' Compensation in accordance with the Act. Failure to file proof of new coverage within 20 days shall be considered by the Office of Workers' Compensation as prima facie evidence of violation and subject the employer to the penalties prescribed under R.S. 23:1170.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:96660 (August 1991), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1705. Definitions

A. ...

Certified Audit—an audit upon which the auditor expresses his professional opinion that the accompanying statement presents fairly the financial position of the self-insurer or fund in conformity with generally accepted accounting principles consistently applied.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291, and R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:960 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1707. Conditions for Obtaining Certificate of Self-insurance

A. The assistant secretary shall prescribe aggregate and specific excess insurance coverage and/or surety bonds or the deposit of other security as a condition of obtaining a certificate of self-insurance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291, and R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:960 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1709. Acceptable Securities or Surety

A. The securities acceptable to the Office as a security deposit shall be U.S. Government Bonds; irrevocable letters of credit issued by a federal or state bank pre-approved by the Office; Surety Bonds in a form prescribed by the Office which are issued by any corporate surety which meets the qualifications prescribed in §1709.B; and other forms of security deemed acceptable by the assistant secretary of the Office. Self-insurers must have all funded securities made payable to the Office of Workers' Compensation.

B. Any corporate surety, to be eligible for writing self-insurer's bonds in the state of Louisiana, shall be an admitted or approved carrier by the insurance commissioner of the state of Louisiana to transact such a business in the state, shall have its latest financial statement on file with the insurance commissioner and the Office; and shall at all times show assets, including surplus to policyholders, at least equal to the latest Insurance Commission requirements for admission of a new company to do business in the state. The policyholders and financial ratings, as shown in the most current issue of Best's Key Rating Guide, Property-Casualty, shall not be less than "B" and "IV," respectively. In the event a company is not rated by Best's, a corporate surety may be approved at the discretion of the office.

C. All such securities shall be filed with the Office for deposit under custody receipt. The office shall be authorized to sell and/or collect, in the case of default of the employer or group, such amount thereof as shall yield sufficient funds to pay compensation liabilities. The office shall likewise be authorized to bring suit upon any surety bond so posted, to procure prompt payment of compensation liabilities. Interest accruing on any negotiable securities so deposited shall be collected and transmitted to the depositor, provided he is not in default in the payment of compensation or the annual premium tax. All deposits shall remain in the custody of the office until such time as the workers' compensation claims, which the deposits secure, have been fully satisfied.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:961 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1711. Filing of Reports—Penalties

A. Each individual self-insurer shall file annual statements of financial condition with the Office in a form acceptable to the Office of Workers' Compensation on or before May 1 of each year, except that fiscal year end filers

shall file annual statements of financial condition four months after fiscal year end. These statements must be prepared by a certified public accountant and must be certified audits, except that an individual self-insurer may be allowed to submit another type of statement acceptable to the Office. An additional security deposit or surety bond may be required in the absence of a certified audit.

B. Summary loss data will be filed with the Office by each individual self-insurer on or before February 1 of each year. This report will include but not be limited to the name of the employer, name of the injured employee, claim number, date of accident, nature of injury, amounts paid on the claim for indemnity or medical and outstanding reserves, if any. This report will cover all incurred losses for the prior year as well as any pending claims where any type payment is made or reserve is pending.

C. In addition to the above required annual reports, the Office may require interim financial statements, summary loss data, payroll audits, or such other reports or statements upon reasonable notice.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:961 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1713. Contract of Excess Insurance

A. Aggregate and specific excess insurance with liability limits and retention amounts acceptable to the Office shall be required as a condition of approval of any individual self-insurer as hereinafter provided.

1. ...

2. In cases where the upper limit of a corporation's excess insurance is not statutory, the Office will require that the amount be at least the greater of the average incurred workers' compensation losses for the last three years or \$5,000,000.

B. - B.2. ...

3. is renewable at the expiration of the policy period unless written notice by registered or certified mail is given to the other party to the policy and the Office, 20 days prior to such expiration, by the party desiring to cancel or not to renew the policy. The required notice or nonrenewal is 10 days if the nonrenewal is for nonpayment of policy premium.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:961 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1715. Servicing for Self-Insurer; Qualifications for Service Companies

A. ...

1. It shall be the sole responsibility of each individual self-insurer to provide for qualified persons to service its program in the areas of claims adjusting, underwriting, safety engineering and loss control. Should the individual self-insurer be unable or unwilling to provide any or all of these services through the use of its own employees, then it shall contract with outside agencies with established

qualifications, as evidenced by their official certificates of approval issued by the office, to provide these services.

2. In the case where an individual self-insurer elects to contract with an approved service company, the Office may, at its discretion, choose to use the service company as an intermediary in its dealings with the employer. In the case where no service company is used, the office will deal with the employer only.

B. - E. ...

F. Each service company shall file immediately upon entering into a contract or agreement for servicing, notice of this contract or agreement with the Office. It shall be the responsibility of the individual self-insurer to obtain the written permission of the Office before changing its method of fulfilling its servicing requirements from those which were previously approved by the office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:962 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1717. Revocation or Termination of the Self-Insurer Privilege

A. Failure to comply with any of the rules or with any order of the Office of Workers' Compensation Administration within the time prescribed may be considered good cause for revocation or termination of self-insurer privilege, within the meaning of Louisiana statutes. Noncompliance with the provisions of the Workers' Compensation Act, in particular those relating to time and method of compensation payments, the furnishing of medical treatment and filing of accident and compensation reports and failure to pay any assessment, may likewise be deemed good cause. The office shall give written notice of such revocation or termination to the employer and/or his agent(s). The employer shall have 15 days from the date of mailing of the notice to request a hearing on the revocation or termination. Failure to request a hearing within the time prescribed shall result in the revocation or termination becoming effective 30 days from the date of mailing of the original notice. In no event shall any revocation or termination become effective prior to the date that a hearing on the question is scheduled. Such notice shall be served personally or by registered mail upon all interested parties.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:962 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1719. Enforcement by Office of Workers' Compensation of Order of Compliance; Order of Denial; or Order of Termination of Self-insured Status

A. If the Office has probable cause to believe that an order denying or terminating self-insured status is being violated or that an employer who is approved or has been previously approved as a self-insurer is liquidating or may be about to liquidate and distribute its assets to its stockholders or to its members without providing for its obligation as a self-insurer to pay or arrange for the payment

of compensation and benefits as prescribed for in the Act, the office may cause an action to be filed in the Court of East Baton Rouge Parish or in the parish in which such person does business to enjoin and restrain such person from engaging in such method, act or practice; in addition to the other penalties it may assess according to law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168, 1169 and 1170.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:963 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1721. Tenure of Authority

A. Certificates of authority granting the privilege of being a self-insurer for workers' compensation purposes shall expire on July 1 of each year or two months after the annual report is due for fiscal year end filers. At the time of renewal, the self-insurer must furnish or have on file with the office, an acceptable financial statement for its current fiscal year and must fully comply with the law and the rules of this office. Certificates of approval for service companies must be renewed on an annual basis. Any information submitted by an employer in its application to become a self-insurer, or in its request for renewal of that authority, will be treated with strict confidence by the office. Any information submitted by a service company in its application for approval or in its request for renewal of that approval will be treated with strict confidence by the office except that the name, address, and status of an employer that is self-insured may be communicated effective September 1, 1991 pursuant to amendments to R.S. 23:1168(A)(4).

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:963 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1723. Individual Self-Insurer—Application

A. Each employer that wishes to become a self-insurer individually, as contemplated by Louisiana statutes, shall make application to the office for such privilege on a form prescribed by the office, and this application shall be filed with the office at least 60 days prior to the desired effective date. The application shall contain answers to all questions propounded and shall be under oath.

B. Before considering the application, the office will require:

1. a financial statement of a current date showing a net worth of not less than \$750,000 and a current ratio of more than 1.5 to 1 and a working capital of an amount establishing strength and liquidity of the business to pay normal compensation promptly. A surety bond as provided in §1725 shall be considered to be part of the net worth of the employer. However, companies qualified to be self-insured prior to the implementation of these rules who do not meet the requirement of a net worth of \$750,000 may nonetheless qualify for continued certification upon a showing that they meet all other requirements of these rules and that they have been continually operating as an approved self-insurer. The requirement for more than 1.5 to 1 current ratio may be waived in the case of a public utility or in those instances where generally recognized accounting principles peculiar to a particular industry make this requirement unreasonable. In

no event shall the net worth be less than three times the annual loss fund, or in the event that aggregate excess insurance is not maintained, then the net worth shall be at least three times the self-insurer's annual standard premium. Financial statements dated six months or more prior to the date of application must be accompanied by an affidavit stating that there has been no material lessening of net worth nor significant deterioration of current ratio since the date of the statement;

2. an employer going through or recently acquired through a highly leveraged buyout is not eligible to self-insure until the company has a well-established and acceptable financial capacity. Judgment of the company's financial capacity will be based upon financial ratio analysis. This type of company must operate on an insured basis until the financial status is fully known;

3. ...

4. the determination of a company's financial strength will also be based upon a financial ratio analysis and the trends in operating and net income. A number of successive years operating net losses experienced by a company may cause the Office of Workers' Compensation to deem that company unable to assume the responsibility of self-insuring;

5. that a company shall have been in business for at least three years unless it is part of an established operation that is able to guarantee the financial stability of the concern;

6. - 8. ...

9. an investigation and study of the financial and other capabilities of the individual applicant to meet its obligation under the Act will be conducted by the finance department of the office. The administrator of the finance department of the office will submit an evaluation report to the office, after which formal approval for self-insured status may be granted by the office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:963 (October 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 23:868 (July 1997); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1725. Security Requirements

A. Pursuant to R.S. 23:1168, each individually self-insured employer shall deposit with the office acceptable securities or post a surety bond issued by a corporate surety authorized to do business in the state of Louisiana and qualified as herein provided or make such other provision as may be approved by the office in such amount as may be determined by the office in accordance with the following rules.

1. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:964 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1727. Forfeiture of Security

A. An injured worker or group of injured workers can apply to the assistant secretary for the payment of benefits pursuant to R.S. 23:1168.D if a self-insured employer has failed to pay benefits for undisputed claims.

B. ...

C. In the event the assistant secretary pursuant to R.S. 23:1168.D provides for pro rata distribution of security proceeds to claimants or issues an order or decision which may be adverse to a claimant, he may within 60 days of the order or decision appeal to the district courts of this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:964 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1729. Financial Classes, Security Amounts, and Waiver of Security

A. - B.2. ...

C. The security required by the Office will be the greater of \$100,000 or the average of the most recent three years of workers' compensation losses incurred. In no event shall this calculated amount be less than the workers' compensation outstanding reserves. In the event that the open workers' compensation reserves are greater than the average workers' compensation losses incurred, the amount of the security required will be the amount of the open reserves.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:964 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1731. Appeals

A. A request for hearing pursuant to §1715.E or §1717.A or an application for appeal from an adverse discretionary decision made by the office may be made to the assistant secretary of the Office of Workers' Compensation by an applicant, self-insurer or service company.

B. Requests for hearing or applications for appeals must be in writing and filed within 30 days of the notice of the decision or, if no notice is given, within 30 days from becoming aware of or the date the aggrieved party should have been aware of the adverse decision. The appeal must be addressed to the assistant secretary of the Office of Workers' Compensation and mailed to Box 94040, Baton Rouge, LA 70804, or hand delivered to the office at 1001 North 23rd Street, Baton Rouge, LA. Appeals may not be supplemented or amended after the lapse of 30 days. An appellant has the right to file a written appeal or have the appeal heard orally. Requests for an oral hearing must be made within the 30-day time period to file the appeal.

C. If no request for an oral hearing is made, then the appellant may submit documentation and/or written memorandum to support the appeal at least 15 days prior to the review of the appeal. Appellant will be notified at least 30 days prior to the date of the review by the assistant secretary or the appeal committee appointed by the assistant secretary. The assistant secretary or the appeal committee will review all the evidence submitted and render a decision.

D. If the appellant requests an oral hearing, then appellant will be given at least 30 days prior notice of the hearing. The assistant secretary may appoint a hearing officer to hear the appeal of the appellant. All hearings shall be conducted in accordance with the provisions of the Administrative Procedure Act, R.S. 49:955 et seq. On the day of the oral hearing appellant and appellee shall be

prepared to start the hearing at the time specified in the notice of hearing. The hearing may be continued for good cause provided a written request for extension is received at the Office at least seven days prior to the date of the hearing.

E. If after the review of the appeal committee or after a hearing held before the hearing officer or the assistant secretary a decision adverse to the appellant is made, then appellant within 30 days of the date the order or decision is signed may appeal this administrative decision to the district courts of this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1168.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:965 (October 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1733. Annual Reports

A. All carriers writing workers' compensation insurance and all self-insured employers shall submit to the office, by April 30 of each year, an annual report on Form LW-WC-1000 showing the amount of workers' compensation benefits paid in the previous calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 22:222 (March 1996); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1735. Assessments

A. The annual report will be used by the assistant secretary in determining an assessment for the administration of workers' compensation. The assessment shall be paid into the Office of Workers' Compensation Administrative Fund within 30 days from the date notice is served upon such carrier. If such amount is not paid within such period there may be assessed, for each 30 days the amount assessed remains unpaid, a civil penalty equal to 20 percent of the amount unpaid, which shall be due and collected at the same time as the unpaid part of the amount assessed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 22:222 (March 1996); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

§1737. Compliance Penalty

A. If any carrier fails to pay the amount assessed against it within 60 days from the time such notice is served upon it, the commissioner of insurance, upon being advised by the assistant secretary, may suspend or revoke the authorization to insure compensation in accordance with the procedures of the insurance code.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 22:222 (March 1996); amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to update the finance rules has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed change should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

All interested persons are invited to submit written comments or hearing request on the proposed Rule. Such comments or request should be sent to Brian Blackwood, OWCA Assistant Secretary, 1001 North 23rd Street, 4th Floor-Annex, Baton Rouge, LA 70802 by January 9, 2026, at 5 p.m.

Susana Schowen
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Finance and Audit

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any implementation costs or savings to state or local governmental units.

The proposed rule change corrects outdated titles, and modifies terms to match definitions. The proposed rule change clarifies processes and aligns with current administrative practices. These changes are technical in nature and do not expand employer obligations or impose new compliance requirements.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no anticipated effects on state or local revenues as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to result in any costs or economic benefits to persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Brian Blackwood
Assistant Secretary
2512#063

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Louisiana Works Office of Workers' Compensation Administration

Second Injury Board (LAC 40:III.Chapters 1-5)

The Louisiana Works does hereby give notice of its intent to amend certain portions of the Louisiana Administrative Code, Title 40, Labor and Employment, Part III, Workers' Compensation Second Injury Board, Chapter 1 through Chapter 5. The purpose of this amendment is to correct outdated titles, modify citations, and clarify processes that align with current practices. These changes modernize the rules for current SIB administration. This Rule is promulgated by the authority vested in the board within the Office of Workers' Compensation Administration found in R.S. 23:1376 and R.S. 23:1378.

Title 40

LABOR AND EMPLOYMENT

Part III. Workers' Compensation Second Injury Board Chapter 1. General Provisions

§101. Approval of Settlements; Requirements; Computation of Time

A.1....

2. Requests for approval of all other settlements may be submitted by United States Postal Services, private courier, facsimile transmission or hand delivery to the offices of the Second Injury Board.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1378(A)(6)(a).

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:145 (February 1975), amended LR 3:48 (January 1977), LR 3:497 (December 1977), amended by the Department of Employment and Training, Office of Workers' Compensation, Second Injury Board, LR 17:179 (February 1991), amended by Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 32:92 (January 2006), amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

§103. Domicile of Board, Time of Meeting, Special Meetings

A. The board shall be domiciled in Baton Rouge, Louisiana. It shall hold its regular meeting on the first Thursday of each month, or, in the case of a state or federal

holiday, an alternative day within the 45-day window. Special meetings may be called upon giving three days' advance notice thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1372 and R.S. 23:1373.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:145 (February 1975), amended LR 3:49 (January 1977), LR 3:497 (December 1977), amended by the Department of Employment and Training, Office of Workers' Compensation, Second Injury Board, LR 17:179 (February 1991), amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

§105. Definitions

A. By reference, all of the definitions set forth and contained in Chapter 13 of Title 49 of the Louisiana Revised Statutes, inclusive, are incorporated herein, and for the purpose of hearings to be held hereunder, the following definitions shall prevail.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1376.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:145 (February 1975), amended LR 3:49 (January 1977), LR 3:497 (December 1977), amended by the Department of Employment and Training, Office of Workers' Compensation, Second Injury Board, LR 17:179 (February 1991), amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

§109. Disposition of Claim

A. - A.1. ...

2. that a formal hearing on the claim pursuant to the provisions of Chapter 13 of Title 49 of the Louisiana Revised Statutes may be requested provided such request is made in writing and is received in the office of the board at least 15 days prior to the date of said meeting; and

3. ...

B. Where no hearing is requested, the board shall issue a written decision as soon after the meeting as the facts and circumstances will allow. Parties shall be notified by mail of such decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1376.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:146 (February 1975), amended LR 3:49 (January 1977), LR 3:497 (December 1977), amended by the Department of Employment and Training, Office of Workers' Compensation, Second Injury Board, LR 17:180 (February 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

§115. Notice

A. The board shall notify the applicant at least 15 days prior to the hearing and such notice shall conform to the requirements of Chapter 13 of Title 49 of the Louisiana Revised Statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1376.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:146 (February 1975), amended LR 3:49 (January 1977), LR 3:497 (December 1977), amended by the Department of

Employment and Training, Office of Workers' Compensation, Second Injury Board, LR 17:180 (February 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

§123. Hearing Procedure

A. Hearing held pursuant to these rules and regulations shall be conducted by the board, or by its designated hearing officer, in accordance with the rules and procedures set forth in Chapter 13 of Title 49 of the Louisiana Revised Statutes.

1. - 5. ...

6. The board shall render its final decision and order in accordance with Chapter 13 of Title 49 of the Louisiana Revised Statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1376.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:146 (February 1975), amended LR 3:50 (January 1977), LR 3:497 (December 1977), amended by the Department of Employment and Training, Office of Workers' Compensation Administration, Second Injury Board, LR 17:181 (February 1991), amended by the Louisiana Works, Office of Workers' Compensation, Second Injury Board LR 52:

§125. Finality of Board's Decision

A. The decision of the board shall be final.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1378(E).

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:146 (February 1975), amended LR 3:50 (January 1977), LR 3:498 (December 1977), amended by the Department of Employment and Training, Office of Workers' Compensation, Second Injury Board, LR 17:181 (February 1991); amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

§127. Appeal

A. An appeal from an adverse final decision of the board, as to liability under the Act or the amount of such liability or both, may be taken by the aggrieved party provided such appeal is filed, pursuant to the provisions of R.S. 23:1378.E.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1378(E).

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 1:146 (February 1975), amended LR 3:50 (January 1977), LR 3:498 (December 1977), amended by the Department of Employment and Training, Office of Workers' Compensation, Second Injury Board, LR 17:181 (February 1991), amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

Chapter 3. Assessments

§301. Assessment; Calculation of Rate

A. ...

B. The assessment rate shall be calculated by dividing the total assessment by the total workers' compensation benefits as reported to the Office of Workers' Compensation on Form LW-WC-1000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1376 and R.S. 23:1377.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 22:35 (January 1996); amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

§305. Assessments—Failure to Pay; Penalties; Collection

A. Any entity assessed shall remit electronically, as provided in the notice, the amount of the assessment, within 30 days of the date of notice or by the due date set forth in the notice if greater than 30 days.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1376 and R.S. 23:1377.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, Second Injury Board, LR 22:35 (January 1996); amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

Chapter 5. Forms

§502. Louisiana Workers' Compensation Second Injury Board Post-Hire/Conditional Job Offer Knowledge Questionnaire; Form D

A. Electronic signatures are acceptable on the Louisiana Workers' Compensation Second Injury Board Post-Hire/Conditional Job Offer Knowledge Questionnaire; Form D as provided by the Federal Electronic Signatures in Global and National Commerce Act" (e-sign), or its successor law.

B. Louisiana Workers' Compensation Second Injury Board Post-Hire/Conditional Job Offer Knowledge Questionnaire shall be utilized exactly as provided in this Section:

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291 and R.S. 23:1378.

HISTORICAL NOTE: Promulgated by the Workforce Commission, Office of Workers' Compensation Administration, LR 44:1097 (June 2018), amended by the Louisiana Works, Office of Workers' Compensation Administration, Second Injury Board LR 52:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to update the SIB rules has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B. In particular, there should be no known or foreseeable effect on:

1. The effect on household income, assets, and financial security;
2. The effect on early childhood development and preschool through postsecondary education development;
3. The effect on employment and workforce development;
4. The effect on taxes and tax credits;
5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed change should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. The effect on the staffing level requirements or qualifications required to provide the same level of service;
2. The total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

All interested persons are invited to submit written comments or hearing request on the proposed Rule. Such comments or request should be sent to Brian Blackwood, OWCA Assistant Secretary, 1001 North 23rd Street, 4th Floor-Annex, Baton Rouge, LA 70802 by January 9, 2026, at 5 p.m.

Susana Schowen
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Second Injury Board**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any implementation costs or savings to state or local governmental units.

The proposed rule change corrects outdated titles, and modifies citations. The proposed rule change clarifies processes that match current administrative practices. These changes are technical in nature and do not expand employer obligations or impose new compliance requirements.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no anticipated effects on state or local revenues as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to result in any costs or economic benefits to persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Brian Blackwood
Assistant Secretary
2512#065

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Public Safety and Corrections
Office of Motor Vehicles**

**Electric and Hybrid Vehicle Road Usage Fee
(LAC 61:I.5501)**

The Department of Public Safety and Corrections, Office of Motor Vehicles, in accordance with R.S. 47:1511 and 32:461, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend Title 61, Part I, Chapter 55(Electric and Hybrid Vehicles), Section 5501 (Electric and Hybrid Vehicle Road Usage Fee) of the Louisiana Administrative Code. Specifically, this proposed Rule updates the process for paying the annual road usage fee required by R.S. 32:461. This update moves payment of the fee from the Department of Revenue to the Office of Motor Vehicles.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 55. Electric and Hybrid Vehicles

§5501. Electric and Hybrid Vehicle Road Usage Fee

A. Definitions. The following definitions supplement those contained in R.S. 32:461(B).

Electric Vehicle—a vehicle which is powered by one or more electric motors or energy stored in rechargeable batteries for propulsion.

Hybrid Vehicle—a vehicle that uses gasoline, diesel fuel, or special fuels in combination with an electric motor for propulsion.

Owner—the registered owner or lessee.

B. Application

1. The annual road usage fee imposed by R.S. 32:461 on electric and hybrid vehicles operated on the highways in Louisiana applies to:

- a. vehicles registered in Louisiana; and
- b. vehicles registered in another state but which are operated on the highways of Louisiana and required to be registered in Louisiana pursuant to R.S. 47:513, including company vehicles by resident employees, owners with dual- or multiple state residences, or other situations of permanent use.

2. An electric vehicle or hybrid vehicle that is a school bus primarily used to transport Louisiana students is exempt from the road usage fee.

C. Reporting Requirements

1. The Office of Motor Vehicles will identify fuel type at registration and brand vehicles accordingly with EV for electric Vehicles and HV for Hybrid Vehicles.

2. Notices will be sent to identified owners in batches based on registration date on April 1 and May 1 of each year.

3. The notices will include: Owner name, address, license plate, vehicle identification number, make, year, vehicle type, date acquired, number of months charged and amount charged for tax year and directions to website for account verification and payment portal.

4. The notice shall assess the road usage fee for the previous calendar year. In addition to assessing the road usage fee on the vehicle indicated on the notice, the notice shall inform the owner how submit information to the Office

of Motor Vehicles that the vehicle was transferred or otherwise disposed of prior to the end of the previous calendar year. In the event the vehicle owner submits information establishing the vehicle was transferred or otherwise disposed of, the Office of Motor Vehicles will recalculate the fee owed and renote the vehicle owner electronically through the customer portal.

D. Prorated fees.

1. A vehicle registered in Louisiana for less than one year shall be subject to a partial fee to include all months of registration for that year, with any portion of a month being counted as a whole. For example, a vehicle registered on any day in March of a year will pay a prorated fee to include March through December of that year, or 10 months.

2. A vehicle registered in another state and required to be registered in Louisiana pursuant to R.S. 47:513 shall be subject to a partial fee based on the number of months it is operated on the highways of Louisiana.

3. The prorated fee schedule shall be as follows.

Electric Vehicles		Hybrid Vehicles	
Months Registered/ Operated in Louisiana	Fee	Months Registered/ Operated in Louisiana	Fee
1	\$9	1	\$5
2	\$18	2	\$10
3	\$28	3	\$15
4	\$37	4	\$20
5	\$46	5	\$25
6	\$55	6	\$30
7	\$64	7	\$35
8	\$73	8	\$40
9	\$82	9	\$45
10	\$92	10	\$50
11	\$101	11	\$55
12	\$110	12	\$60

E. Notification Required

1. The notice that the road usage fee is due on an electric or hybrid vehicle shall be sent to the registered owner at the registered owner’s mailing address as indicated on the records of the Office of Motor Vehicles.

2. The notice shall state that the motor vehicle’s registered owner shall pay the road usage at the rate established in R.S. 32:461 for that particular motor vehicle no later than June 30 of the year the notice was issued. In the event the vehicle’s owner submitted information establishing the vehicle was sold or otherwise transferred, the Office of Motor Vehicles will review submitted documents and adjust amount due based on months vehicle was owned. Fees shall be due no later than August 30 or thirty days from the date of fee adjustment, whichever is later.

3. The notice shall direct the owner or lessee to the official website of the Office of Motor Vehicles to submit the payment using the payment portal on the website. Payments shall not be accepted at any Office of Motor Vehicles field office or at a Public Tag agent. Additionally, payments shall not be submitted through the mail.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 32:461.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 50:408 (March 2024).

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Heather Hood, Legal and Policy Strategist - Louisiana Department of Public Safety and Corrections, Office of State Police, 7919 Independence Blvd., Baton Rouge, LA 70806 or heather.hood2@la.gov. All comments must be submitted no later than the end of business day, central time zone, January 9, 2026.

Keith Neal
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Electric and Hybrid Vehicle Road Usage Fee

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is not anticipated to result in any costs or savings for the Office of Motor Vehicles (OMV).

In compliance with Act 155 of the 2024 RS, OMV proposes to amend Title 61 (Revenue and Taxation), Part I,

Chapter 55 (Electric and Hybrid Vehicles), Section 5501 (Electric and Hybrid Vehicle Road Usage Fee). The proposed rule updates the reporting requirements and notification procedures of the electric and hybrid vehicle road usage fee. Specifically, this proposed rule:

- Removes the requirement for individuals and businesses to report the road usage fee on their individual income tax return or on Form R-19000 by the statutory due date of May 15.
 - Establishes that OMV will classify vehicles as electric or hybrid at registration and send fee notices to owners twice yearly, on April 1 and May 1, based on registration dates.
 - Establishes the fee notices will provide vehicle and owner details, the fee amount and months charged, and instructions for account verification and payment online.
 - Establishes fee notices will assess the previous year's road usage fee and guide owners on reporting vehicle transfers or disposals, with OMV recalculating and updating the fee electronically if needed.
 - Removes the requirement for Dealers to notify purchasers or lessees of electric and hybrid vehicles, at the time of sale or by January 31 of the following year, about their obligation to pay the road usage fee to the Department of Revenue.
 - Removes the requirement for auto title companies and other license tag agents processing vehicle transactions to notify the new owner of their obligation to pay the road usage fee to the Department of Revenue.
 - Establishes that notices of the road usage fee will be sent to the registered owner's mailing address, specify the fee rate with payment due by June 30, and, if the vehicle was sold or transferred, OMV will adjust the fee based on months owned with payment due by August 30 or 30 days after adjustment, whichever is later.
 - Requires owners to submit payment through the OMV website portal; payments will not be accepted in person, through tag agents, or by mail.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There is no anticipated effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)
There are no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Keith E. Neal
Commissioner
2512#027

Patrice Thomas
Deputy Fiscal Office
Legislative Fiscal Office

NOTICE OF INTENT

Department of Public Safety and Corrections Office of State Fire Marshal

Conveyance Device Systems and Equipment Licensing
(LAC 55:V.Chapter 33)

In accordance with the provisions of R.S. 49:950 et seq., R.S. 40:1646, and R.S. 40:1664.1 et seq., relative to the authority of the State Fire Marshal to promulgate and enforce rules, relative to the regulation of Life Safety and

Property Protection, in particular, Conveyance Device Systems and Equipment activity, notice is hereby given that the Office of State Fire Marshal enacts the following Rules, creating Chapter 33 in its entirety.

The full text of this proposed Rule may be viewed in the Emergency Rule section of this issue of the *Louisiana Register*.

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to David McClintock - Department of Public Safety and Corrections, Office of State Fire Marshal, 8181 Independence Blvd., Baton Rouge, LA 70806. Written comments will be accepted until 4:30 p.m., central time zone, Monday, January 12, 2026.

Bryan J. Adams
Principal Assistant

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Conveyance Device Systems and Equipment Licensing

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Office of State Fire Marshal (OSFM) proposes to adopt Sections 3301, 3303, 3305, 3307, 3309, 3311, 3313, 3315, 3317, 3319, 3321, 3323, 3325, 3327, 3329, 3331, 3333, 3335, 3337, 3339, 3341, 3343, 3345, 3347, 3349, 3351, 3353, 3355, 3357, 3359, 3361, 3363, 3365, 3367, 3369, and 3371 of Part V, Chapter 33 (Conveyance Device Systems and Equipment) of Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule codifies the administrative requirements for the installation, alteration, repair, removal, operation, and maintenance of elevators, platform lifts, stairway chair lifts with a car or platform, dumbwaiters, escalators, moving walkways, and other related devices or equipment. Specifically, this proposed rule:

- Establishes that new construction, renovations, and alterations involving conveyance devices must follow the Louisiana State Uniform Construction Code (including IBC/IEBC), while repairs, maintenance, and inspections must meet the ASME standards in effect when the device was originally built or substantially altered, with older installations following the American Society of Mechanical Engineers (ASME) editions listed in the table within the proposed rule and post-July 1, 2026 installations required to comply with the then-current State Uniform Construction Code Council-adopted codes.
- Establishes that these rules do not apply to conveyance work in one- or two-family dwellings, certain manufacturer programming activities, and numerous categories of excluded conveyance-related equipment (e.g., federal facilities, material hoists, scaffolds, cranes, conveyors, industrial trucks, amusement devices, marine elevators, mechanized parking systems, and other equipment covered by separate American National Standards Institute (ANSI)/ASME standards or listed exceptions).
- Establishes that these rules apply to all firms and persons engaged in conveyance device systems and equipment activity, that licensure by OSFM is required of both firms and individual employees for each specific endorsement (e.g. conveyance device systems and equipment inspector, conveyance device systems and equipment mechanic, limited conveyance device mechanic, life safety apprentice, emergency conveyance device mechanic and temporary conveyance device mechanic); the processes for licensure application, renewal, revision, duplication, and return; and establishes that no work may be performed without valid license.
- Establishes that these rules require the owner of a conveyance device system to register the system with the OSFM, that a conveyance device firm shall register a new

conveyance device installation with the OSFM within 30 days; registration shall be made through an online portal including specific information (e.g. address where device is located; name and address of the owner; name of installation firm, maintenance firm or if the device is owner managed; contact information; firms OSFM license number, the device's OSFM registration number, date of last passing inspection; etc.); that each conveyance device registered shall have affixed a permanent decal to the controller of the individual car; and that OSFM will provide a "Certificate of Registration" that shall be maintained by the owner or his designee on site or in a manner that is readily available for review by the OSFM.

- Establishes that the State Fire Marshal, or his designated representative, is authorized to cause the inspection, certification, and testing of all life safety systems and equipment in the state, whether in public or private buildings, upon receipt of a complaint, during installation, or after installation to determine compliance with applicable codes, standards, and manufacturer specifications; establishing annual inspection cycles for existing conveyance devices, new installations, and devices that have been subject alteration; and that upon receipt of the complete inspection submittal the OSFM shall provide the owner or certifying inspector with a certificate of operation.

- Establishes that a fire chief or designee and owner shall within 24 hours, notify the OSFM of each and every occurrence that may have been the result of a conveyance device system or equipment malfunction or failure when it results in a human death or injury requiring medical treatment; damage to the device indicating a possible substantial defect in design, mechanics, installation, structure or equipment, affecting the future safe operation of the system or device; that the OSFM, after notification and determination that an occurrence involving death or injury has occurred, shall, without delay, conduct an investigation of the occurrence; that following an event no person shall remove or attempt to remove from the premises any damaged or undamaged part of such conveyance; or to operate the device until it has been inspected and approved for use by a licensed inspector and the OSFM.

- Establishes that all conveyance device systems within the state shall be tagged by conveyance device inspectors or mechanics when the status of any conveyance device's life safety systems, components, and/or functions changes by utilizing a color coded four tier system with each corresponding tag denoting a different device status', including certification tags (green tags) indicating the device is in operational condition, service tags (blue tags) indicating that the device is in operational condition after maintenance or service has been performed, partial impairment tags (yellow tags) indicating that there is a deficiency with the equipment or system, but the equipment or system is still functional, and major impairment tags (red tags) indicating that the system or equipment is impaired to the point that life safety is at risk or to the point that the system will be prevented from functioning as intended.

- Establishes that the OSFM may conduct enforcement actions and compliance actions as deemed necessary to include the use audits, inspections, and investigations; may suspend, revoke, or refuse the issuance or renewal of a license, and/or impose administrative penalties, if, after notice and the exhaustion of any administrative appeal rights it is found that a person, entity, licensed firm, or licensee, or an applicant for licensure engaged in prohibited acts under these regulations. Additionally, establishing that the OSFM may consider violations in other states as grounds for refusing the issuance or renewal of a license.

- Establishes that the State Fire Marshal or his representative may inspect a firm's physical location(s) or vehicle(s) to ensure the proper equipment, tools, applicable

codes, standards, manufacturers' installation and service manuals are reasonably available and business records and insurances are possessed by the firm, as well as, requiring that a firm or its employee(s) demonstrate a proficiency to use the necessary equipment to properly conduct conveyance device systems and equipment activity on conveyance device systems and equipment.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have an indeterminable increase on state revenues. Future revenue collections will increase by \$150 for each annual inspection of a registered conveyance devices. Due to conveyance devices not previously being required to be registered, it is not possible to accurately estimate how many annual inspections will be required.

Additionally, to the extent that a person, entity, licensed firm, licensee, or applicant for licensure violates current statute or administrative rules, the fines collected by OSFM may increase. OSFM will set fines within the corresponding range when citing the following violations:

Minor Offenses: Employees/Persons: \$10 - \$50
Firms/Persons: \$50 - \$250

Minor offenses include:

- Failure to notify the OSFM of any changes that affect licensure.
- Failure to adhere to the tagging and/or notification policies, procedures, and regulations of the OSFM.
- Working with an expired (31-45 days) individual or firm license.
- Failure to properly display a firm license certificate or not having an individual license on the holder's person.

Serious Offenses: Employees/Persons: \$50 - \$500
Firms/Persons: \$250 - \$1,000

Serious offenses include:

- Failure to notify the OSFM within 24 hours of each and every occurrence of a reportable accident, injury or death involving a conveyance device system or equipment; misrepresenting oneself and/or one's firm to a customer, prospective customer or to employees of the State Fire Marshal, his designated representative or other public official.
- Conducting conveyance device systems and equipment activity contrary to applicable codes, standards, and/or manufacturer's specifications without specific written permission from the OSFM.
- Working an apprentice, or as an apprentice, without direct supervision by a conveyance device system and equipment inspector and/or mechanic licensed to perform the work being done and licensed to the same firm.
- Working an employee or as an employee without the appropriate endorsement of license.
- Working without the appropriate endorsement of firm license.
- Working with an expired (46-60 days) individual or firm license.
- Contracting to a firm or person who is not properly licensed through the OSFM to perform acts regulated by the provisions of R.S. 1664.1 et seq., or these rules.
- Failure to possess the equipment, tools, applicable codes, standards or manufacturer's installation and service manuals to properly conduct conveyance device systems and equipment activity of the systems and equipment for which a firm is licensed.
- Committing five or more minor offenses within a three-year period.

- Aiding and abetting a person or firm in conducting conveyance device systems and equipment activity of conveyance device systems and equipment contrary to code.
- Other violations not expressly enumerated herein shall be considered a Serious offense.

Major Offenses: Employees/Persons: \$500 - \$5,000
Firms/Persons: \$1,000 - \$5,000

Major offenses include:

- Charging a customer for work that was not performed.
- Impersonating the state fire marshal, his designated representative or any other public official.
- Intimidating or coercing a customer.
- Operating, using or moving or attempting to move a conveyance device or equipment, or part thereof, without the approval of the OSFM after a reportable accident, injury or death, unless the action is to prevent further injury to any person or persons.
- Falsifying an application or any other document submitted to obtain a license or other documentation requested by or submitted to the OSFM via mail, electronic mail, in person or online.
- Falsifying tags, labels, inspection/service reports, invoices and/or other documents.
- Working without any or with a suspended firm license.
- Working an employee or as an employee with a suspended license.
- Aiding and abetting an unlicensed person or firm in conducting conveyance device systems and equipment activity of a system.
- Committing three or more serious offenses within a three-year period.
- Engaging in false, misleading or deceptive acts or practices.

Other violations not expressly enumerated herein shall be considered a Major offense.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The owner of any building with a life safety system and equipment, or the owner's designated representative, will incur a \$150 annual inspection fee to ensure the system complies with applicable safety standards and determine whether any structural changes to the building or its contents require modifications to the system.

To the extent that a person, entity, licensed firm, licensee, or applicant for licensure violates current statute or administrative rules, they may incur fines ranging from \$10 to \$5,000 based on the classification of the offense.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Bryan J. Adams
Fire Marshal
2512#067

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT
Department of Revenue
Tax Policy and Planning Division

Donations to Qualifying Foster Care Charitable
Organization Credit (LAC 61:I.1925)

Under the authority of R.S. 47:1511 and 6042 and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division proposes to amend LAC 61:I.1925 relative to the Donations to Qualifying Foster Care Charitable Organization credit.

The purpose of this proposed Rule is to update or repeal provisions that duplicate or are inconsistent with the statutory provisions providing for the Donations to Qualifying Foster Care Charitable Organization Credit.

Title 61

REVENUE AND TAXATION

Part I. Miscellaneous Tax Exemptions, Credits and Deductions

Chapter 19.

§1925. Donations to Qualifying Foster Care Charitable Organization Credit

- A. - A.1. ...
- 2. Repealed.
- A.3. - B. ...

Department—Repealed.

Qualified Individual—Repealed.

Qualified Services—Repealed.

Qualifying Foster Care Charitable Organization—Repealed.

Taxpayer—Repealed.

- C. - E.1. ...

E.2. - G.3.b. Repealed.

H. QFCCO Reporting

1. A QFCCO must electronically submit a report by email to TaxCredit.Registry@la.gov, which is prepared by an independent certified public accountant not related to a donor or affiliated with the QFCCO, and which includes all information required by R.S. 47:6042(C)(2), no later than January 31 of each year. When all donations received by a QFCCO in the prior calendar year are used to provide services to qualified individuals, the report may include the total amount of donations received and a statement that to that effect in lieu of the requirements in R.S. 47:6042(C)(2)(c) and (d).

- H.2. - I.b. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 6042.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 48:2988 (December 2022), amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:

Family Impact Statement

The proposed amendments should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed Rule will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

Poverty Impact Statement

These proposed amendments will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

These proposed amendments are not anticipated to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed amendment to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

These proposed amendments will have no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Morgan Newton, Attorney, Tax Policy and Planning Division, via email to morgan.newton@la.gov and reference Donations to Qualifying Foster Care Charitable Organizations. All comments must be received no later than 4 p.m., Monday, January 26, 2026.

Public Hearing

Interested persons may submit a written request for a public hearing no later than January 10, 2026, at 4:30 p.m. Requests may be submitted via email to morgan.newton@la.gov and reference Donations to Qualifying Foster Care Charitable Organizations. Pursuant to R.S. 49:961(B)(1), a public hearing will be held only if the statutory requirements are satisfied. If those requirements are met, the hearing will take place on Tuesday, January 27, 2026, at 10 a.m. in the River Room, on the seventh floor of the LaSalle Building, 617 North Third

Street, Baton Rouge, LA 70802. Should individuals with a disability need an accommodation in order to participate, contact Morgan Newton at the address given above in the Public Comments section, by email at LDRadarequests@la.gov, or by phone at (225) 219-2780.

Richard Nelson
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Donations to Qualifying Foster Care Charitable Organization Credit

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in material costs or cost savings to the Department of Revenue (LDR) or local governments.

The purpose of this proposed rule is to update or repeal provisions that either duplicate or conflict with the statutory provisions outlined in R.S. 47:6042. This statute was amended by Act 349 during the 2025 Regular Session to accommodate the Donations to Qualifying Foster Care Charitable Organization (QFCCO) credit. Additionally, the proposed rule changes the submission of the required independent accountant's report from physical mailing to electronic format.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no anticipated effects on revenue collections of the state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will impact foster care organizations that wish to be certified as Qualifying Foster Care Charitable Organizations (QFCCO) in order to receive donations that are eligible for a nonrefundable income tax credit. The new rule eliminates the requirement for these organizations to submit Form R-68010, Application for Certification as a Qualifying Foster Care Charitable Organization, to LDR. Instead, organizations will qualify under a designation from the Department of Children and Family Services as a child placing agency to provide adoption and foster care services. Additionally, it changes the submission of the required independent accountant's report from physical mailing to electronic format. This is anticipated to improve efficiency and accessibility for foster care organizations by reducing the number of required forms and documentation by addressing duplicate or contradictory provisions in the regulations. No material costs are expected as online access and communication have largely become a business standard, and only minimal economic benefits are anticipated.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No material impact on competition or employment is anticipated due to this proposed rule change.

Richard Nelson
Secretary
2512#053

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Revenue Tax Policy and Planning Division

Exemptions for Digital Tools (LAC 61:I.4405)

Under the authority of R.S. 47:305.12(E) and 1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, proposes to adopt LAC 61:I.4405 to clarify the sales tax exemptions provided in R.S. 47:305.12 for purchases of digital products, computer software, prewritten computer software access services and information services (digital tools).

The purpose of the proposed Rule is to provide definitions, guidance, and illustrative examples to help businesses, financial institutions and healthcare facilities and providers determine whether their purchases of digital tools qualify for the exemption under R.S. 47:305.12.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 44. Sales and Use Tax Exemptions

§4405 Exemption for digital tools

A. General. Revised Statute 47:305.12 exempts the purchase of digital tools from sales and use tax if they are used for commercial production or used by certain financial institutions for specific purposes or used by certain healthcare facilities or providers for specific purposes.

B. Definitions. For purposes of this Section:

Digital Tools—means computer software, prewritten computer software access services or information services.

Licensed Healthcare Facilities and Providers—means healthcare institutions and individual practitioners that are licensed by Louisiana Department of Health and or Louisiana State Board of Medical Examiners to deliver medical, dental, behavioral health, or related clinical services to patients. The term includes, but is not limited to, hospitals, clinics, nursing homes, ambulatory surgical centers, rehabilitation facilities, pharmacies, physicians, nurses, dentists, therapists, and other professionals or entities required by law to hold a valid license, certification, or registration to provide healthcare services.

Used by the Business Directly in the Production of Goods and Services—means the direct application or incorporation of a digital tool into the creation, development or production of a final product or service for sale to a customer.

C. Commercial Production Exemption (R.S. 47:305.12(A))

1. A digital tool is used directly when it is an essential component and directly contributes to the creation, production process, or functioning of the final product or service, and is not merely supportive, administrative, or ancillary in nature. This excludes tools used for business management, planning, communication, or analysis that do not directly transform inputs into salable goods or services.

2. Digital tools used to manage business operations, such as organizing workers, materials, or equipment, are not used directly and are not exempt from tax.

3. Digital tools that improve efficiency or productivity, such as project management, inventory, accounting, performance tracking, or communication software, are also not used directly and are not exempt from tax.

D. Self-Created Digital Products Exemption (R.S. 47:305.12(B))

1. Examples of digital products created solely for the business needs of the person who created them and are not the type of digital products that are offered for sale by that person, include an in-house workflow automation tool, a proprietary content management system, an internal brand style guide, and in-house training videos.

2. If digital tools are used to create such digital products, sales or use tax will be owed on those digital tools. For example, if Company A purchases prewritten computer software access services that it uses to create a training video for new employees, the training video itself is not taxable. However, the purchase of the prewritten computer software access services is taxable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Policy and Planning Division, LR 52:

Family Impact Statement

The proposed Rule has no known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically, the implementation of this proposed Rule has no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
4. the behavior and personal responsibility of children.
5. the ability of the family or a local government to perform this function.

Poverty Impact Statement

These proposed amendments will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule has no known measurable impact on small businesses as described in R.S. 49:974.4.

Provider Impact Statement

The proposed Rule has no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Dominique Bowers, Attorney, Tax Policy and Planning Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4:30 p.m., January 28, 2026.

Public Hearing

Interested persons may submit a written request for a public hearing no later than January 10, 2026, at 4:30 p.m. Requests may be submitted either by mail, addressed to Dominique Bowers, Attorney, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098, or via email to stacey.greaud@la.gov and reference Digital Tools Exemption Comments.

Pursuant to R.S. 49:961(B)(1), a public hearing will be held only if the statutory requirements are satisfied. If those requirements are met, a public hearing will be held on January 29, 2026, at 10 a.m. in the Griffon Room, located on the 1st floor of the LaSalle Building, 617 North Third Street, Baton Rouge, La 70802, to receive oral and written comments from interested persons. To determine whether a public hearing will be held, please visit the Department's website at: <https://revenue.louisiana.gov/tax-policy/rules-regulations> and under "Types" select "Nonemergency Rulemaking." A posted notice of hearing confirms that the statutory hearing requirements have been met and that the hearing will be held. If no notice appears, a public hearing will not be conducted.

In accordance with the Americans with Disabilities Act, should individuals with a disability need an accommodation to participate, contact Dominique Bowers at the address given above in the Public Comments section, by email at LDRadarequests@la.gov or by phone at (225) 219-7027.

Richard Nelson
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Exemptions for Digital Tools

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in material costs or cost savings for state and local governmental units.

The purpose of the proposed rule is to implement the state and local sales tax exemption established in Act 10 of the 2024 3rd ES and amended in Act 384 of the 2025 RS. The proposed rules provide definitions and guidance to help businesses, financial institutions, healthcare facilities, and providers determine whether purchases of computer software, prewritten computer software access services, or information services (defined as "digital tools" in the proposed rules) qualify for the state and local sales tax exemption under R.S. 47:305.12.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is anticipated to decrease SGF and local revenue by an indeterminable amount annually, likely in the tens of millions of dollars, as businesses, financial institutions, and healthcare facilities will be exempt from state and local sales tax on certain purchases of digital tools. The sales tax exemption for financial institutions and healthcare facilities was specifically estimated to reduce approximately \$3 M annually in the fiscal note for Act 10 of the 2024 3rd ES under a 4% sales tax rate, which would be scaled to \$3.75 M at the current state sales tax rate of 5%. However, the estimated revenue loss from digital tools eligible for the commercial production exemption is indeterminable due to the breadth of applications for the exemption in numerous business industries. The sales tax exemption took effect on January 1, 2025.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Businesses, financial institutions, and healthcare facilities, along with their providers, will be directly affected by the proposed rule. The proposed rule implements a state and local sales tax exemption for certain purchases of digital tools, which is anticipated to reduce state and local sales tax liabilities. This rule aims to eliminate confusion and enhance the public's understanding of the available exemptions. By providing clear criteria, the rule will help ensure that stakeholders are well-informed about the conditions that determine eligibility for these exemptions. While the estimated economic benefits are difficult to quantify, the intention is to minimize the risk of inadvertent violations that could result in penalties or legal issues.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Richard Nelson
Secretary
2512#051

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Revenue Tax Policy and Planning Division

Mobile Workforce Exemption (LAC 61:I.1923)

Under the authority of R.S. 47:112.2, R.S. 47:242(1)(ii), R.S. 47:248, and R.S. 47:1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, proposes to amend LAC 61:I.1923 to update the qualifications for the mobile workforce exemption.

The purpose of the proposed regulation is to implement the changes to R.S. 47:112.2 and 248(B)(1)(a) enacted by Act 382 of the 2025 Regular Session of the Louisiana Legislature as it pertains to the mobile workforce exemption. Specifically, Act 382 gives mobile workers and employers more time before state income tax applies, extending the threshold from 25 days to 30 days, and repeals the old requirements relative to federal rules or the worker's home state.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 19. Miscellaneous Tax Exemptions, Credits, and Deductions

§1923. Mobile Workforce Exemption

A. - A.2. ...

a. The compensation is paid for employment duties performed by the nonresident individual in this state for 30 or fewer days in the calendar year.

A.2.b. - A.2.c. ...

d. Repealed.

A.2.e. - C.1. ...

a. Nonresident employees seeking to claim the exemption for income earned while performing employment duties within the state for less than 30 days are not required to file a Louisiana individual income tax return. If the

nonresident employee has other income from Louisiana sources, the nonresident employee does not qualify for this exemption and all Louisiana income must be reported on the Nonresident and Part-Year Resident (NPR) Worksheet of the Louisiana Form IT-540B, *Louisiana Nonresident and Part-Year Resident Income Tax Return*.

C.1.b. ...

i. within 10 days from the thirty-first day of performing employment duties within the state;

C.1.b.ii. - C.1.b.iii. ...

2. Employers. If a nonresident employee performs employment duties in excess of 30 days within the state, the employer must begin withholding income tax and report such tax on Form L-1, *Employer's Quarterly Return of Louisiana Withholding Tax* beginning in the period in which the thirty-first day fell.

D. - D.2....

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:112.2, R.S. 47:242(1)(ii), R.S. 47:248, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 49:334 (February 2023), amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of the proposed amendment will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

Poverty Impact Statement

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed Rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed Rule will have no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Morgan Newton, Attorney, Tax Policy and

Planning Division via email to morgan.newton@la.gov. All comments must be received no later than 4:00 p.m., Monday, January 26, 2026.

Public Hearing

Interested persons may submit a written request for a public hearing no later than January 10, 2026, at 4:30 p.m. Requests may be submitted via email to morgan.newton@la.gov and reference Mobile Workforce Exemption. Pursuant to R.S. 49:961(B)(1), a public hearing will be held only if the statutory requirements are satisfied. If those requirements are met, the hearing will take place on Tuesday January 27, 2026, at 10:30 a.m. in the River Room, located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802, to receive oral and written comments from interested persons. If the requirements have been met and a public hearing will be held, notice of the hearing will be posted under the respective rule topic on the Department's website at <https://revenue.louisiana.gov/tax-policy/rules-regulations>, under "Types," then "Nonemergency Rulemaking." A posted notice confirms that the statutory hearing requirements have been met and that the hearing will be held. If no notice appears, a public hearing will not be conducted. In accordance with the Americans with Disabilities Act, should individuals with a disability need an accommodation in order to participate, contact Morgan Newton by email at LDRadarequests@la.gov.

Richard Nelson
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Mobile Workforce Exemption

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in material costs or cost savings to the Department of Revenue (LDR) or local governments.

The purpose of the proposed rule is to implement Act 382 of the 2025 Regular Session, which amends R.S. 47:248 to update the requirements for the mobile workforce exemption. R.S. 47:248 previously provided that employers of certain nonresident employees who work in Louisiana for 25 days or fewer in a given year are not required to withhold individual income tax on those employees' wages. The amendment to the mobile workforce exemption increases the allowable working days from 25 to 30 and eliminates the previous federal requirements that the income must be exempt from taxation or that it must be earned in a state with reciprocal agreements or no income tax.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is anticipated to result in an indeterminable reduction in state general fund revenue, beginning in FY 27 when 2026 returns are filed. The proposed rule increases the allowable working days from 25 to 30 under the mobile workforce exemption and eliminates the previous federal requirements that the income must be exempt from taxation or that it must be earned in a state with reciprocal agreements or no income tax, which is anticipated to reduce income tax collections of the state consistent with the statutory changes enacted by Act 382.

- LDR and the Legislative Fiscal Office are unable to quantify the revenue impact of the proposed rule due to the unknown number and tax liability of mobile workers who will be eligible for the exemption under the relaxed requirements.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule is anticipated to benefit individuals who temporarily work in Louisiana without establishing permanent residency. The proposed rule increases the threshold for the mobile workforce exemption from 25 days to 30 days commiserate with Act 382, eliminating the Louisiana income tax burden on individuals who work between 25-30 days per year in the state. In addition, the proposed rule broadens the eligibility criteria, which is anticipated to expand the number of mobile workers eligible for the income tax exemption.

Overall, these changes are anticipated to reduce the Louisiana income tax liability of mobile workers. The anticipated impact on the receipts of affected individuals is expected to be an increase in disposable income, though the exact amount remains indeterminable.

- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No material impact on competition or employment is anticipated due to this proposed rule change.

Richard Nelson
Secretary
2512#062

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Revenue Tax Policy and Planning Division

Repeal of Obsolete Tax Exemptions, Deductions,
Credits and Miscellaneous Provisions
(LAC 61:I.Chapters 11, 13, 19, and 49)

Under the authority of R.S. 47: 1511 and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, hereby gives notice of their intent to repeal rules from the administration of Chapter 11, Corporate Income Tax, including LAC 61:I.1123, Chapter 13, Income: Individual, including LAC 61:I.1310, Chapter 19, Miscellaneous Tax Exemptions, Credits and Deductions, including LAC 61:I.1901, 1902, 1907, 1911, 1913, 1915, and 1921, and Chapter 49, Tax Collection, including LAC 61:I.4915.

The proposed Rule repeals provisions related to deductions, credits, and other matters that have either been eliminated or are no longer available. These include the federal income tax deduction, individual income tax tables, employer tax credits for donations of materials, equipment or instructors to certain training programs or schools, solar energy systems tax credits, Louisiana New Markets Tax Credits, alternative fuel tax credits, tax credits for small town health professionals, youth jobs tax credits, and the Louisiana Tax Delinquency Amnesty Act of 2014. The regulation related to inventory tax credits is no longer necessary based on statutory updates. In accordance with R.S.49:964(D), LDR reviewed and evaluated these program rules, and determined them to be obsolete, unnecessary, duplicative, or inconsistent with existing provisions in law. Therefore, LDR seeks their repeal.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 11. Corporation Income Tax

§1123. Federal Income Tax Deduction

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.85.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Income Tax Section, LR 14:98 (February 1988), repromulgated by the Department of Revenue, Policy Services Division, LR 30:473 (March 2004), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

Chapter 13. Income: Individual

§1310. Income Tax Tables

Repealed.

AUTHORITY NOTE: Promulgated in accordance with Act 80 of the 2021 Regular Session of the Louisiana Legislature, R.S. 47:32(A), R.S. 47:164, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Service Division, LR 36:2877 (December 2010), LR 48:504 (March 2022), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

Chapter 19. Miscellaneous Tax Exemptions, Credits, and Deductions

§1901. Employer Tax Credits for Donations of Materials, Equipment, or Instructors to Certain Training Programs or Schools

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6012.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Corporation Income and Franchise Taxes Division, in consultation with the Department of Labor, LR 25:877 (May 1999), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

§1902. Inventory Tax Credits

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6006 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 27:1705 (October 2001), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

§1907. Income Tax Credits for Solar Energy Systems

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6030 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, LR 34:2206 (October 2008), amended LR 36:2048 (September 2010), amended by the Department of Revenue, Policy Services Division, LR 37:3532 (December 2011), LR 39:99 (January 2013), LR 40:2612 (December 2014), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

§1911. Louisiana New Markets Tax Credits

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.47:6016, R.S.47:287.785, and R.S.47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 37:914 (March 2011) repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

§1913. Alternative Fuel Tax Credit

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 1514, and 6035(G).

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Administration Division, LR 38:3239 (December 2012), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

§1915. Small Town Health Professionals

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:297(H) and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 44:1641 (September 2018), LR 45:1811 (December 2019), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

§1921. Louisiana Youth Jobs Tax Credit

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.47:1511 and R.S. 47:6028.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 48:504 (March 2022), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

Chapter 49. Tax Collection

§4915. Louisiana Tax Delinquency Amnesty Act of 2014

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and Acts 2014, No. 822.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Office of the Secretary, LR 41:151 (January 2015), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of the proposed amendment will have no known or foreseeable effect on:

1. The stability of the family.
2. The authority and rights of parents regarding the education and supervision of their children.
3. The functioning of the family.
4. Family earnings and family budget.
5. The behavior and personal responsibility of children.
6. The ability of the family or a local government to perform this function.

Poverty Impact Statement

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed Rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed Rule will have no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.

3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Morgan Newton, Attorney via email to morgan.newton@la.gov and reference Repeal of Obsolete Tax Exemptions, Credits, Deductions and Miscellaneous Provisions. All comments must be received no later than 4 p.m., Monday, January 26, 2026.

Public Hearing

Interested persons may submit a written request for a public hearing no later than January 10, 2025, at 4:30 p.m. Requests may be submitted to Morgan Newton, Attorney, Tax Policy and Planning Division, Office of Legal Affairs via email to morgan.newton@la.gov and reference Repeal of Obsolete Tax Exemptions, Credits, Deductions and Miscellaneous Provisions. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, a public hearing will be held on Tuesday, January 27, 2026 at 11:00am in the River Room, located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, La 70802, for all interested persons to attend and submit oral or written comments. To confirm whether or not the public hearing will be held, please visit the department's website at: <https://revenue.louisiana.gov/tax-policy/rules-regulations> and under "Types" select "Nonemergency Rulemaking." In accordance with the Americans with Disabilities Act, should individuals with a disability need an accommodation in order to participate, contact Morgan Newton at the address given above in the Public Comments section, by email at LDRadarequests@la.gov or by phone at (225) 219-2780.

Richard Nelson
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Repeal of Obsolete Tax Exemptions, Deductions, Credits and Miscellaneous Provisions

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed repeal of the rules is not anticipated to result in any direct material effect on governmental expenditures or savings to state or local governmental units.

The purpose of this proposed rule is to remove outdated regulations from several tax chapters: Chapter 11, Corporate Income Tax; Chapter 13, Individual Income Tax; Chapter 15, Income Withholding Taxes; and Chapter 49, Tax Collection. The rule aims to update these regulations to match current laws. Following Executive Order No. JML 25-038 from the Governor's Office, the Louisiana Department of Revenue (LDR) has reviewed these program rules and found they are outdated and no longer needed.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed repeal of the rules is not anticipated to affect revenue collections for state or local governmental units. The proposed rule change repeals outdated, unnecessary regulations. The proposed rule aims to align regulations with current statutes.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

No material impacts on costs or economic benefits are anticipated for the affected persons, small businesses, or non-governmental groups due to this proposed rule change.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No material impact on competition or employment is anticipated due to this proposed rule change.

Richard Nelson
Secretary
2512#061

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Transportation and Development
Office of Multimodal Commerce**

State Safety Oversight for Rail Fixed Guideway Public
Transportation Systems (LAC 70:IX.Chapter 15)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 48:214, that the Department of Transportation and Development, Office of Multimodal Commerce, State Safety Oversight Division proposes a new rule requiring Risk Based Inspections (RBI) for State Safety Oversight for Rail Fixed Guideway Public Transportation Systems. The new rule is the State Safety Oversight Program Standard (SSOPS) required by 49 CFR Part 674, published by the Federal Transit Administration (FTA), to oversee the implementation of the safety plan of any rail transit agency (RTA) operating a rail fixed guideway public transportation system (RFGPTS) in the state of Louisiana.

Title 70

TRANSPORTATION AND DEVELOPMENT

Part IX. Intermodal Transportation

Subpart A. Intermodal

**Chapter 15. State Safety Oversight for Rail Fixed
Guideway Public Transportation Systems**

§1501. Introduction

A. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), signed on December 18, 1991, required the Federal Transit Administration (FTA) to create a first-ever State-managed safety and security oversight program for rail fixed guideway public transportation systems (RFGPTS) not regulated by the Federal Railroad Administration. In each successive Act following ISTEA, including the Transportation Equity Act for the 21st Century (TEA-21), signed on June 9, 1998, and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), signed on August 10, 2005, the state safety oversight (SSO) program was continued, setting the stage for the safety and programmatic advances required under the Moving Ahead for Progress in the 21st Century Act (MAP-21) signed July 6, 2012 and continued under the Fixing America's Surface Transportation Act (FAST Act), signed on December 4, 2015.

B. On March 16, 2016, FTA issued the 49 CFR Part 674 final Rule. This Rule reflects the requirements of 49 U.S.C. section 5329 and directs states to strengthen their authorities to oversee and enforce safety requirements and to prevent

and mitigate accidents, or safety events as defined below, on the RFGPTS in their jurisdictions.

C. Definitions

Designated Personnel—employees and contractors identified by a recipient whose job functions are directly responsible for safety oversight of the public transportation system of the public transportation agency; or employees and contractors of a State Safety Oversight Agency whose job functions require them to conduct reviews, inspections, examinations, and other safety oversight activities of the rail fixed guideway public transportation systems subject to the jurisdiction of the agency.

Safety Event—an event that involves any of the following:

- a. a loss of life;
- b. a report of serious injury to a person;
- c. a collision involving a rail transit vehicle;
- d. a runaway train;
- e. an evacuation for life safety reasons; or
- f. any derailment of a rail transit vehicle, at any

location, at any time, whatever the cause.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended, LR 52:

§1503. Program Management

A. Authority. The State of Louisiana re-designated the Louisiana Department of Transportation and Development (LADOTD) as the state safety oversight agency (SSOA) for Louisiana in 2014. This enabling authority is found at Louisiana Revised Statute 48:214. The SSOA authority applies to any Rail Transit Agency (RTA) operating a RFGPTS in Louisiana. References to the RTA or RFGPTS do not apply to one specific RTA, but to any RTA operating in Louisiana.

NOTE: The New Orleans Regional Transit Authority is the only RTA/RFGPTS currently subject to oversight in the State of Louisiana.

B. Policies That Govern SSOA Activities.

1. The SSO program is administered by the state safety oversight program manager. The program manager is responsible for carrying out the policies enumerated in the State Safety Oversight Program Standard (SSOPS) and the specific activities and objectives provided in the *Louisiana State Safety Oversight Procedures Manual* (Published December 2025, Publication Number 52). The Department of Transportation and Development will make the latest edition of the *Louisiana State Safety Oversight Procedures Manual* available to the public on its website.

2. The SSO program is currently administered through the Office of Multimodal Commerce at the LADOTD and supported by the commissioner of Multimodal Commerce, the deputy commissioner of Multimodal Commerce, and the freight and passenger rail development statewide program manager.

3. The SSO program manager and any staff or contractors will meet the training requirements of the Public Transportation Safety Certification Training Program.

C. RTA Reporting Requirements. On or before February 15 of each year, the RTA will submit the following material in a report to the SSOA:

1. The safety plan. This should include an indication of any changes to that document during the preceding 12 months;

2. A report on all internal safety audits performed during the preceding calendar year. This report should include:

a. a listing of the internal safety audits conducted the previous calendar year,

b. an updated schedule for audits that will be conducted in the current three-year cycle, and

c. a status of all findings, recommendations and corrective actions resulting from the audits conducted the previous calendar year;

3. A report listing all reportable safety events and unacceptable hazards identified during the previous 12-month period. This report should describe any causal factors identified through investigation. The report should also identify the status of corrective actions;

4. A certification that the RTA is in compliance with this SSOPS and any federal rules applicable to its safety plan.

D. SSOA and RTA Communications.

1. The SSOA will maintain on-going communications with the RTA regarding safety related aspects of the RFGPTS. To facilitate communications, the SSOA will attend monthly meetings. The purpose of these meetings is to:

a. discuss the status of safety event investigations,

b. open CAPs,

c. identify unacceptable hazards, and

d. discuss other safety related topics.

2. The SSOA will participate in safety-related training and other events.

3. The SSO will also conduct on-site inspections. The inspections may include, but not be limited to:

a. reviewing and approving safety event investigation procedures and reports;

b. reviewing monthly construction reports, as appropriate; and

c. collecting and reviewing other data as leading indicators of safety-related events to identify mitigation measures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1505. SSOPS Development

A. This SSOPS was developed in compliance with 49 CFR Part 674 and aspects of the previous Louisiana State Standard developed under 49 CFR Part 659. This SSOPS, along with Louisiana Revised Statute 48:214, give the SSOA the necessary authority to administer the enhanced oversight of RFGPTS in Louisiana as envisioned in 49 CFR Part 674. An accompanying procedures manual has been created to address changes in industry standards, safety-related guidance from FTA, and general procedural or administrative changes to standard operating practices between the SSOA and RTA. The creation of the SSO Procedures Manual reduces the legislative and administrative burden on the SSOA.

B. Review and Revision. The SSOPS policy document and Procedures Manual are reviewed at least annually. Any changes to either document are submitted to FTA (and as appropriate to the RTA) for review with the annual report by March 15 of each year. Additionally, changes in procedures may be addressed at any time as needed.

C. Minimum Safety Standards. The SSOPS policy document, along with Louisiana Revised Statute 48:214, provides the SSOA the necessary authority to develop any rules and/or regulations necessary to enforce minimum safety standards of operation by RFGPTS operators in the state of Louisiana. This policy document requires all Louisiana RTAs to meet or exceed any nationally recognized safety standards for operating rail fixed guideway public transportation systems. The SSOA Procedures Manual will contain any minimum safety standards deemed necessary beyond those developed by the RTA to facilitate safe operations or published by the FTA in the National Public Transportation Safety Plan or those developed by industry recognized leaders such as the American Public Transportation Association (APTA), etc. The SSOA will provide written notice of updates posted in the Procedures Manual and all Louisiana RTAs will be required to adhere to those rules and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1507. Program Policy and Objectives

A. The SSOA provides oversight and technical assistance to the RTA. It also evaluates the effectiveness of the agency's safety plan implementation. Through participation in safety meetings and reviewing investigations of safety events, the SSOA will provide guidance and input to the RTA safety implementation program. This program is wholly owned and implemented by the RTA. In addition to the SSOA program policy, the SSOA has specific objectives associated with the program's implementation that will be listed in the Procedures Manual. Those objectives may change based on specific oversight needs of an RTA, industry standards revisions, or guidance from FTA. The program objectives will be reviewed annually and updated as appropriate in the Procedures Manual. The SSOA is responsible for investigating any allegations of an RTA's non-compliance with its agency safety plan. To assist in the effectiveness of the SSOA mission, the RTA will grant full access to fixed guideway safety-related records, personnel, and facilities at the RTA. If, during the course of inspections, observations, analysis, interviews or other SSOA activities, potential unacceptable hazardous conditions are identified, the SSOA will discuss the concerns directly with the RTA safety staff and management and may require development of a corrective action plan. These risk-related concerns will typically find resolution at this level of discussion and interaction. If the situation is an immediate safety risk, the RTA is directed to implement any necessary action to mitigate that risk with proper and timely notification to the SSOA. In addition, the SSOA will work closely with the RTA to monitor issue resolution to assure the corrective

action does not create unintended risks. If the SSOA identifies and communicates potential unacceptable hazardous conditions to the RTA staff as indicated above, and either the corrective action or the timeliness of the action is not acceptable to the SSOA, the following escalation protocols will be implemented.

1. Escalation Level I. If after an appropriate period of time, determined in writing by the SSOA, a similar pattern of risk-related activity, previously communicated to the RTA, is observed, a formal letter will be sent to the RTA safety management system (SMS) executive/lead. The letter will describe the risk concerns with a formal request to respond to the letter with an explanation of how the RTA plans to address the identified concerns. If the explanation from the RTA is reasonable/acceptable, the concerns and responses are documented and the SSOA will continue risk monitoring. If the RTA determines that the identified risk concern needs additional attention, the SSOA will require the RTA to develop an appropriate corrective action plan.

2. Escalation Level II. Louisiana Revised Statute 48:214 provides direction to each RTA regarding the requirement for a formal safety program. This law also requires the SSOA to, "Direct the operator of a fixed guideway rail system to correct a safety hazard by a specified date and time." If the RTA does not comply with direction stemming from Escalation Level I, the Commissioner of the Office of Multimodal Commerce will issue a formal letter to the RTA accountable executive. This letter will reiterate the risk concerns with a request to respond to the letter. The response should include an explanation of how the RTA plans to address the identified concerns. If the explanations from the RTA are reasonable/acceptable and a reasonable timetable is established, the concerns and responses are documented. The SSOA will continue risk monitoring. If the RTA determines that the identified risk concern needs additional attention, the SSOA will require the RTA to develop an appropriate corrective action plan.

3. Escalation Level III. If at any time during Escalation Level II, the identified risk concerns cannot be resolved due to a lack of communication or responsiveness from the RTA, Escalation Level III will be adhered to. The Statute requires that the SSOA, "Take legal action in a court of competent jurisdiction to compel an operator of a fixed guideway rail system to correct a safety hazard, or to prevent the operation of all or part of a fixed guideway rail system that the office has determined to be unsafe."

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1509. Oversight of RTA Safety Plans and Internal Safety Reviews

A. RTA Safety Plan Review. The RTA is required to develop and submit a safety plan to the SSOA for its review and written approval. The safety plan must be compliant with the following:

1. the SSOPS,
2. any federal rules (i.e., 49 C.F.R. Part 673 and 49 U.S.C. 5329(d)) specifically addressing RTA safety plans,
3. any specific guidance found in the SSO Procedures Manual, and

4. other guidance provided through FTA's National Public Transportation Safety Plan. The SSOA may require changes to a safety plan based on changes in federal or state requirements, audit results, inspections, investigations, or findings based on safety data analysis. After written notification from the SSOA for safety plan modifications, the RTA and SSOA will determine a reasonable timeline for completing the revision(s). The RTA must assess its safety plan annually and revise it as needed to reflect changes in the organization, procedures, equipment, facilities, and operating environment. The RTA must submit any revisions to the SSOA to ensure compliance with the SSOPS. The SSOA will complete a compliance review of the safety plan within 30 calendar days of receipt or notify the RTA if additional time is needed. If the RTA safety plan complies with the SSOPS and other guidance as necessary, the SSOA will issue a written approval of the safety plan (along with appropriate checklists) and request that the RTA send a final copy of the safety plan with appropriate signatures and other endorsements as required. Per changes to 49 U.S.C. 5329(d) introduced in the Bipartisan Infrastructure Law (BIL), recipients receiving Section 5307 assistance and serving an urbanized area of 200,000 or more must establish a safety committee which approves the safety plan and any revisions. This safety committee shall consist of an equal number of frontline employee representatives selected by a labor organization and management representatives as described in paragraph (5) of 5329(d). For recipients serving an urbanized area with a population under 200,000, agency safety plans must be developed in cooperation with frontline employee representatives. The safety plan and any revisions to the safety plan must then be approved by the RTA Board of Commissioners and signed by a designee of the RTA Board of Commissioners. The approved RTA safety plan remains in effect until another such safety plan or revisions to the existing safety plan is/are submitted and approved in accordance with this SSOPS. If the SSOA determines that the submitted safety plan does not meet the requirements of the SSOPS or other appropriate guidance, a written rejection of the safety plan will be sent to the RTA along with a description (comments and appropriate checklists) of necessary changes to gain approval. The RTA will make such changes in an expeditious manner, unless otherwise specified in the rejection letter. The RTA may request a meeting with the SSOA to discuss the safety plan review comments. In the event the RTA objects to a noted deficiency or requested change from the SSOA, a written notice of the objections and suggested alternatives will be provided to the SSOA within 30 days. Both the SSOA and the RTA must agree on an appropriate course of action or the SSOA will follow the escalation procedures.

B. RTA Internal Reviews. The RTA must develop and document a process for the performance of on-going internal safety audits. These safety audits should assess the elements and implementation of the RTA safety plan. Each element of the safety plan must be audited at least once during a three-year cycle. The audit process must, at a minimum:

1. describe a process used by the RTA to determine if all identified elements of the safety plan are performing as intended,
2. determine if areas of non-compliance and hazards are being identified in a timely manner,

3. ensure that all elements are being reviewed in an on-going manner and over a three-year cycle, and

4. ensure that no unit leads its own internal audit.

5. The RTA will notify the SSOA in writing at least 30 days prior to any internal audit. The RTA will also provide audit checklists, procedures, and other documents to the SSOA as necessary. The RTA will coordinate any comments on the checklists and schedule with the SSOA. On or before February 15 of each year, the RTA will submit a report detailing all internal safety audits performed during the preceding calendar year.

C. The report should be signed by the RTA accountable executive. The report must contain, at a minimum:

1. a listing of the internal safety audits conducted the previous calendar year,

2. an updated schedule for audits that will be conducted in the current three-year cycle,

3. a status of all findings, and

4. recommendations and corrective actions resulting from the audits conducted the previous calendar year.

D. The SSOA will review and approve the internal audit report submitted by the RTA prior to submission to the FTA each year on or before March 15th.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1511. Triennial SSOA Audits

A. Audit Procedures. In addition to ongoing inspections, investigations, and examinations of RTA safety implementation procedures, the SSOA will conduct an on-site audit of the RTA's implementation of its safety program at least once during each three-year cycle. The SSOA and RTA may agree that the SSOA will conduct its audit on an ongoing basis over the three-year cycle. The three-year audit will be a comprehensive review and evaluation of the effectiveness of the RTA safety plan and other standard operating procedures. The audit will generally be conducted prior to the FTA triennial audit of the SSOA Program. In anticipation of a three-year audit of the RTA safety program, the SSOA will establish an audit team and audit schedule, develop audit checklists for use during the audit, provide the RTA with written notification of the audit schedule 60 days in advance, and offer the RTA an opportunity to schedule a pre-audit meeting to ensure clarity of SSOA audit objectives. The SSOA will provide the RTA with the list of team members and audit checklists 30 days in advance of the audit. The audit is intended to be an open and collaborative process with the RTA with the primary goal of improving safety procedures documentation and implementation at the RTA.

B. Audit Findings. A list of audit findings will be incorporated into an audit-tracking matrix. The matrix will provide the findings and any comments developed by the SSOA necessary to clarify the intent of the finding. The matrix will be used to track any findings to resolution.

C. Audit Report. Any findings established during a triennial audit will be documented in a draft written report along with recommendations for improvements (including recommended CAPs) to the safety plan or other documentation related to the effectiveness of the RTA safety

plan and safe operations of the RFGPTS. The RTA will have an opportunity to comment on the content of the report, including the findings and recommendations prior to the SSOA publishing the final audit report. If the RTA has alternative methods to address the recommendations provided by the SSOA in the draft audit report, the SSOA will consider those and initiate dialogue as appropriate. The SSOA review team will make revisions, if appropriate to the goals of the audit, and will distribute the final audit report. Corrective actions required, as a result of the audit, will be managed through the corrective action process. The SSOA will transmit final audit reports to the FTA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, IR44:925 (May 2018), amended LR 52:

§1513 Safety Event Notification.

A. Requirements. An RTA must notify FTA and the SSOA within two hours of any safety event occurring on a rail fixed guideway public transportation system that results in one or more of the following:

1. fatality;
2. two or more injuries;
3. derailment;
4. collision resulting in one or more injuries;
5. collision between two rail transit vehicles;
6. collision resulting in disabling damage to a rail transit vehicle;
7. evacuation for life safety reasons; and
8. unintended train movement.

B. Exclusion. The two-hour notification requirement excludes criminal actions that result in fatalities or injuries, such as homicides and assaults.

C. Methodology and Content: Two-Hour Notification. The RTA shall notify the SSOA and FTA within two hours of a reportable safety event. Notification shall be transmitted via email (or if unavailable, via telephone with follow-up email) or other electronic notification method described in the Procedures Manual. The two-hour notification will contain the following information:

1. unique safety event identification number (if more than one crash occurs on one day, the time will be added in 24-hour format and the operator badge number will be included as shown: YYMMDD HHMM operator badge number. All follow up information associated with a reportable safety event will contain the unique safety event identification number.);
2. sender (caller) name;
3. transit system name;
4. type of safety event (e.g., which safety event criteria prompted the safety event report to the SSOA);
5. time and date of the safety event;
6. the location of the safety event;
7. transit vehicle identifying information, including route, direction, vehicle number, block number, etc.;
8. information about any other vehicles involved;
9. number of injuries (persons requiring immediate medical attention away from the scene);
10. number of fatalities;
11. estimated property damage, if available;
12. a brief description of the safety event ;

13. a description of safety event investigation activities completed and anticipated in the short term;

14. available; and

15. NTSB determination, if available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 48:2144 (August 2022), LR 52:

§1515. Investigations

A. The SSOA must investigate or require an investigation of any safety event that requires notification under 49 CFR 674.33. The SSOA is ultimately responsible for the sufficiency and thoroughness of all investigation reports, whether conducted by the SSOA, the RTA, or a third party. Investigations can be conducted by the SSOA, be delegated to the RTA by the SSOA, or conducted jointly by the SSOA and RTA.

1. RTA Investigations. In most cases, the SSOA requires the RTA to investigate its own safety event. The SSOA will conduct an independent review of the RTA's findings of causation. When conducting a safety event investigation on behalf of the SSOA, investigations are performed in accordance with safety event investigation procedures developed by the RTA and approved by the SSOA. The RTA will develop safety event investigation procedures that meet or exceed all rules, guidance or industry standards associated with investigation procedures, including this SSOPS. Safety event investigation procedures will be reviewed annually by the RTA. They will be compared to industry standards and updated as appropriate and necessary. During safety event investigations conducted by the RTA, the SSOA will provide any technical assistance or guidance requested by the RTA in support of the safety event investigation.

2. SSOA Investigations. If the SSOA determines that it will conduct its own investigation, the SSOA will:

a. inform the RTA of its decision to conduct or participate in an investigation,

b. use investigation personnel other than those employed or utilized by the RTA, and

c. use the RTA's approved investigation procedures.

3. SSOA investigation personnel will have the proper investigation training and expertise as outlined in the public transportation certification training program. The RTA will be provided with a list of SSOA investigation team members. The SSOA investigation team will arrive at the RTA as soon as practicable. The SSOA investigation team will wait until the RTA and/or other emergency response personnel have secured the scene before commencing its investigation. The SSOA reserves the right to request that the RTA preserve the scene to the maximum extent feasible until arrival and start of the investigation. All SSOA investigation personnel will be granted authority to access records, materials, data, analysis, and other information, which is pertinent to the investigation. The RTA is expected to provide the SSOA investigation team with the resources and information necessary to conduct the investigation in an effective and efficient manner.

4. Joint Investigations. The SSOA may request joint participation in an investigation. In such cases, the RTA will cooperate, to the extent practicable, in preserving the scene

until SSOA investigation team members arrive. The SSOA investigation team will observe or participate in field analysis, operational surveys, interviews, record checks, data analysis, and other on-site and off-site tasks that may be necessary for a comprehensive investigation. The SSOA investigation team will observe or participate in assessing physical evidence of the scene. They will document the environmental and physical factors of the scene through measurements, diagrams, and photographs. As part of the investigation, the SSOA investigation team will observe or participate in:

a. assessing compliance with operating rules and procedures;

b. conducting follow-up interviews (if required);

c. analyzing employee records and the results of post-safety event drug and alcohol tests; and

d. conducting vehicle and equipment inspections.

5. If the SSOA investigation team requires information or analysis which is not readily available, or which may require additional resources by the RTA, it will request this information or analysis in a written request to the RTA.

6. National Transportation Safety Board (NTSB) Investigations. In any instance in which a safety event on the RTA's RFGPTS is the subject of an investigation by the NTSB, the SSOA will participate in the investigation. They will evaluate whether the findings or recommendations by the NTSB require CAP development by the RTA. If CAP development is needed, the SSOA will order the RTA to develop and carry out the CAP.

7. Reporting. All safety event investigations will result in a formal investigation report. Safety event reports will:

a. describe the investigation activities;

b. identify the factors that caused or contributed to the safety event; and

c. set forth a CAP, as necessary or appropriate.

8. In most cases, the RTA will conduct investigations of its own safety event. They will be required to produce a final safety event investigation report within 30 days of the safety event. This time period will not be enforced if the RTA is delayed by circumstances (e.g. unresolved medical reports) or missing information (e.g. incomplete police reports). The RTA will provide a monthly safety event log update detailing the status of all investigations through closure and adoption by the SSOA. Upon submission of a final safety event investigation report by the RTA, the SSOA will conduct an independent review of the findings of causation. The SSOA will either provide acceptance and adoption of the report in a timely manner or ask for additional information or analysis. In cases where the SSOA does not believe that adequate investigation into the cause of a safety event has been performed, it may conduct its own investigation. In cases where the SSOA decides to conduct its own investigation, the SSOA will produce a safety event investigation report within 30 days of the safety event. This time period will not be enforced if the SSOA is delayed by circumstances (e.g. unresolved medical reports) or missing information (e.g. incomplete police reports). The final safety event report will be provided to the RTA for review and concurrence. If the RTA does not concur with the SSOA's report, the RTA may submit a written dissent of the report.

The SSOA may include the RTA's written dissent in the final report. In cases where the SSOA and RTA conduct a joint safety event investigation, both agencies will collaborate on investigation, analysis, and determination of causal or contributing factors. Both agencies will also collaborate on developing the final safety event investigation report. Upon completion, the SSOA will adopt the final report. In special circumstances, the FTA may conduct an independent investigation of a safety event or review the findings of causation contained in a safety event report. The SSOA and RTA will cooperate, to the extent practicable, with the FTA's investigation and provide support for findings and recommendations.

9. **Corrective Actions.** If a final investigation report contains findings and/or recommendations for addressing deficiencies or unsafe conditions identified during the investigation process, the RTA will be responsible for developing appropriate CAPs. The SSOA will review and approve or ask for revisions to CAPs as appropriate. If, after reviewing an investigation report not resulting in a CAP and the SSOA determines that a CAP was necessary or appropriate, the SSOA will communicate the need to develop the CAP to the RTA.

10. **Records Confidentiality.** The Louisiana Public Records Act, also known as Louisiana's Sunshine Law, was enacted by the State Legislature in 1940, and is currently provided for in R.S. 44:1, et seq. Under Louisiana's Sunshine Law, the SSOA generally cannot legally protect the confidentiality of safety event investigation reports from discovery. The exceptions to this is when the report contains sensitive security information, or when otherwise exempted for in law, jurisprudence, and/or R.S. 44:1, et seq. Anyone can request public records; and no purpose is required. There are no restrictions on what can be done with the public documents once a records requester has them in hand. The custodian of the records must respond to requests within three business days.

Exemptions: Pending criminal litigation; juvenile status offenders; sexual offense victims; security procedures; trade secrets; and some public employee information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1517. Corrective Action Plans

A. The SSOA's primary concern is the safety of the traveling public using an RFGPTS. Corrective action plans are an integral part of ensuring safety. The SSOA will work with the RTA to ensure that corrective actions are implemented in a timely fashion and corrective actions are commensurate to the severity of the potential safety-related hazard.

1. Development

a. The SSOA must, at a minimum, require the development of a CAP for the following:

i. results from investigations, in which the RTA or SSOA determined that causal or contributing factors require corrective action;

ii. findings of non-compliance from safety reviews and inspections performed by the SSOA; or

iii. findings of non-compliance from internal safety reviews performed by the RTA.

b. In any instance in which an RTA must develop and carry out a CAP, the SSOA must review and approve the CAP before the RTA carries out the plan. However, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval.

c. CAPs may be identified and developed through a number of processes and procedures including safety event investigation reports developed by the RTA, SSOA, FTA or NTSB; internal safety audits conducted by the RTA; three-year audits conducted by the SSOA or FTA; or the RTA hazard management program. CAPs may be identified by other activities as well, and may be initiated by RTA or required by the SSOA. In any instance where the RTA must develop and carry out a CAP, the SSOA will review and approve the CAP before the RTA carries out the plan; however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval. A CAP must describe, specifically, the actions the RTA will take to, correct, the deficiency identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions.

d. The SSOA will notify RTA of its approval or rejection of a corrective action plan within 15 calendar days of receiving the CAP. In the event the SSOA rejects a CAP, the reasons and recommended revisions will be stated in writing. RTA shall submit a revised CAP to the SSOA no later than 15 calendar days following the rejection. If the RTA does not agree with the proposed revisions, the SSOA and RTA shall meet to resolve differences regarding the CAP. In any instance in which a safety event on the RTA's RFGPTS is the subject of an investigation by the NTSB or FTA, the SSOA will evaluate whether the findings or recommendations by the NTSB or FTA require CAP development by the RTA, and if so, the SSOA will order the RTA to develop and carry out the CAP.

2. **Tracking.** The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA will monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate. CAPs shall be tracked by using the following naming convention. Each CAP name shall begin with: YY-##. The first CAP for a year shall be 01, and the numbers shall increase one-by-one through the year. The following year, the numbers shall begin again at 01. CAPs shall be entered into the RTA CAP log upon creation and remain on the log the entire calendar year, even after closure. CAP progress is tracked during monthly meetings.

3. **Closure.** Implementation of CAPs may require timeline adjustments. The SSOA should be informed of any implementation schedule changes and review the reasons for

those changes. CAPs will be acknowledged as closed by the SSOA once supporting documentation is provided by the RTA and review and/or inspection is conducted by the SSOA. The SSOA will provide the RTA with timely written acceptance of a CAP closure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1519. Annual Reporting to FTA: SSOA Reporting Requirements

A. On or before March 15 of each year, the SSOA will submit the following material to the Louisiana Governor's Office, the RTA Board of Commissioners, and the FTA (submitted electronically through a specified reporting system):

1. The SSOPS and the accompanying Procedures Manual, with an indication of any changes to those documents during the preceding 12 months.

2. Evidence that each of its designated personnel has completed the requirements of the public transportation safety certification training program, or, if in progress, the anticipated completion date of the training.

3. A publicly available report that does the following:

a. summarizes its oversight activities for the preceding 12 months;

b. describes the causal factors of safety event identified through investigation; and

c. identifies the status of corrective actions, changes to the RTA safety plan, and the level of effort by the SSOA in carrying out its oversight activities.

4. Final investigation reports for all safety events meeting one or more of the criteria specified at § 674.33.

5. A summary of the internal safety reviews conducted by RTAs during the previous twelve months, and the RTA's progress in carrying out CAPs arising under § 674.37(a)(3).

6. A summary of the triennial audits completed during the preceding 12 months, and the RTA's progress in carrying out corrective action plans arising from triennial audits (if conducted).

7. Evidence that the SSOA has reviewed and approved any changes to the RTA safety plans during the preceding 12 months. and

8. A certification that the SSOA is in compliance with the requirements of 49 CFR Part 674.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1521. State Safety Oversight Risk-Based Inspection

A. Introduction. In November 2021, the Bipartisan Infrastructure Law amended 49 U.S.C. § 5329 to require that SSOAs conduct risk-based inspections (RBI) of the RTAs that they oversee. In October 2022, FTA issued Special Directive 22-32, under authority of 49 U.S.C. § 5329(k) and 49 CFR Part 670. This Special Directive requires LADOTD, as the Louisiana SSOA, to develop and implement a risk-based inspection program. According to the Special Directive, a risk-based inspection program uses qualitative and quantitative data analysis to perform ongoing inspection activities. Risk-based inspection programs are designed to

prioritize inspections to address safety concerns and hazards associated with the highest levels of safety risk. As described in 49 U.S.C. § 5329(k), the SSOA must develop policies and procedures for inspection access and data collection in consultation with each RTA that it oversees. LADOTD's RBI Program is added to this SSOPS. It addresses the SSOA's authority to do the following:

1. conduct inspections;

2. collect data from the RTA to support risk-based inspection monitoring and prioritization activities;

3. implement inspection activities in a way that is commensurate with the size and complexity of the RTA the SSOA oversees; and

4. train employees for RBI program implementation.

5. Additional details about how LADOTD implements its RBI program are in its accompanying State Safety Oversight Procedures Manual.

B. SSO Authority. R.S. 48:214 re-designated the LADOTD as the SSOA in 2014, providing it with the authority to establish and enforce minimum standards for the safety of all RTAs within its oversight. R.S. 48:214(B)(1) includes the SSOA's authority to enter onto and inspect the property of fixed guideway rail transit operators without prior notice. R.S. 48:214(B)(7) provides the SSOA the authority to implement rules and regulations as necessary to fulfill its obligations under federal law. In 2018, the Legislature added the SSOPS into this chapter of Louisiana Administrative Code. This provides the SSOA the authority to develop rules and procedures needed to enforce minimum safety standards of operation by the agency. In 2024, this Section was added to the SSOPS and LAC 70:IX. Chapter 15 to include the authorities necessary to implement an effective RBI program, per 49 U.S.C. § 5329(k)(1)(A) and § 5329(k)(1)(B). These additions include the authority to collect and analyze data regarding safety program implementation at RTAs. They also include the authority to access each RTA property, with and without advanced notice, for the purposes of conducting inspections into RTA activities regarding the implementation of their safety programs. The authority to access RTA property includes access to infrastructure, equipment, records, personnel, and data. These authorities extend to contractors acting on behalf of the SSOA, who are required to have the capability to physically access the RTA the SSOA oversees as well as have the training necessary to safely access facilities.

C. Risk-Based Inspection Policies and Procedures. Per 49 U.S.C. § 5329(k)(1)(B) and § 5329(k)(3), the SSOA will access RTA facilities for risk-based inspections, both with and without advanced notice. Policies and procedures for these inspections were developed in close consultation between LADOTD and the RTA it oversees. The LADOTD SSOA will conduct inspections at the RTA a minimum of four times per year. The LADOTD SSOA has the authority to conduct as many inspections as are needed depending on observed system risk. The LADOTD SSOA defines unannounced inspections as those in which the SSOA notifies the RTA when inspectors arrive onsite for inspection. Whether an announced or unannounced inspection, LADOTD SSO staff and contractors will not enter publicly inaccessible areas without an agency escort. The RTA must provide an agency escort when requested. The SSOA must ensure all personnel leading inspections

have been trained and certified according to 49 CFR Part 672, PTSCPT, TSSP, and RTA specifications to safely access RTA properties and rights-of-way. The SSOA will conduct inspections on the various procedures used to maintain RTA equipment, infrastructure, and practices of each RTA. The areas and locations for inspection will be determined through the RBI prioritization process. As part of the RBI process, the LADOTD SSOA will monitor the physical aspects of RTA facilities and equipment. The LADOTD SSO will also monitor the conduct and performance of ongoing personnel involved in day-to-day operations. The RBI process will use the data and analysis to generate a prioritized list of operational aspects that should be monitored to ensure conformance with RTA procedures and processes. This will include monitoring operations centers, maintenance facilities, and training activities. Risk-based inspections do not replace other regularly scheduled inspections of infrastructure, equipment, records, personnel, and data.

D. Data Sources and Collection. Per 49 U.S.C. § 5329(k)(2)(A), § 5329(k)(2)(B), and § 5329(k)(4)(B), LADOTD SSO Program staff, including support contractors, will require all safety, inspection, and maintenance data elements be submitted from the RTA quarterly as part of the RBI process. , (Capital projects and financial data will be submitted annually.) The SSO has the authority to increase this frequency if it deems it necessary to evaluate system-wide safety risk. Data submitted is used by the SSO to substantiate conditions and conduct analyses of trends, remedies, and remediations. The SSO will then prioritize inspections accordingly. Category 3 of the RTA specific Procedures Manual contains details on the policies and secure processes used for data sharing and data management between the RTA and the SSOA. Data management policies in the Procedures Manual include agency specific details on data storage, organization, retention, maintenance, and accuracy. The Procedures Manual also identifies which records will be shared across safety, maintenance, and inspection data. It also details the components and formats for each data item.

1. For safety program data, records include but are not limited to records of events, hazards, safety risk mitigations, corrective action plans (CAPs), and near misses. Safety data must also include that which the RTA collects when identifying hazards and assessing and mitigating safety risk.

2. Maintenance data shared include but are not limited to maintenance records and report forms, work orders, records of failures and defects, records of revenue vehicles out of service, major maintenance activity schedules and progress, and adherence to maintenance schedules.

3. Inspection data include but are not limited to inspection records and report forms, records of failures and defects, records of speed restrictions, incident and safety risk mitigation verification, adherence to inspection schedules, capital project schedules and progress, and financial data. LADOTD SSOA requests for data may also include items not identified as part of the previous three categories but identified as critical to completion of the RBI process. These additional requests may include but are not limited to records on internal audits, National Transit Database (NTD) reporting elements, security data and more.

E. Inspection Prioritization. The SSOA will prioritize inspection activity through analysis of maintenance, safety, and past inspection data, as is required in 49 U.S.C. § 5329(k)(4)(B). The SSOA will use qualitative and quantitative data to evaluate potential safety risks related to the equipment, infrastructure, and practices specific to each RTA it oversees, identifying concerns to be prioritized for inspection. This ongoing analysis will inform inspection planning so that the highest risk conditions are addressed first. To evaluate relative risk of system equipment, infrastructure, and practices, the SSOA will use metrics in its safety analysis to determine priorities for inspection across each of the records described in Category 3 of the Procedures Manual. Category 4 of the Procedures Manual includes the comprehensive list of metrics used to evaluate risk across safety, maintenance, inspection, and other data sources requested by the SSOA. To prioritize relative safety risk, the SSOA will use its safety risk matrix based on the industry standard (MIL-STD-882E) that includes probability and severity ratings, with equipment, facilities, or procedures whose potential failures intersect at higher levels of probability and severity receiving higher overall risk ratings. The highest scoring equipment, infrastructure, and practices will be prioritized for inspection first. The SSOA will include clear documentation showing how safety concern ratings inform inspection prioritization. The SSOA's data analysis and prioritization process is ongoing and will be updated to reflect changing safety conditions. This process is independent from the RTA's own safety risk assessment practices for hazard mitigation. When system conditions change, the SSOA will analyze new data and develop new prioritization ratings. These new ratings will inform potential revisions to inspection priorities. Unless required by activities or changes in system safety, the SSOA will schedule and perform an updated safety analysis and inspection prioritization quarterly at a minimum. The Procedures Manual details how the SSOA follows with each RTA before, during, and after inspection prioritization.

F. RBI Program Commensurate with RTA Number, Size, and Complexity. As is authorized in 49 U.S.C. § 5329(k)(4)(A), the SSOA conducts risk-based inspections commensurate with the number, size, and complexity of RFGPTS in the state. Inspection policies and procedures are tailored to an RTA's risk profile based on its size and complexity, which are described in Category 5 of the Procedures Manual. Currently, the SSOA only oversees one agency's RFGPTS (New Orleans Regional Transit Authority's streetcar system), so policies and procedures are tailored for this RTA specifically. The size and complexity of an RFGPTS are measured by its mode, physical characteristics, and operational characteristics. Because these physical and operational characteristics can change over time, the SSOA will use data reported to and verified by NTD to determine system size and complexity for a given year. Physical characteristics may include but are not limited to system vehicles and facilities, and operational characteristics may include but are not limited to operating expenses, ridership, and revenue mileage. 49 U.S.C. § 5329(k)(4)(A) requires consistent and ongoing site inspections of a transit system associated with the highest levels of safety risk. At a minimum, the SSOA will conduct

at least four onsite risk-based inspections per RFGPTS per year no matter the risk profile or distance between the SSOA and RFGPTS it oversees. If an agency's size or complexity changes in a way that affects its risk profile, the SSOA will update inspection policies to account for this change. Inspections must cover the full spectrum of activities at the RTA, including infrastructure, equipment, records, personnel, and data, including the data the RTA collects when identifying and evaluating safety risks. Inspections will be prioritized based on relevant data including safety program, maintenance, and inspection data collected by the SSOA.

G. SSO Staffing, Qualification, and Training. In accordance with 49 U.S.C. § 5329(k)(4)(C), the LADOTD SSO program will need sufficient personnel and skill sets to effectively implement and manage a risk-based inspection program. To ensure adequate staffing, training, and resources, three elements will be reviewed and updated annually:

1. the SSO Workload Assessment;
2. inspection personnel qualifications; and
3. a Technical Training Plan (TTP).

H. These three elements are detailed in Category 6 of the Procedures Manual. The SSO Workload Assessment determines the staffing levels needed based on the requirements of the SSO oversight program. The LADOTD SSOA will also develop a training matrix that corresponds to the various technical training elements of the SSO program and will identify personnel and training needs. The matrix will track each technical training requirement. It will be specific to the RTA based on its size, complexity, and the number of personnel that should be trained in each skill set. The TTP identifies both the general technical training requirements of the SSOA program and the specific skill sets and knowledge necessary to carry out the SSOA program at the RTA overseen by the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 52:

§1523. Procedures Manual Content [Formerly §1521]

A. Program Policies and Objectives

1. The policy statement of the Louisiana SSO program. The Louisiana Department of Transportation and Development's State Safety Oversight Program is responsible for the development and implementation of an effective and comprehensive state safety oversight program. The purpose of this program is to ensure that all rail fixed guideway public transportation systems in its jurisdiction fully define and implement a safety program that is compliant with all applicable state and federal rules and regulations.

2. The objectives for the SSO program include the following:

- a. developing and maintaining an SSO program meeting the federal and state requirements, including but not limited to 49 CFR Parts 674.11(f), 674.13(a)(1-3) and 674.41(c);
- b. assuring that SSO program staff and contractors meet training and qualification requirements outlined in the

Public Transportation Safety Certification Training Program final rule per 49 CFR Part 672;

c. providing oversight and technical assistance to the RTA in developing, maintaining, evaluating, and implementing a safety program wholly owned by the RTA, not the state of Louisiana;

d. working cooperatively with the RTA and FTA SSO program to improve system safety performance and reduce system safety risk to as low as reasonably practical;

e. ensuring RTA conducts investigations and internal audits as required, and participating as appropriate (SSOA may choose to lead, participate in, or conduct independent investigations, audits, or inspections);

f. ensuring RTA executive staff fully support the safety principles and methods of safety management systems (SMS) as the basis for enhancing the safety of public transportation;

g. ensuring RTA safety staff and contractors meet training and qualifications requirements outlined in the Public Transportation Safety Certification Training Program;

h. participating in safety meetings;

i. ensuring that investigations are conducted to determine causality, and reviewing investigations of safety events as appropriate;

j. providing guidance and input to the RTA safety implementation program;

k. investigating any allegations of an RTA's non-compliance with their safety plan.

B. Minimum Safety Standards. The SSOA reviews RTA documents to ensure minimum safety standards are met. These include but are not limited to the types of documents shown in the table below, in effect as of January 2024. Each control document, including plans, policies, and procedures, is listed in the Procedures Manual with the date of its most recent update.

1. Types and Examples of RTA Minimum System Safety and Security Related Documents:

Document Type	Examples
Overarching Safety Plan	Agency Safety Plan (ASP)
Emergency Preparedness	All Hazards Plan (including Annex B: Infectious Disease); Continuity of Operations Plan (COOP)
Operations	Streetcar Operator Manual
Maintenance	Transit Asset Management (TAM) Plan, Rail Maintenance Plan
Administration	Employee Onboarding Handbook, Employee Code of Conduct, Procurement Manual, RTA Employee Safety and Health Handbook
Safety Policies	RTA Distracted Driving Policy (SAF2), RTA Safety Management Policy (SAF3)
Safety-Related SOPs	Safety Assurance of Safety Critical Areas (004-006), Working in Hot Weather (004-009), Safety event Investigation Procedures

C. State Safety Oversight Program Standard.

1. Annual Review. The Procedures Manual includes provisions for the annual review and update of the SSOPS and all its supporting documents. An annual review schedule outlines the recurring tasks the SSOA will undertake to prepare for and execute this process, including reviewing

changes to federal policy and industry safety standards, reviewing the agency's updates to safety standards, incorporating revisions, verifying updates comply with federal rules, and submitting SSOPS revisions for adoption to the *Louisiana Administrative Code*.

2. Adoption and Distribution of Program Standard. The SSOA follows the *Louisiana Administrative Code* Rule Making SOP to formalize the updates to the SSOPS, which is included in the Appendix of the Procedures Manual. This process includes the review of any changes by DOTD's Legal Department. The updated Program Standard is then submitted to FTA with the SSO's Annual Report on or before March 15 of each year. The SSOA's completed Program Standard review checklist is included in the Appendix of the Procedures Manual.

D. Safety Plan Review. RTA system safety program plan must be compliant with 49 CFR Part 673 and 49 USC §5329(d). The SSOA reviews the safety plan for compliance with federal regulations within 30 calendar days of receipt. The SSOA's completed ASP review checklist is included in the Appendix of the Procedures Manual.

E. Security and Emergency Preparedness Plan. 49 CFR Part 674 does not require the SSOA to oversee the development, revision or implementation of a Security and Emergency Preparedness Plan for the RTA. However, 49 CFR Part 673.11(a)(6) requires an agency to have an emergency preparedness plan. The SSOA supports the RTA in all aspects of its Security and Emergency Preparedness planning as it relates to the safety of the system, its employees, and passengers.

F. RTA Internal Audits. The Procedures Manual describes the timeline, materials, and communication to be used by the SSOA when conducting its review of the RTA's internal audits. The SSOA reviews and approves the internal audit report submitted by the RTA each year on or before March 15.

G. Triennial Audits of RTA. The SSOA will conduct an onsite audit of the RTA's implementation of its safety program at least once during each three-year cycle. The SSOA and RTA may agree that the SSOA will conduct its audit on an ongoing basis over the three-year cycle. If an SSOA audits an RTA's compliance on an ongoing basis, the SSOA shall issue interim audit reports at least annually. The Procedures Manual includes details on the following:

1. the timeline for scheduling and conducting a triennial audit;
2. the development and use of audit checklists;
3. the tracking of findings; and
4. the writing and distribution of the audit report.

H. Notification of Safety Events

1. Requirements. The RTA is required to report any safety event meeting the criteria or guidance under the National Public Transportation Safety Plan or other reporting guidelines. These guidelines for reportable safety events are communicated to the RTA through the Procedures Manual.

2. Two-hour Notification. In addition to the content described in SSOPS §1513, the Procedures Manual includes details about the notification form to be used by the RTA. The Manual's Appendix includes the most recent version of the form, which will be updated as needed and when requirements for safety event reporting change as directed by FTA.

I. Investigations

1. Safety event Investigations. The SSOA must investigate or require an investigation of any reportable safety event and is ultimately responsible for the sufficiency and thoroughness of all investigation reports. Investigations can:

- a. be conducted by the SSOA;
- b. be delegated to the RTA by the SSOA;
- c. be conducted jointly by the SSOA and RTA; or
- d. be conducted by a third party.

2. The RTA's Safety Event Investigation procedures are developed by the RTA, approved by the SSOA, and reviewed annually against industry standard.

3. Reviewing Findings of Causation. For each RTA investigation, the SSOA will conduct an independent review of the RTA's findings of causation. This review is primarily based on the RTA's Safety Event Investigation SOP and communication between the SSOA and the RTA's Chief Safety, Security & Emergency Management Officer (CSSEM). In cases where the SSOA does not believe that adequate investigation into the cause of a safety event has been performed, it may conduct its own investigation.

4. Reporting. The Procedures Manual details the required contents of all final safety event reports produced by the RTA for the SSOA. The Procedures Manual's Appendix includes the RTA's current Investigation Report template, which includes all required components.

5. Other Incidents that Warrant Investigation. In certain cases, the SSOA or the RTA may determine that a formal investigation is necessary for events occurring at the RTA, even though such events may not meet safety event reporting regulation criteria. These events may include hazards, significant operational incidents, significant failures of SMS, and other events that might, under other circumstances, lead to significant adverse events. RTA will use its established investigation procedures and comply with all SSO requirements and requests for participation in such an investigation.

J. Confidentiality of Information. The SSOA will handle all reportable information in accordance with all federal and state laws.

K. Corrective Action Plans. The Procedures Manual details the process by which CAPs are

1. identified;
2. developed;
3. approved by the SSOA;
4. implemented;
5. tracked; and
6. closed.

L. The Procedures Manual also describes CAP log procedures the RTA must follow. This includes the requirement for an updated log to be shared with the SSOA every thirty days. A CAP log example is included in the Appendix of the Procedures Manual.

M. Annual Reporting to FTA

1. SSOA Reporting Requirements. The Procedures Manual details each of the documents that must be submitted by the SSOA to the following entities:

- a. Louisiana Governor's Office;
- b. the RTA Board of Commissioners; and

c the FTA (through its State Safety Oversight Reporting Tool). The documents must all be submitted on or before March 15 of each year.

2. RTA Reporting Requirements. The Procedures Manual describes the contents of the Annual Report the RTA will submit to the SSOA on or before February 15 of each year.

N. Risk-Based Inspection

1. Category 1: Authority to Perform Risk-Based Inspections. Category 1 includes the following:

- a. the SSO's authority to access the RTA;
- b. capability to access the RTA;
- c. inspection frequencies; and
- d. SSO enforcement actions.

2. Category 2: Risk-Based Inspection Policies and Procedures. Category 2 of the Procedures Manual includes procedures for SSO staff and contractors to notify the RTA for inspections, conduct inspections with notice, and conduct inspections without notice. It also details inspection practices of publicly accessible areas, inspection practices for access and RTA escorts for non-publicly accessible areas, inspection safety certification and training, scheduling inspections, the contents of inspection reports, and procedures for immediate safety concerns. In addition, it includes procedures for event verification, ongoing monitoring, defects and corrective or remedial actions, and CAP and safety risk mitigation verification. All inspection policies and procedures pertain to the inspections of equipment, infrastructure, and practices specific to each RTA.

3. Category 3: Data Sources and Collection. Procedures in Category 3 include those for the RTA's data sharing of safety program data, maintenance data, inspection data, and additional safety data with the SSOA as required. It also includes data management policies for how data sets will be stored and used for analysis, where data sets will be stored, how the data will be organized, how long records must be retained, how and when records are disposed, how the SSOA will ensure the system accurately stores records, and how the SSOA will protect security sensitive information.

4. Category 4: Inspection Prioritization. Procedures included are those that describe:

- a. the prioritization of safety concerns to inform inspections,
- b. metrics used for inspection prioritization,
- c. safety concern prioritization rating procedures,
- d. inspection prioritization processes, and
- e. the continuous process for RBI prioritization.

5. Category 5: Risk-Based Inspection Commensurate with Number, Size, and Complexity of the RFGPTS. The SSOA conducts RBI tailored to the RTA's risk profile based on its size and complexity. The SSOA oversees only one rail transit agency at this time. This category includes procedures for:

- a. evaluating the rail system's size and complexity,
- b. performing consistent and ongoing risk-based inspections, and
- c. inspecting the full spectrum of activities at the RTA.

6. Category 6: SSO Staffing, Qualifications, and Training. To ensure adequate staffing and resources for the

effective implementation and management of the RBI program, three elements will be reviewed and updated annually: the SSO Workload Assessment, Inspection Personnel Qualification Verification, and the SSOA's Technical Training Plan. Procedures for the use and update of these elements are included in Category 6 of the Procedures Manual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), amended LR 48:2188 (August 2022), LR 52:

1525. 49 CFR 674.41 Conflicts of Interest

A. An SSOA must be financially and legally independent from any rail fixed guideway public transportation system under the oversight of the SSOA. The *Administrator* may waive this requirement in accordance with 49 C.F.R. § 674.13(b).

B. An SSOA may not employ any individual who provides services to a rail fixed guideway public transportation system under the oversight of the SSOA., The *Administrator* may waive this requirement in accordance with 49 C.F.R. § 674.13(b).

C. A contractor may not provide services to both an SSOA and a rail fixed guideway public transportation system under the oversight of that SSOA. The *Administrator* may waive this prohibition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed repeal of a rule on the family has been considered. It is anticipated that this proposed repeal of a rule will have no impact on family formation, stability, or autonomy as described in R.S. 49:972. It will have no impact on the authority and rights of parents regarding the education and supervision of their children. Further, it will have no effect on family earnings or budget, the behavior and personal responsibility of children, or the ability of the family or local government to perform any functions.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed repeal of a rule has been considered. It is anticipated that this proposed repeal of a rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973. The Department of Transportation and Development has considered the following:

1. The effect on household income, assets, and financial security. No impact is anticipated.

2. The effect on early childhood development and preschool through postsecondary education development. No impact is anticipated.

3. The effect on employment and workforce development. No impact is anticipated.

4. The effect on taxes and tax credits. No impact is anticipated.

5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance. No impact is anticipated.

Small Business Analysis

In compliance with the Small Business Protection Act, R.S. 49:974.1, et seq., the economic impact of this proposed repeal of a rule on small businesses has been considered. It is anticipated that this proposed repeal of a rule will have no impact on small businesses, as the Rule only regulates activities of the employees of the Department of Transportation and Development.

Provider Impact Statement

The amendment of these rules is not anticipated to have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature.

Specifically:

1. The amendment of these rules does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.

2. The amendment of these rules does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.

3. The amendment of these rules does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Andrew Barry, Department of Transportation and Development, Office of General Counsel, P.O. Box 94245, Baton Rouge, LA 70804-9245. Mr. Barry is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 13, 2026.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of General Counsel, ATTN: Andrew Barry, General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245; however, such request must be received no later than 4:30 p.m. on January 13, 2026. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, the Department of Transportation and Development will conduct a public hearing at 9:30 a.m. on January 27, 2026 in the auditorium of the Department of Transportation and Development Headquarters, which is located at 1201 Capitol Access Road, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Andrew Barry at (225) 242-4665 after January 13, 2026. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Glenn Ledet, Jr.
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: State Safety Oversight for Rail Fixed Guideway Public Transportation Systems

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to have any costs or savings to state or local government units.

The proposed rule change requires Risk Based Inspections (RBI) for State Safety Oversight for Rail Fixed Guideway Public Transportation Systems. The proposed rule change includes reference to the State Safety Oversight Program Standard required by 49 CFR Part 674, published by the Federal Transit Authority (FTA), to oversee the implementation of the safety plan of any rail transit agency (RTA) operating a rail fixed guideway public transportation system in the State of Louisiana.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to have any effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to impact individuals, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to have an effect on competition or employment.

Glenn Ledet, Jr.
Secretary
2512#028

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Hunter Education Program Certification Policy (LAC 76:1.312)

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend two key changes to the Hunter Education program to improve alignment with youth participation requirements and enhance instructor recruitment and retention.

First, we propose lowering the minimum certification age for Hunter Education from 10 to 9 years old. This adjustment aligns with age requirements for youth shooting sports programs that require Hunter Education certification, eliminating redundancy for participations who would otherwise be required to retake the course at age 10, and

ensures continued eligibility for competition. The existing curriculum, written at a fourth-grade reading level, remains appropriate for this age group and would not require revision.

Second, we propose removing the prescriptive instructor certification requirements currently outlined in Title 76, which specify 12 hours of instruction, a written test, and a live-fire demonstration, replacing them with flexible administrative oversight by the Department. This change would lower barriers to instructor recruitment, improve the ability to attract and retain qualified instructors, increase participation from schools offering Hunter Education, and allowing the program to more easily adapt to new technology and more efficient training methods.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part I. Wildlife and Fisheries Commission and Agencies

Thereunder

Chapter 3. Special Powers and Duties

Subchapter C. Hunter Safety Program

§312. Hunter Education Program Certification Policy

A. - E. ...

F. Minimum age for certification in all courses within the Louisiana Hunter Education Program shall be as follows:

1. classroom based hunter education course—age 9;
2. computer based hunter education course—age 16;
3. blended computer based and field day combination course—age 9.

G. All persons' ages 9 through 11 who are hunter education certified, while hunting in the state of Louisiana, are to be accompanied by and under the direct supervision of a person who is 18 years of age or older and has a valid hunting license or proof of successful completion of a hunter education course approved by the department in order for that certification to be valid. Direct supervision means that the person being supervised shall be within normal audible voice proximity and in direct line of sight of the supervising adult at all times.

H. Requirements for volunteer instructor certification shall be as follows:

1. complete and pass a hunter education instructor certification format approved by the Louisiana Hunter Education Program; and

2. upon successful completion of instructor training, candidates shall be certified for an initial two-year period. Recertification shall be contingent on continued participation in the Louisiana Hunter Education Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:699.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:1396 (July 2007), amended LR 46:1613 (November 2020), LR 48:1107 (April 2022), LR 52:

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Public Comments

Written comments should be addressed to Mr. Travis DuFour, Department of Wildlife and Fisheries, 200 Dulles Drive, Lafayette, LA, 70506 or via e-mail to tdufour@wlf.la.gov prior to 4:30 p.m., Monday, February 2, 2026.

Kevin Sagera

Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Hunter Education Program Certification Policy

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There is no anticipated impact on the Louisiana Department of Wildlife and Fisheries (LDWF) expenditures resulting from the proposed rule changes.

The proposed rule change makes the following changes:

1. Lowers the minimum age for participation in the Hunter Education Program from ten years old to nine years old.

2. Removes the requirements for hunter education instructors to complete 12 hours of instruction, pass a written test, and demonstrate live-fire proficiency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to affect the revenue collections of the LDWF or other state or local governmental units. It is expected to benefit the LDWF by improving its ability to attract and retain hunter education instructors.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change may benefit young hunters by aligning the age requirements for youth shooting sports programs that require Hunter Education certification. The

proposed elimination of specific training for hunter education instructors will benefit potential participants by eliminating the need for 12 hours of instruction, the successful completion of a written examination, and the demonstration of a live-fire demonstration.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule changes.

Bryan McClinton
Undersecretary
2512#046

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

Menhaden Season (LAC 76:VII.307)

The Wildlife and Fisheries Commission does hereby give notice of intent to amend its rules regarding statewide fishing buffers for the commercial menhaden fishery. The commission seeks to reduce portions of the statewide one-half mile buffer to one-quarter mile in the areas from the Cameron Jetties to Rutherford Beach, from the Mermentau River to Rollover Bayou, from Point Au Fer Island to Bayou Grand Caillou, and from Bay Long to the Southwest Pass of the Mississippi River. The commission also proposes to remove the established buffer in a small stretch of open water between Baptiste Collette and Breton Island. The commission further intends to add additional buffer areas on the inside of Breton and Chandeleur Sounds on the western side of the Chandeleur Islands and around portions of Isle Dernieres not subject to current buffers and as described in the proposed Rule.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§307. Menhaden Season

A. - B. ...

C. The menhaden season shall apply to all state and federal waters seaward of the inside-outside line described in LAC 76:VII.370, subject to the Coastal Buffer Restrictions established in Subsection D, and in Chandeleur and Breton Sounds as described in Subsection E below. All other inside waters and passes are permanently closed to menhaden fishing.

D. Coastal Buffer Restrictions

1. Quarter Mile Coastal Buffer Restrictions.

a. Cameron Jetties to Rutherford Beach. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line from the eastern shore of the Cameron Jetties (Latitude 29 degrees 45 minutes 43.25 seconds N, Longitude 93 degrees 20 minutes 32.63 seconds W), thence eastward to a point west of Parish Road 364 and Rutherford Beach (Latitude 29 degrees 45 minutes 38.51 seconds N, Longitude 93 degrees 08 minutes 01.75 seconds W). All coordinates are in NAD 1983 feet.

b. Mermentau River to Rollover. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line from the eastern shore of the Mermentau River where it exits Lower Mud Lake (Latitude 29 degrees 43 minutes 25.64 seconds N, Longitude 93 degrees 00 minutes 30.26 seconds W), thence eastward to a point at Latitude 29 degrees 33 minutes 27.24 seconds N, Longitude 92 degrees 26 minutes 41.78 seconds W. All coordinates are in NAD 1983 feet.

c. Western Point Au Fer to Bayou Grand Caillou. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line from the western shore of Point Au Fer Island on the eastern shore of Atchafalaya Bay (Latitude 29 degrees 18 minutes 33.78 seconds N, Longitude 91 degrees 20 minutes 22.49 seconds W), thence eastward to the western most shore of Bayou Grand Caillou (Latitude 29 degrees 10 minutes 28.06 seconds N, Longitude 90 degrees 56 minutes 41.21 seconds W). All coordinates are in NAD 1983 feet.

d. Cheniere Ronquille to Southwest Pass. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line near Cheniere Ronquille on the eastern shore of Bay Long (Latitude 29 degrees 19 minutes 02.36 seconds N, Longitude 89 degrees 48 minutes 43.90 seconds W), thence eastward to the westernmost shore of Southwest Pass on the Mississippi River (Latitude 28 degrees 55 minutes 50.00 seconds N, Longitude 89 degrees 24 minutes 59.94 seconds W). All coordinates are in NAD 1983 feet.

2. Half Mile Coastal Buffer Restrictions.

a. Sabine to Holly Beach. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from the Texas-Louisiana state boundary (Latitude 29 degrees 41 minutes 04.95 seconds N, Longitude 93 degrees 50 minutes 09.44 seconds W) to near the easternmost point of the rock breakwaters west of Holly Beach (Latitude 29 degrees 46 minutes 00.90 seconds N, Longitude 93 degrees 29 minutes 26.91 seconds W). All coordinates are in NAD 1983 feet.

b. Holly Beach to Cameron Jetties. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from near the intersection of a private levee road and LA-27 (Latitude 29 degrees 46 minutes 01.54 seconds N, Longitude 93 degrees 24 minutes 23.00 seconds W), thence eastward to the eastern shore of the Cameron Jetties (Latitude 29 degrees 45 minutes 43.25 seconds N, Longitude 93 degrees 20 minutes 32.63 seconds W). All coordinates are in NAD 1983 feet.

c. Rutherford Beach to Mermentau River. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from a point west of Parish Road 364 and Rutherford Beach (Latitude 29 degrees

45 minutes 38.51 seconds N, Longitude 93 degrees 08 minutes 01.75 seconds W), thence eastward to the eastern shore of the Mermentau River where it exits Lower Mud Lake (Latitude 29 degrees 43 minutes 25.64 seconds N, Longitude 93 degrees 00 minutes 30.26 seconds W). All coordinates are in NAD 1983 feet.

d. Rollover to Point Au Fer. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from a point at Latitude 29 degrees 33 minutes 27.24 seconds N, Longitude 92 degrees 26 minutes 41.78 seconds W), thence eastward to Point Au Fer Island on the eastern shore of Atchafalaya Bay (Latitude 29 degrees 18 minutes 33.78 seconds N, Longitude 91 degrees 20 minutes 22.49 seconds W). All coordinates are in NAD 1983 feet.

e. Bayou Grand Caillou to Cheniere Ronquille. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from the westernmost shore of Bayou Grand Caillou (Latitude 29 degrees 10 minutes 28.06 seconds N, Longitude 90 degrees 56 minutes 41.21 seconds W), thence eastward to Cheniere Ronquille on the eastern shore of Bay Long (Latitude 29 degrees 19 minutes 02.36 seconds N, Longitude 89 degrees 48 minutes 43.90 seconds W). All coordinates are in NAD 1983 feet.

f. Mississippi Delta to Baptiste Collette. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from the western shore of Southwest Pass of the Mississippi River (Latitude 28 degrees 55 minutes 50.00 seconds N, Longitude 89 degrees 24 minutes 59.94 seconds W), thence eastward to a point near the mouth of Baptiste Collette (Latitude 29 degrees 24 minutes 32.91 seconds N, Longitude 89 degrees 17 minutes 09.76 seconds W). All coordinates are in NAD 1983 feet.

g. Breton and Chandeleur. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from a point near the southern shore of Breton Island (Latitude 29 degrees 27 minutes 50.76 seconds N, Longitude 89 degrees 11 minutes 51.51 seconds W), thence northward and eastward to the Louisiana-Mississippi state boundary (Latitude 30 degrees 08 minutes 14.51 seconds N, Longitude 88 degrees 52 minutes 09.62 seconds W). All coordinates are in NAD 1983 feet.

3. Enhanced Coastal Buffers.

a. Restrictions off Holly Beach. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from a point near the intersection of a private levee road and LA-27 (Latitude 29 degrees 46 minutes 01.54 seconds N, Longitude 93 degrees 24 minutes 23.00 seconds W), thence westward to the easternmost point of the rock breakwaters west of Holly Beach (Latitude 29 degrees 46 minutes 00.90 seconds N, Longitude 93 degrees 29 minutes 26.91 seconds W). All coordinates are in NAD 1983 feet.

b. Restrictions around Isle Dernieres. The menhaden season shall not apply to waters surrounding Isle Dernieres near Isles Dernieres Barrier Islands Refuge bounded by the area beginning from a point on the inside-outside line at Latitude 29 degrees 02 minutes 50.38 seconds N, Longitude 90 degrees 50 minutes 30.80 seconds W, thence continuing south to Latitude 29 degrees 02 minutes 21.66 seconds N, Longitude 90 degrees 50 minutes 32.74 seconds W, thence continuing westward to Latitude 29 degrees 02 minutes 25.99 seconds N, Longitude 90 degrees

51 minutes 17.43 seconds W, thence continuing northwest to Latitude 29 degrees 02 minutes 44.68 seconds N, Longitude 90 degrees 52 minutes 42.17 seconds W, thence continuing north-northwest to Latitude 29 degrees 03 minutes 04.67 seconds N, Longitude 90 degrees 53 minutes, 25.74 seconds W, thence continuing northward to Latitude 29 degrees 03 minutes 39.94 seconds N, Longitude 90 degrees 53 minutes 27.59 seconds W, thence continuing northeast to a point on the inside-outside line at Latitude 29 degrees 05 minutes 07.96 seconds N, Longitude 90 degrees 51 minutes 34.74 seconds W. All waters within the described buffer above and within the current one-half statute mile seaward buffer adjacent to this area shall be closed to menhaden harvest. All coordinates are in NAD 1983 feet.

c. Restrictions off West Grand Terre Island. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Barataria Pass (Latitude 29 degrees 16 minutes 19.03 seconds N, Longitude 89 degrees 56 minutes 42.19 seconds W) to the western shore of Pass Abel (Latitude 29 degrees 17 minutes 50.67 seconds N, Longitude 89 degrees 54 minutes 30.80 seconds W). All coordinates are in NAD 1983 feet.

d. Restrictions off Grand Isle. The menhaden season shall apply to waters beginning 3 statute miles seaward of the inside-outside line from the eastern shore of Caminada Pass (Latitude 29 degrees 11 minutes 55.77 seconds N, Longitude 90 degrees 02 minutes 28.00 seconds W) to the eastern shore of Barataria Pass (Latitude 29 degrees 16 minutes 19.03 seconds N, Longitude 89 degrees 56 minutes 42.19 seconds W). All coordinates are in NAD 1983 feet.

e. Restrictions off Elmer's Island. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Belle Pass (Latitude 29 degrees 05 minutes 10.22 seconds N, Longitude 90 degrees 13 minutes 24.89 seconds W) to the eastern shore of Caminada Pass (Latitude 29 degrees 11 minutes 55.77 seconds N, Longitude 90 degrees 02 minutes 28.00 seconds W). All coordinates are in NAD 1983 feet.

E. - E.1. ...

2. Breton Sound and Chandeleur Sound Buffer Restrictions

a. The menhaden season shall not apply to waters in Chandeleur and Breton Sounds on the inside of the Chandeleur Islands bounded by the area beginning at a point on the inside-outside line at Latitude 29 degrees 44 minutes 45.35 seconds N, Longitude 88 degrees 54 minutes 14.82 seconds W, thence northwest to a point at Latitude 29 degrees 45 minutes 51.19 seconds N, Longitude 88 degrees 54 minutes 46.84 seconds W, thence northeast to a point at Latitude 29 degrees 49 minutes 23.13 seconds N, Longitude 88 degrees 52 minutes 48.41 seconds W, thence northwest to a point at Latitude 29 degrees 51 minutes 29.54 seconds N, Longitude 88 degrees 52 minutes 55.94 seconds W, thence northeast to a point at Latitude 29 degrees 53 minutes 11.74 seconds N, Longitude 88 degrees 51 minutes 34.82 seconds W, thence north to a point at Latitude 29 degrees 56 minutes 35.56 seconds N, Longitude 88 degrees 51 minutes 30.31 seconds W, thence northwest to a point at Latitude 30 degrees 02 minutes 58.34 seconds N, longitude 88 degrees 53 minutes 43.96 seconds W, thence east to a point on the inside-outside line at Latitude 30 degrees 03 minutes 12.42

seconds N, Longitude 88 degrees 52 minutes 17.49 seconds W, thence southerly along the inside-outside line to the point of beginning. All coordinates are in NAD 1983 feet.

F.1. - F.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:313, R.S. 56:315, R.S. 56:326.3, and R.S. 56:409.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), LR 19:58 (January 1993), LR 19:1179 (September 1993), LR 48:1588 (June 2022), LR 49:514 (March 2023), LR 50:830 (June 2024), LR 52:

Family Impact Statement

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments relative to the proposed Rule to Jason Adriance, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to jadriance@wlf.la.gov by 3 p.m. on February 5, 2026.

Kevin Sagrera
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Menhaden Season

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to impact costs or savings to state or local governmental units.

The proposed rule change updates the statewide buffer zones for the commercial menhaden fishery, which are the areas of Louisiana waters in which the commercial harvest of menhaden is prohibited. The proposed rule change reduces the buffer zones for portions of the state from one-half mile wide to one-quarter mile wide and eliminates the buffer zone in a stretch of open water between Breton Island and Baptiste Collette in Plaquemines Parish. The proposed rule change adds a buffer zone in Breton Sound and Chandeleur Sound and near the Chandeleur Islands and Isle Dernieres.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is anticipated to increase state and local sales taxes and income taxes due to an increase in menhaden landings within the state. The decrease in the buffer zones along the coastline would make Louisiana a more attractive location for harvesting menhaden. Since the fishermen will be fishing closer to shore, this would reduce travel costs for the menhaden industry. To the extent additional fishermen are attracted to Louisiana due to lower travel costs, a corresponding increase in landings can be anticipated. The department projects that this increase in fishermen may create a 4% increase in landings in the state. If landings do increase by 4% the state would generate \$848,000 in tax revenue. To the extent the proposed rule change does not lead to an increase in the number of fishermen or menhaden landings within the state, the estimate provided here will decrease accordingly.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is anticipated to increase the receipts or income for commercial fishermen and seafood processors involved in the harvest and processing of menhaden. The proposed rule change has the potential to increase menhaden harvests by as much as 4% with a corresponding increase of up to \$4.6 million in dockside value. This estimate assumes that menhaden harvesters from other states will now choose Louisiana over other Gulf states. To the extent the proposed rule change does not lead to an increase in the number of fishermen or menhaden landings within the state, the estimate provided here will decrease accordingly.

The proposed rule change may harm anglers in waters between one-quarter mile and one-half mile from the inside-outside line, who may object to perceived user conflicts with commercial menhaden-harvesting vessels operating within that area. It may have a positive effect on anglers who fish in Chandeleur Sound and Breton Sound by reducing the presence of commercial menhaden vessels in those areas.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change may result in an increase in competition and employment in Louisiana. The Thomas J. Murray and Associates study places employment in the commercial menhaden industry in Louisiana and Mississippi in 2019 at an estimated 884 full-time equivalents (FTE). If employment were proportionate to Louisiana's share (69 percent) of the two states' combined landings, the number of jobs in the Louisiana menhaden industry would be 610 FTE. The proposed rule change will increase the area available for commercial menhaden harvests by approximately 4%. Assuming landings and employment were to increase proportionately, the proposed rule change may be expected to increase employment by as many as 24 FTE.

Bryan McClinton
Undersecretary
2512#045

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

Committee Reports

COMMITTEE REPORT

Senate Committee on Health and Welfare

Oversight Consideration of Proposed Rule
Board of Nursing—Faculty and Faculty Organization of
Undergraduate and Graduate
Nursing Education Degree Programs (LAC 46:XLVII.3515)

In accordance with the powers conferred by the Administrative Procedure Act in R.S. 49:966, the Senate Committee on Health and Welfare met on December 2, 2025, to exercise oversight authority over the attached proposed rule submitted by the Louisiana State Board of Nursing. This correspondence shall serve as the written report of the committee required in R.S. 49:966(F).

The proposed rule, received by the committee on November 6, 2025, quantifies the percentage of allowable exceptions to the academic qualifications for undergraduate nurse faculty. After a hearing on the matter, the Senate committee, by majority vote of the members present and voting, rejected the proposed revision to LAC 46:XLVII.3515.

Due to concerns regarding the rule's potential to exacerbate the nursing shortage, a majority of the Senate committee members found that the proposed rule lacked advisability and was therefore unacceptable.

Patrick McMath
Chair

2512#081

Potpourri

POTPOURRI

Department of Agriculture and Forestry Board of Veterinary Medicine

Board Nominations, Examination Dates, and
Board Meeting Dates

Board Nominations

The Board of Veterinary Medicine announces that the nomination slate for the open board member position for the 2026 appointment will be presented at the Louisiana Veterinary Medical Association (LVMA) 2026 Business Meeting being held in late-March 2026.

In accordance with R.S. 37:1515, a person shall be qualified to serve as a member of the board if he is a graduate of a veterinary school, a resident of this state, and has been licensed to practice veterinary medicine in this state for the five years immediately preceding the time of his appointment. Additionally, no person may serve on the board who is or was during the two years immediately preceding his appointment, a member of the faculty, trustee or advisory board of a veterinary school. It is not necessary to be a member of the LVMA to be nominated.

Interested persons should submit the names of nominees directly to the LVMA for future consideration. For more details, the LVMA may be contacted via telephone at (225) 928-5862 or via email at office@lvma.org.

Jared Granier, MBA
Executive Director

Examination Dates

The Board of Veterinary Medicine will administer the State Board Examination (SBE) for licensure to practice veterinary medicine in-person in the board office on the first Tuesday of every month but subject to change due to office closure (i.e. - holiday, weather). The SBE can also be taken online once an application for licensure is submitted and fees are paid. Updated exam dates, deadlines, and sign-up instructions can be found at www.lsbvm.org/sbe.

There are three testing windows to take the North American Veterinary Licensing Examination (NAVLE) which will be administered through the International Council for Veterinary Assessment (ICVA). Applicants for NAVLE testing should visit the ICVA's website at www.icva.net/navle. NAVLE candidates need only to apply online with ICVA to sit for the NAVLE.

Those interested in taking the Veterinary Technician National Examination (VTNE) should apply through the AAVSB by visiting the AAVSB's website at www.aavsb.org. Current students of or graduates from AVMA-accredited institutions need only to apply online with AAVSB to sit for the VTNE. For those from non-AVMA-accredited institutions, approval from the LBVM will also be required

The exam window dates and application deadlines for the NAVLE and the VTNE can be found at www.lsbvm.org/deadlines. No late application will be accepted. Requests for special accommodations must be made directly with the testing vendors as early as possible for review and acceptance. Application for licensure and exam information is available online at www.lbvm.org. Call 225-925-6620 or email admin@lsbvm.org with any questions.

Board Meeting Dates

The members of the Board of Veterinary Medicine will meet at 8:30 a.m. on the following dates through 2026:

Thursday, February 5, 2026
Thursday, April 2, 2026
Thursday, June 4, 2026
Thursday, August 6, 2026
Thursday, October 8, 2026
Thursday, December 3, 2026

Dates and locations are subject to change. All board meetings will be held on these dates and at the board office at 5825 Florida Blvd (LA Department of Agriculture and Forestry Building), unless noted otherwise. For more information, please visit www.lsbvm.org/meetingdates or contact the board office via telephone at (225) 925-6620 or via email at admin@lsbvm.org.

Jared Granier, MBA
Executive Director

2512#001

POTPOURRI

Department of Agriculture and Forestry Office of Forestry Forestry Commission

Adopted Severance Tax Values for 2026

The Department of Agriculture and Forestry, Office of Forestry, Forestry Commission, hereby gives notice of the Severance Tax Values for 2026. Pursuant to La. R.S. 47:633 the Louisiana Forestry Commission has adjusted the adopted rates for Pine Sawtimber, Hardwood Sawtimber, Pine Chip-n-Saw, Pine Pulpwood, and Hardwood Pulpwood.

Adopted Severance Tax Values for 2026			
Product	Value Per Ton	Tax Rate	Tax Per Ton (2026)
Pine Sawtimber	\$31.16	2.25%	\$0.70
Hardwood Sawtimber	\$36.53	2.25%	\$0.82
Pine Chip-n-Saw	\$17.36	2.25%	\$0.39
Pine Pulpwood	\$5.97	5.00%	\$0.30
Hardwood Pulpwood	\$6.36	5.00%	\$0.32

Mike Strain, DVM
Commissioner

2512#038

POTPOURRI

Department of Children and Family Services

Notice of Public Hearing
Request for Comments on Rulemaking

In accordance with R.S. 49:964(B), the Department of Children and Family Services (DCFS) hereby gives notice of a public hearing to be held on Wednesday, January 21, 2026 at 9 a.m. in the Iberville Building, Room 1-127, located at 627 North Fourth Street, Baton Rouge, LA. The purpose of this hearing is to provide any interested person the opportunity to comment on department rules contained in *Louisiana Administrative Code*, Title 67, that the person believes is contrary to law, outdated, unnecessary, overly complex, or burdensome.

All interested persons will be afforded the opportunity to submit data, views, or arguments, either orally or in writing regarding department rules. The department will consider all written and oral comments; however, oral comments must also be submitted in writing for submission to the legislative oversight committees. Written comments may be submitted to Yazan Rantisi, DCFS Policy and Rulemaking Director, P.O. Box 3776, Baton Rouge, LA 70821, or by email to DCFSPublicHearings@la.gov. All comments must be received no later than 4:30 p.m. on January 21, 2026.

Individuals with disabilities who require special services should contact the DCFS Policy and Rulemaking Unit at least seven working days before the hearing. For assistance, call (225) 219-0210 (voice and TDD).

Haley Williams
Deputy Secretary

2512#039

POTPOURRI

Coastal Protection and Restoration Authority

Public Hearings—Fiscal Year 2027 Draft Annual Plan

The Coastal Protection and Restoration Authority (CPRA) will hold the following public hearings to receive public comments on Louisiana’s “Fiscal Year 2027 Draft Annual Plan.”

Tuesday, January 6, 2026 5:30 p.m.	The Coastal Center at Nicholls University 426 NSU Ardoyne Drive Thibodaux, LA 70301
Thursday, January 8, 2026 5:30 p.m.	Joseph S. Yenni Building Second Floor Council Chambers 1221 Elmwood Park Blvd Jefferson, LA 70123
Monday, January 12, 2026 5:30 p.m.	LSU AgCenter 1105 West Port Street Abbeville, LA 70510

Public Comments

CPRA will receive written comments and recommendations on the Fiscal Year 2027 Draft Annual Plan until February 17, 2026. Written comments should be mailed (to arrive no later than February 17, 2026) to the following address:

Coastal Protection and Restoration Authority
Public Comments
150 Terrace Avenue
Baton Rouge, LA 70802

If, because of a disability, you require special assistance to participate, please contact the CPRA at 150 Terrace Avenue, Baton Rouge, LA 70802 or by telephone at (225) 342-1357 at least five working days prior to the hearing.

Interpretation and translation services can also be provided upon request by contacting coastal@la.gov.

Please visit coastal.la.gov/calendar/ for more detailed information and copies of the Fiscal Year 2027 Draft Annual Plan which will be posted prior to the public hearings.

For questions regarding the hearings, please contact Ryan Shaw at Ryan.Shaw@la.gov or (225) 342-1357.

Candace Oby
Chief Financial Officer

2512#018

POTPOURRI

**Department of Conservation and Energy
Office of Enforcement**

Orphaned Oilfield Sites

Office of Enforcement records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	001	76360
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	002	76568
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	003	77062
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	004	77085
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	005	80533
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	009	83157
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray SWD	012	175696
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	013	247785
BJT Properties of LaSalle, LLC	Colgrade	S	D O Pray	014	247786
Central Equipment Rentals Inc	Cecelia, North	L	EE Willis	001	85204 (30) flowline/pipe
Faith Oil Company	Pendleton-Many	S	M L Ford	001	200071

Operator	Field	District	Well Name	Well Number	Serial Number
John L. Brown	Monroe	M	Aaron	001	182710
John W. Thomas	Caddo Pine Island	S	Tom Thomas	B1	41150
Pecos Western Corporation	Lake St. Catherine	L	SL 3327	003	72820 (30) Pilings and flowlines
Ross Exploration, Inc	Caddo Pine Island	S	Caddo Levee Board	022	49297(30) trash & debris
Smith-Wentworth	Wildcat-No La Monroe Dist	M	Quinn /C/	003	156596
Superior Energy Services, LLC	Marrero	L	SES	001	229696
The Meridian Res. & Exp. LLC	Phoenix Lake	L	HBV RB SUA;E W Brown Jr et al	002	234618
The Meridian Res. & Exp. LLC	White Castle	L	WC V RD SU; Wilbert	298	971809
The Meridian Res. & Exp. LLC	White Castle	L	WC V RD SU; Wilbert	299	971814
The Meridian Res. & Exp. LLC	White Castle	L	WC V RD SU; Wilbert	296	971817

Manny Acosta
Executive Director

2512#020

POTPOURRI

**Department of Conservation and Energy
Office of Permitting and Compliance**

Public Hearing—Crescent Midstream, L.L.C.
Commercial Class II Injection Well Disposal Facility

Notice is hereby given that the secretary of Conservation and Energy will conduct a hearing at 6 p.m., Tuesday, January 20, 2026, at the Grand Isle Multiplex Building, located at 3101 LA Hwy 1, Grand Isle, Louisiana.

At such hearing, the secretary, or his designated representative, will hear testimony relative to the application of Crescent Midstream, LLC, 263 Trinity Ln, Gray, Louisiana 70359. The applicant requests approval from the Department of Conservation and Energy to construct and operate a commercial class II injection well disposal facility for disposal of exploration & production waste (E&P Waste) fluids located in Section 32, Township 21 South, Range 25 East in Jefferson Parish.

The application is available for inspection by contacting Mr. Christopher Delmar, Department of Conservation and Energy, Office of Permitting and Compliance, Eighth Floor of the LaSalle Office Building, 617 North 3rd Street, Baton Rouge, Louisiana. Copies of the application will be available for review at the Jefferson Parish Courthouse building and the Jefferson Parish Public Library located at 143 Ludwig Ln. Grand Isle, Louisiana, no later than 30 days prior to the hearing date. Verbal information may be received by calling Mr. Delmar at (225) 342-3019.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing. Written comments which will not be presented at the hearing must be received no later than 4:30 p.m., Tuesday, January 27, 2026, at the Baton Rouge Office. Comments should be directed to:

Department of Conservation and Energy
Office of Permitting and Compliance
P.O. Box 94396
Baton Rouge, Louisiana 70804
Re: Docket No. ENV 2026-01
Commercial Facility Well Application
Jefferson Parish

Gavin Broussard
Director

2512#010

POTPOURRI

**Department of Environmental Quality
Office of the Secretary
Legal Affairs Division**

Notice of Report of Findings for the
2024 Triennial Review of Louisiana
Water Quality Standards

The Department of Environmental Quality has completed its review of Louisiana’s Water Quality Standards (WQS), which can be found in LAC 33:IX.Chapter 11. This review was conducted to evaluate the need to update or revise the WQS in order to remain consistent with state and federal law in relation to Triennial Review process. A Report of Findings document was drafted to enumerate all of the agency’s findings; this report can be found here: <https://www.deq.louisiana.gov/page/triennial-review>. (2512Pot1)

The review identified multiple items requiring clarity and necessitating rulemaking. A Notice of Intent for the proposed Rule is anticipated to be published in the *Louisiana Register* on or before the March 2026 edition. Tracking number WQ117 has been assigned for this rulemaking effort.

Please e-mail WQ.Standards@la.gov if you have any questions related to the triennial review.

Jill C. Clark
General Counsel

2512#032

POTPOURRI
Office of the Governor
Office of Financial Institutions

Judicial Interest Rate for 2026

Pursuant to authority granted by R.S. 13:4202(B)(1), as amended, the Louisiana Commissioner of Financial Institutions has determined that the judicial rate of interest for calendar year 2026 will be seven and one-half percent (7.50 percent) per annum.

P. Scott Jolly
Commissioner

2512#002

POTPOURRI
Department of Health
Health Standards Section

Notice of Public Hearing
Substantive Changes to Proposed Rule
Hospitals—Licensing Standards (LAC 48:I.9323 and 9479)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Health, Health Standards Section (the department), published a Notice of Intent in the September 20, 2025 edition of the *Louisiana Register* (LR 51:1494-1495) to amend LAC 48:I.9323, §9479, and §9501 as authorized by R.S. 36:254. This Notice of Intent proposed to amend provisions governing the licensing of hospitals to update hospital administrator requirements, and to clarify requirements of the director of nursing and registered nurse manager.

As a result of comments received in response to the proposed Rule, the department determined that additional, non-technical revisions were necessary to the provisions of the September 20, 2025 Notice of Intent.

Taken together, these revisions will closely align the proposed Rule with the department's original intent and the concerns brought forth during the comment period for the Notice of Intent as originally published.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification
Chapter 93. Hospitals
Subchapter B. Hospital Organization and Services
§9323. Administration

A. In accordance with the hospital policy, there shall be a full-time administrator or administrator designee, who is responsible for hospital operations. The administrator or administrator designee shall be given power by the governing body.

1. - 1.b.Repealed.

B. - G.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals,

Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2407 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:1481 (October 2024), LR 51:958 (July 2025), LR 52:

Subchapter P. Rehabilitation Services (Optional)
§9479. Organization and Staffing

A. - C. ...

D. A general hospital rehabilitation unit shall have a registered nurse (RN) as unit manager. The RN shall have at least one year of clinical nursing experience providing rehabilitative nursing care. The unit shall provide:

1. - 2. ...

E. In a rehabilitation hospital, the director of nursing (DON) services shall be a full-time RN. The DON shall have three years clinical nursing experience. At least one year of clinical nursing experience shall be in providing rehabilitative nursing care. In addition to the DON services, the hospital shall provide:

E.1. - J.12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 21:177 (February 1995), amended LR 29:2423 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:1490 (October 2024), LR 52:

Public Hearing

Interested persons may submit written comments to Cecile Castello, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. A public hearing on the substantive changes to the proposed Rule is scheduled for February 4, 2026 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views, or arguments either orally or in writing. The deadline for receipt of all written comments is February 5, 2026 at 4:30 p.m.

Bruce D. Greenstein
Secretary

2512#050

POTPOURRI
Department of Insurance
Office of the Commissioner

Notice of Public Hearing—Plan of Reorganization
Louisiana Farm Bureau Mutual Insurance Company

The Department of Insurance hereby gives notice of a public hearing to be held on January 16, 2026, regarding the conversion of Louisiana Farm Bureau Mutual Insurance Company from a mutual insurance company to a stock insurance company pursuant to R.S. 22:237.6. The public hearing is being held for the purpose of hearing evidence to determine if the Plan of Reorganization submitted by Louisiana Farm Bureau Mutual Insurance Company (1) properly protects the interests of the policyholders as such and as members; (2) serves the best interests of policyholders and members; and (3) is fair and equitable to policyholders and members as required by R.S. 22:237.6. The public hearing shall be conducted in accordance with

R.S. 22:237.6, Rule 1 of the Department of Insurance, and the Administrative Procedures Act.

Public Hearing

The public hearing will be held by the Department of Insurance on January 16, 2026, at 10 a.m. in the Poydras Hearing Room, Poydras Building, 1702 North Third Street, Baton Rouge, Louisiana. If you are interested in participating in the public hearing, you have the option to make comments or provide evidence. You can do this by submitting your comments or evidence in writing to David Caldwell, Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by close of business, January 9, 2026, by 4:30 p.m. Comments or evidence received by January 9, 2026, will be posted on the Department of Insurance website at

<https://www.ldi.la.gov/public-hearing-and-rulemaking-notices>. The provided link directs to the public hearing notices page of the Department of Insurance website. This page contains announcements and information regarding upcoming public hearings conducted by the Department of Insurance. Users can access documents, notices, and other relevant information related to these proceedings. It is recommended to visit the website directly for the most up-to-date information from the Department of Insurance on this public hearing. Interested persons may appear at the public hearing to provide comments or evidence as well.

Claire Lemoine
Deputy General Counsel

2512#009

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