CONTENTS **February 2026**

I. EXECUTIVE ORDERS

JML 26-001 Amendment to Fiscal Responsibility Program 195
JML 26-002 Flags at Half-Staff—The Honorable Robert "Bob" Kostelka 196
JML 26-003 Renewal of State of Emergency—Maximum Security Camp J Repairs and Operation Louisiana State Penitentiary 196
JML 26-004 Renewal of State of Emergency—Hurricane Ida 198
JML 26-005 Renewal of State of Emergency—Threat of Subsidence, Subsurface Instability, and Presence of Hydrocarbons in Sulphur Mines Salt Dome Area 198
JML 26-006 State of Emergency—Winter Weather Preparation—January 22, 2026 199
JML 26-007 Renewal of State of Emergency—City of Tallulah Water System 200
JML 26-008 Renewal of State of Emergency—Cybersecurity Incidents 201
JML 26-009 State of Emergency—Licensed Bed Capacity for Nursing Facilities 202
JML 26-010 State of Emergency—Suspension of Early Voting 203
JML 26-011 Modernizing Louisiana's Workforce for a New Era 204
JML 26-012 Flags at Half-Staff—Deputy Timothy David Jordan 205
JML 26-013 Flags at Half-Staff—Deputy Christopher Paul Ohlmeyer 205
JML 26-014 Bond Allocation 2026 Ceiling and Carry Forward Bond Allocation 2025 206
JML 26-015 Bond Allocation 2026 Ceiling Amendments 207

II. EMERGENCY RULES

Wildlife and Fisheries

Wildlife and Fisheries Commission—Chronic Wasting Disease Control Areas 208
Shrimp Season Closure in Portions of State Outside Waters 208
Shrimp Season Closure in Portions of Zone 1 State Inside Waters 209

III. RULES

Agriculture and Forestry

Board of Veterinary Medicine—Various Rules Related to Licensing and Continuing Education for DVMs, RVTs, and CAETs (LAC 46:LXXXV.305, 407, 811, 1213, and 1215) 210

Conservation and Energy

Office of the Secretary—Open Meetings via Electronic Means (LAC 43:I.Chapter 20) 212

Education

Board of Elementary and Secondary Education—Bulletin 746—Louisiana Standards for State Certification of School Personnel—Certification Endorsement (LAC 28:CXXXI.1353) 213
Comprehensive Assessments (LAC 28:XI.1707, 1903, 5107, 5701, 6803, 6821, 6827, and 6829, LAC 28:CXV.323 and 2316) 213
Implementation of Education Acts of the 2025 Regular Legislative Session (LAC 28:CXV.1301; (LAC 28:CLXI.1715 and 1727) 215

Governor

Firefighters Pension and Relief Fund for the City of New Orleans and Vicinity—Retirement (LAC 58:V.Chapters 1-21) 216

Health

Board of Practical Nurse Examiners—Employment of Practical Nursing Students and Unsuccessful Candidates on the NCLEX-PN (LAC 46:XLVII.1706) 225
Bureau of Health Services Financing—Dental Benefits—Prepaid Ambulatory Health Plan—Enrollment Broker (LAC 50:I.2105) 225
Managed Care for Physical and Behavioral Health—Enrollment Broker (LAC 50:I.3105 and 3107) 226
Health Standards Section—Free-Standing Birth Centers—Licensing Standards (LAC 48:I.6737 and 6743) 228
Office of Public Health—Day Care Centers and Residential Facilities (LAC 51:XXI.101 and 105) 228
Sickle Cell Disease Registry (LAC 48:V.Chapter 86) 229

Louisiana Economic Development

Office of Economic Development—Louisiana Biomedical Research and Development Park Program (LAC 13:I.Chapter 13) 232
Louisiana University Research and Development Parks Program (LAC 13:I.Chapter 15) 233
Site Investment and Infrastructure Improvement Fund (LAC 13:I.Chapter 55) 234

Public Safety and Corrections

Board of Private Security Examiners—Private Security Examiners (LAC 46:LIX.Chapter 4, 5, 6, 7, 8, 9, and 10) 237
Office of Motor Vehicles—Electric and Hybrid Vehicle Road Usage Fee (LAC 61:I.5501) 243

Revenue

Tax Policy and Planning Division—Petition for Rulemaking (LAC 61:III.103) 244
Sales Tax on Vending Machine Sales (LAC 61.I.4301) 245
Work-Based Learning Tax Credit-Eligible Apprentice (LAC 61:I.1909) 245

IV. NOTICES OF INTENT

Children and Family Services

Division of Child Welfare—Louisiana Pregnancy and Baby Care Initiative (LAC 67:V.Chapter 9) 247

Education

Board of Elementary and Secondary Education—Bulletin 746–Louisiana Standards for State Certification of School Personnel—Certification Endorsement (LAC 28:CXXXI.547, 1901, 1903, 1904, 1909, 1911, 1913, and 2103) 249

Environmental Quality

Office of the Secretary, Legal Affairs Division—Solid Waste and Waste Tire Public Notice Revision (LAC 33:VII.509, 513, and 10513) 252

Governor

Department of Veterans Affairs—Cemeteries (LAC 4:VII.990) 254

Military Family Assistance Grants (LAC 4:VII.Chapter 9) 255

Division of Administration, Office of the Commissioner—Nongovernmental Entity Database Reporting (LAC 4:XXIV.Chapter 1) 261

Division of Administration, Office of Group Benefits—Payment of Premiums (LAC 32:I.307 and 319) 263

Uniform Construction Code Council—International Building Code and International Existing Building Code Changes (LAC 17:I.103 and 105) 264

Health

Board of Dentistry—Continuing Education Requirements (LAC 46:XXXIII.1611 and 1613) 271

Bureau of Health Services Financing—Medicaid Program Integrity Fraud, Waste and Abuse Recovery (LAC 50:I.Chapters 41-46) 272

Louisiana Economic Development

Louisiana Economic Development Corporation—Collateral Support Program (LAC19:VII Chapter 91) 284

Louisiana Seed Capital Program (LAC19:VII Chapter 89) 289

Micro Loan Program (LAC 19:VII.Chapter 76) 291

Small Business Loan Guaranty Program (LAC19:VII.Chapter 5) 296

Office of Economic Development—Collateral Support Program (LAC19:VII.Chapter 91) 284

Louisiana Seed Capital Program (LAC19:VII Chapter 89) 289

Micro Loan Program (LAC 19:VII.Chapter 76) 291

Motion Picture Production Tax Credit Program (LAC 61:I.Chapter 61) 300

Small Business Loan Guaranty Program (LAC19:VII.Chapter 5) 296

Revenue

Tax Policy and Planning Division—Election of Pass-Through Entities (LAC 61:I.1001) 306

Income Tax Withholding Tables (LAC 61:I.1501) 308

Wildlife and Fisheries

Wildlife and Fisheries Commission—Size Regulations for Filleted Saltwater Fish (LAC 76:VII.393) 317

V. POTPOURRI

Agriculture and Forestry

Office of Agricultural and Environmental Sciences, Structural Pest Control Commission Approved Termiticides and Manufacturers 320

Children and Family Services

Temporary Assistance for Needy Families (TANF) Caseload Reduction Credit for FFY 26 321

Conservation and Energy

Office of the Secretary—Notice of Public Hearing—Substantive Changes to Proposed Rule Regulation of Solar Power Generation Facilities (LAC 43:I.5101-5121) 321

Governor

Division of Administration, Office of Facility Planning and Control—Notice of Public Hearing Designer Contracts (LAC 34:III.129) 324

Insurance

Office of the Commissioner—Notice of Public Hearing—Acquisition of Louisiana Farm Bureau Mutual Insurance Company by Southern Farm Bureau Casualty Insurance Company 324

Wildlife and Fisheries

Wildlife and Fisheries Commission—Notice of Public Hearing—Substantive Changes to Proposed Rule Administration of the Natural and Scenic Rivers and Historic and Scenic Rivers (LAC 76:IX.117 and 118) 325

VI. INDEX 327

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Executive Orders

EXECUTIVE ORDER JML 26-001

Amendment to Fiscal Responsibility Program

WHEREAS, Louisiana deserves a government as good as her people;

WHEREAS, thanks to the hard work of our legislature and numerous stakeholders, officials, and citizens, we have recently passed historic tax legislation to Louisiana's citizens, returning our people's tax dollars back to them;

WHEREAS, our state government has worked diligently in the past two years to eliminate wasteful spending and to identify areas to improve government efficiency;

WHEREAS, state budgets have ballooned even while our population shrank;

WHEREAS, much more work is needed to be done to address a bloated government budget so that our budget accurately serves the needs of our citizens;

WHEREAS, as a United States Congressman, I worked to reduce our federal government spending and to use our tax dollars responsibly;

WHEREAS, as Attorney General of Louisiana, I continued to fight wasteful spending and worked to save millions in taxpayer dollars;

WHEREAS, I worked to create efficiencies, cut costs, and empowered our state employees to help us find ways to modernize our government;

WHEREAS, as Governor, I worked to create a budget with a final reduction of $2 billion from the previous state budget;

WHEREAS, we have more work to do to create a state budget that prioritizes the needs of the people and provides the necessary services;

WHEREAS, our government can and should be more efficient, modern, and accountable to our people;

WHEREAS, numerous opportunities exist to save money, avoid wasteful spending, and make our government leaner and more responsible; and

WHEREAS, input from every state employee, stakeholder, and citizen is welcome and necessary as we embark on this endeavor to make our government more responsible and efficient.

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 Fiscal Responsibility Program is hereby established within the executive department, Office of the Governor.

Section 2: The duties of the Fiscal Responsibility Program shall include, but are not limited to, the following:

A. Review the current expenditures in the state budget and identify opportunities for reductions.

B. Evaluate all state contracts to determine if they are necessary to renew, modify, or terminate.

C. Evaluate the staff levels at all state departments, agencies, and offices to determine where vacancies can be eliminated.

D. Evaluate all large acquisitions to determine if there are more cost-effective alternatives or if the acquisition is necessary at all.

E. Review all state programs that are not statutorily or legally required to determine if they can be eliminated or reduced.

F. Review all activities to identify areas of duplication within a department or across all of state government.

G. Determine any other discretionary State General Fund spending that can be reduced or eliminated.

H. Determine any other efficiencies that can be implemented to save State General Fund dollars or improve delivery of services without increasing costs.

I. Identify any efficiencies that can be made to reduce the burdens on taxpayers, including wait times for state services.

J. Identify areas where technology can help expedite state services, especially if the use of technology can result in cost-savings to the state.

K. Identify the most modern and efficient ways to provide services to our citizens.

K. Identify what services are no longer needed by citizens of our state.

L. Identify what services can be provided to our citizens at a lower cost.

M. Identify any possible areas that may be regarded as possible government waste.

N. Identify any areas where state government can be more modern, efficient, and less costly to taxpayers.

O. Meet and confer with any willing state government employee, official, stakeholder, or citizen to gather their input to identify the objects in this executive order.

Section 3: The Fiscal Responsibility Program shall be headed by a Fiscal Responsibility Czar, appointed by the Governor. The Czar has the authority to work with the Legislative Auditor, the Division of Administration, agency heads, and community stakeholders independently on this matter and shall provide a written report of his findings directly to the Governor, the Speaker of the House, and the Senate President no later than January 16, 2026.

Section 4: The Fiscal Responsibility Program shall be comprised of a minimum of nine members:

A. Four (4) members of the Louisiana State Senate, appointed by the President of the Senate;

B. Four (4) Members of the Louisiana House of Representatives, appointed by the Speaker of the House;

C. Additional members as needed as appointed by the Governor.

Section 5: The Fiscal Responsibility Czar, Steve Orlando, shall be the chair of the Fiscal Responsibility Program. All other officers, if any, shall be elected by the members of the Task Force.

Section 6: Meetings of the Fiscal Responsibility Program shall be held at the call of the Fiscal Responsibility Czar.

Section 7: Support staff, facilities, and resources for the Fiscal Responsibility Program shall be provided by the Office of the Governor and other departments of state government.

Section 8: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Task Force in implementing the provisions of this Order.

Section 9: This order is effective upon signature of the Governor, and it shall remain in effect until amended, modified, terminated or rescinded by the Governor, or until 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 January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#053

EXECUTIVE ORDER JML 26-002

Flags at Half-Staff—The Honorable Robert "Bob" Kostelka

WHEREAS, former district attorney, judge, and state senator Robert "Bob" Kostelka passed away on January 10, 2026 at age 92;

WHEREAS, he lived a life of public service, serving as District Attorney of the 4th Judicial District, District Court Judge of the 4th Judicial District, and Judge of the 2nd Circuit Court of Appeals;

WHEREAS, he served as a Louisiana state senator from 2003-2016;

WHEREAS, in recognition of his distinguished career, intellect, and dedication to the judicial system, he was nominated by President George H. W. Bush to the United States District Court in 1992;

WHEREAS, throughout his life of public service, he had a deep sense of duty, fairness, and commitment to doing what was right;

WHEREAS, as a reflection of his tremendous career in public service, he was inducted into the Louisiana Political Hall of Fame in 2022;

WHEREAS, in addition to his professional career, his dedication to the community was shown through his service as a YMCA football coach, boy scout leader, Louisiana Law Institute member and Sunday school teacher;

WHEREAS, he also loved travel, having a special fondness for the western states, especially Montana, which brought him a sense of peace and freedom;

WHEREAS, he will be remembered as a warm and devoted husband, father, grandfather, and great-grandfather and for his strength, integrity, and warmth;

WHEREAS, he lived his life leading by example with honor, hard work, and service to both his family and the community at large;

WHEREAS, he was preceded in death by his first wife Bobbie, son Clif, sister Billie and countless friends and associates;

WHEREAS, he is survived by his beloved wife, Felicia Kostelka; his children Kathryn Lemoine, William "Bill" Kostelka (Donna), Carol Gros (Terry), and Claire Texada (Chase); his grandchildren Evan Kostelka (Caroline), Katie Collandreau (Pierre) and Collins Marie Texada; his great-grandchildren Cooper, Molly, Carter, Eleanore, and Madeleine; and many extended family members and friends;

WHEREAS, Louisiana is indebted to him for his decades of leadership and enduring contributions.

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 The Honorable Robert "Bob" Kostelka, 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 January 15, 2026.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, January 15, 2026.

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 13th day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#054

EXECUTIVE ORDER JML 26-003

Renewal of 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)(l) 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 Executive Order JML 25-084;

WHEREAS, Executive Order JML 25-084 has been renewed and extended every thirty (30) days through Executive Order JML 25-143, which is in effect through Sunday, January 18, 2026;

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)(l), 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, January 16, 2026, until Sunday, February 15, 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 Louisiana in the City of Baton Rouge, on this 16th day of January 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#055

EXECUTIVE ORDER JML 26-004

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 25-144, which is in effect through Sunday, January 18, 2026;

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, January 16, 2026 to Sunday, February 15, 2026, 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 16th day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#056

EXECUTIVE ORDER JML 26-005

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 25-145 which is in effect through Sunday, January 18, 2026;

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, January 16, 2026, through Sunday, February 15, 2026, 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 16th day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#057

EXECUTIVE ORDER JML 26-006

State of Emergency—Winter Weather Preparation
January 22, 2026

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 the 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, 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, 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, GOHSEP is responsible for determining the requirements of the state and its political subdivisions for food, clothing, and other necessities and supplies in a designated emergency area;

WHEREAS, the National Weather Service has issued a Winter Storm Watch for much of the State effective Friday, January 23, 2026, with mixed snow, sleet, and ice creating significant impacts in northern and central Louisiana;

WHEREAS, the National Weather Service has issued Cold Weather Advisories for much of the State beginning Saturday, January 24, 2026, with additional advisories and updates anticipated as forecast confidence increases;

WHEREAS, icy precipitation and accumulations are forecast to create hazardous conditions that will severely impact roadways, cause tree damage, and lead to power and other infrastructure outages;

WHEREAS, further impacts are anticipated due to extreme cold temperatures, with hard freezes expected to persist into next week in the southern parishes of the State and subfreezing temperatures continuing for 70 to 90 hours in the northern parishes;

WHEREAS, prolonged freezing temperatures have the potential to damage water systems, cause pipe failures, and disrupt essential services;

WHEREAS, extended power outages during periods of extreme cold present a serious threat to vulnerable populations;

WHEREAS, parishes statewide may require assistance from the State to provide resources to protect the life, safety, and welfare of the citizens of Louisiana;

WHEREAS, this is expected to be a prolonged winter event lasting through Monday, January 26, 2026;

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 as a result of the emergency conditions that currently threaten 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 the entire State of Louisiana.

Section 3: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 4: 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 5: Pursuant to R.S. 29:724(D)(l), 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, and any other emergency amendments to existing contracts.

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 event.

Section 7: This Order is effective upon signature and shall remain in effect from Thursday, January 22, 2026 until Saturday, February 21, 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 Louisiana in the City of Baton Rouge, on this 22nd day of January 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#058

EXECUTIVE ORDER JML 26-007

Renewal of State of Emergency
City of Tallulah Water System

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 25-147, which is in effect through Thursday, January 22, 2026;

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)(l) 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 25-147 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)(l), 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 Thursday, January 22, 2026, and shall continue in effect until Saturday, February 21, 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 22nd day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#059

EXECUTIVE ORDER JML 26-008

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 25-148, which is in effect through Thursday, January 22, 2026;

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 Thursday, January 22, 2026, and shall continue in effect until Saturday, February 21, 2026, 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 22nd day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#060

EXECUTIVE ORDER JML 26-009

State of Emergency
Licensed Bed Capacity for Nursing Facilities

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 Executive Order No. JML 26-006;

WHEREAS, the National Weather Service has issued a Winter Storm Watch for much of Louisiana, effective Friday, January 23, 2026, with mixed snow, sleet, and ice creating significant impacts in northern and central Louisiana;

WHEREAS, the National Weather Service has issued Cold Weather Advisories for much of Louisiana beginning Saturday, January 24, 2026, with additional advisories and updates anticipated as forecast confidence increases;

WHEREAS, icy precipitation and accumulations are forecast to create hazardous conditions that will severely impact roadways, cause tree damage, and lead to power and other infrastructure outages and damages;

WHEREAS, further impacts are anticipated due to cold temperatures, with hard freezes expected to persist for several days in the southern parishes of the State and subfreezing temperatures continuing for 70 to 90 hours in the northern parishes;

WHEREAS, prolonged freezing temperatures have potential to damage water systems, cause pipe failures, and disrupt essential services;

WHEREAS, extended power outages during periods of extreme cold present a serious threat to vulnerable populations;

WHEREAS, evacuations of nursing facilities, relocations of nursing facility residents, and admission to nursing facilities may be necessary during extended power outages, prolonged freezing temperatures, or hazardous winter conditions;

WHEREAS, the State of Louisiana desires to promote and protect the health, safety, and well-being of evacuees from this winter storm, and specifically those evacuees needing nursing facility services;

WHEREAS, the State of Louisiana desires to ensure the protection of such residents and evacuees in nursing facilities in times of declared emergencies;

WHEREAS, R.S. 40:2116.1(B)(1) prohibits the Department of Health from approving additional beds in nursing facilities;

WHEREAS, the State of Louisiana desires that residents and evacuees in nursing facilities be able to temporarily evacuate to safe sheltering locations during an emergency;

WHEREAS, the State of Louisiana, desires to minimize the impact of this winter storm on the residents of nursing facilities; and

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;

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: The provisions of R.S. 40:2116.1(B)(1) are hereby suspended for the purpose of allowing the Secretary of the Department of Health and the Louisiana Surgeon General, at their discretion, to establish such protocols, policies, and procedures as to allow a licensed nursing facility which accepts or receives evacuated residents to temporarily exceed its licensed bed capacity in the event of a declared emergency.

Section 2: The Secretary of the Department of Health and/or the Louisiana Surgeon General may establish such protocols, policies, and procedures without strict compliance with the requirements and provisions of the Administrative Procedure Act.

Section 3: This Order is effective upon signature and shall continue in effect from Friday, January 23, 2026, until Saturday, February 21, 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 Louisiana in the City of Baton Rouge, on this 23rd day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#061

EXECUTIVE ORDER JML 26-010

State of Emergency—Suspension of Early Voting

WHEREAS, several special elections have been set for February 7, 2026, including Special Legislative Primary Election (State Senator, 3rd Senatorial District, Parishes of Orleans and St. Bernard, State Representative, 37th Representative District, Parishes of Calcasieu and Jefferson Davis, State Representative, 60th State Representative District, Parishes of Assumption and Iberville, State Representative, 97th Representative District, Parish of Orleans, and State Representative, 100th Representative District, Parish of Orleans);

WHEREAS, the early voting period for this election is scheduled to begin on Saturday, January 24, 2026, at 8:30 a.m. and end on Saturday, January 31, 2026, at 6:00 p.m.;

WHEREAS, the National Weather Service has issued a Winter Storm Watch for much of the State effective Friday, January 23, 2026, with mixed snow, sleet, and ice expected to create significant impacts across the State;

WHEREAS, the National Weather Service has issued Cold Weather Advisories for much of the State beginning Saturday, January 24, 2026, with additional advisories and updates anticipated as forecast confidence increases;

WHEREAS, icy precipitation and accumulations are forecast to create hazardous conditions that will severely impact roadways, cause tree damage, and lead to power and other infrastructure outages;

WHEREAS, further impacts are anticipated due to extreme cold temperatures, with hard freezes expected to persist into next week in the southern parishes of the State and subfreezing temperatures continuing for 70 to 90 hours in the northern parishes;

WHEREAS, prolonged freezing temperatures have the potential to damage water systems, cause pipe failures, and disrupt essential services;

WHEREAS, extended power outages during periods of extreme cold present a serious threat to vulnerable populations;

WHEREAS, parishes statewide may require assistance from the State to provide resources to protect the life, safety, and welfare of the citizens of Louisiana;

WHEREAS, this is expected to be a prolonged winter event lasting through Monday, January 26, 2026;

WHEREAS, in response to this event, I have issued Executive Order JML 26-006, declaring a state of emergency across the entire state of Louisiana;

WHEREAS, the Commissioner of Administration has closed state offices statewide on Monday, January 26, 2026, due to the extreme weather;

WHEREAS, R.S. 18:401.1(A) provides a process, "to ensure maximum citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to qualify or exercise their right to vote, to minimize to whatever degree possible a person's exposure to danger during declared states of emergency, and to protect the integrity of the electoral process";

WHEREAS, R.S. 18:401.1(B) provides, in pertinent part, "[t]he governor may, upon issuance of an executive order declaring a state of emergency or impending emergency, suspend or delay any qualifying of candidates, early voting, or elections. The governor shall take such action only upon the certification of the secretary of state that a state of emergency exists";

WHEREAS, on January 23, 2026, the Secretary of State certified to the Governor that a state of emergency exists that would affect the electoral process, pursuant to R.S. 18:401.1;

WHEREAS, the Secretary of State has recommended an executive order be issued to suspend early voting in the parishes of Assumption, Calcasieu, Iberville, Jefferson Davis, Orleans, and St. Bernard on January 26, 2026, with early voting to resume in these parishes at 8:30 a.m. on Tuesday, January 27, 2026.

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: Early Voting is hereby suspended on Monday, January 26, 2026, from 8:30 a.m. until 6:00 p.m., in the parishes of Assumption, Calcasieu, Iberville, Jefferson Davis, Orleans, and St. Bernard. Early voting shall resume in these parishes at 8:30 a.m. on Tuesday, January 27, 2026.

Section 2: These elections shall continue to be held and conducted under the applicable provisions of the Louisiana Election Code, R.S. 18:1, *et seq*.

Section 3: This Order is effective upon signature and shall remain in effect from Friday, January 23, 2026, until Saturday, February 21, 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 Louisiana in the City of Baton Rouge, on this 23rd day of January 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#062

EXECUTIVE ORDER JML 26-011

Modernizing Louisiana's Workforce for a New Era

WHEREAS, Louisiana is experiencing an unprecedented period of economic development opportunity, with major private-sector investments creating immediate and sustained demand for skilled workers across the state, requiring a workforce development system capable of responding at speed and at scale;

WHEREAS, my administration is committed to empowering citizens to move from dependence to independence by modernizing Louisiana's workforce for a new era;

WHEREAS, recent and ongoing changes to public benefit systems, including Medicaid policy changes and major federal benefit reforms, will require more than 200,000 Louisianians to meet new benchmarks in order to maintain eligibility for public benefits, requiring the State to modernize and adapt its workforce system to meet this increased demand effectively;

WHEREAS, Louisiana's current workforce system dedicates a substantial share of available funding to personnel, operating, and administrative expenses, with local workforce areas collectively spending approximately seventy-three percent of workforce funds on such costs during calendar year 2025, limiting the State's ability to scale effective strategies and maximize the impact of public investments;

WHEREAS, in 2024, the Louisiana Legislature, through Senate Concurrent Resolution 11, urged the United States Congress to amend federal law to allow states to develop a consolidation plan for the delivery of workforce development to their citizens, in order to provide broader, more streamlined access to such services and to ensure coordinated delivery of workforce development programs;

WHEREAS, national workforce reform priorities under the Trump Administration have emphasized streamlining government, reducing administrative overhead, eliminating duplicative structures, and holding workforce systems accountable for measurable outcomes for workers, employers, and taxpayers;

WHEREAS, the Trump Administration's Department of Labor recently released Training and Employment Guidance Letter No. 05-25 Maximizing Innovation in Workforce Innovation and Opportunity Act (WIOA) Programs, encouraging states to request waivers of existing WIOA statutory or regulatory requirements that can help overcome specific barriers to innovation and align with the Administration's five strategic pillars for workforce investment, including recommendations to centralize governance of WIOA functions.

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: Louisiana Works is hereby directed to reform and modernize the State's public workforce development system to ensure it is capable of meeting current and anticipated workforce demand, including the increased volume of individuals entering the system as a result of changes to public benefit programs. This effort shall prioritize system capacity, efficiency, responsiveness, and measurable outcomes for workers and employers, while maintaining continuity of services across the State.

Section 2: Louisiana Works is hereby directed to pursue and implement available federal waivers, flexibilities, and administrative options to reduce unnecessary overhead, streamline governance and operations, and maximize the share of workforce resources dedicated to direct services. To the maximum extent practicable within federal parameters, Louisiana Works shall:

A. Establish a unified statewide planning and governance structure by authorizing the Workforce Investment Council (State Workforce Board) to carry out local board functions and allowing the WIOA State Plan to serve as the required regional plan for each local area;

B. Eliminate duplicative local governance, reporting, and operating requirements by consolidating workforce system oversight, contracting, and administrative functions at the state level;

C. Replace fragmented local oversight and compliance models with a single, statewide accountability and monitoring framework, including modernized standards for fiscal integrity and administrative efficiency;

D. Enable the receipt and administration of workforce funds in a consolidated or block grant to increase flexibility, reduce administrative burden, and support statewide workforce development priorities;

E. Increase the return on investment of state and federal workforce funds by redirecting resources from duplicative governance, infrastructure, and administrative overhead toward direct training, work-based learning, employment services, and supportive services;

F. Expand employer-driven workforce strategies through increased flexibility in training investments, work-based learning, and pay-for-performance contracting;

G. Strengthen pathways from dependence to independence by better coordinating workforce and supportive services, expanding post-employment supports that help citizens remain employed and advance in their careers, and prioritizing strategies that lead to long-term employment and self-sufficiency.

These actions shall be undertaken with the objective of operating a unified workforce development system that prioritizes measurable outcomes, strengthens employer engagement, improves service delivery for job seekers, and ensures responsible stewardship of state and federal workforce funds.

Section 3: Louisiana Works shall explore the development of a dedicated, employer-facing workforce solutions model designed to strengthen the State's ability to translate business demand into coordinated training, work-based learning, and talent deployment strategies. This exploration shall evaluate alternative approaches to governance, operational structure, performance accountability, and funding alignment, with the objective of

identifying a model that is agile, efficient, and focused on measurable outcomes for employers.

Section 4: 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 5: 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 29th day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#063

EXECUTIVE ORDER JML 26-012

Flags at Half-Staff—Deputy Timothy David Jordan

WHEREAS, on January 21, 2026, Deputy Timothy David Jordan tragically lost his life while bravely serving in the line of duty;

WHEREAS, he was born on December 13, 1985 in Deville, Louisiana to William Jr. and Cheri Jordan;

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

WHEREAS, he graduated the Police Academy on November 15, 2018;

WHEREAS, after his graduation from the Police Academy, he served the community through his work with the Alexandria Police Department for three years;

WHEREAS, his passion for serving and protecting his fellow Louisianians was further exemplified through years of hard work and dedication at the Bossier Parish Sheriff's Office;

WHEREAS, following his movement to the motors division, he discovered his passion for riding his police bike and sharing it at community events to spread joy;

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

WHEREAS, in addition to being an exemplary law enforcement officer, he was a husband, a father, son, and friend to all;

WHEREAS, outside of his work in law enforcement, he enjoyed fishing, hiking with his kids, cooking, going to concerts with his wife, and cheering on the LSU Tigers;

WHEREAS, his love for his fellow man and kindness was displayed not only through his work in law enforcement, but also through his final gift of self as an organ donor;

WHEREAS, Deputy Jordan's 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;

WHEREAS, he will be remembered for his leadership, passion, and selflessness;

WHEREAS, he is survived by his wife of 12 years, Jeri Lynn Jordan; children, Danity Clark and Landen Jordan; parents, William and Cheri Jordan; siblings, Cody Jordan (Faithe), Kaci Lavespere (Dallas), Hunter Jordan (Kaylee), and Heather Silva; grandfather, William Jordan, Sr.; and countless extended family members and friends; and

WHEREAS, he was preceded in death by his paternal grandmother, Sharna Faye Jordan; maternal grandparents Newton Paul, Jr. and Glenda Faye Paul; and brother Shane Jordan.

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 Deputy Timothy Jordan, 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 January 31, 2026.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, January 31, 2026.

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 29th day of January, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#064

EXECUTIVE ORDER JML 26-013

Flags at Half-Staff—Deputy Christopher Paul Ohlmeyer

WHEREAS, on January 30, 2026, Deputy Christopher Paul Ohlmeyer tragically lost his life while bravely serving in the line of duty;

WHEREAS, he was born on November 11, 1984 in Metairie, Louisiana;

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

WHEREAS, his passion for serving and protecting his fellow Louisianians was exemplified through sixteen years of working in law enforcement, the first of which were spent at the Orleans Parish Sheriff's Office and fourteen of which were spent at the Jefferson Parish Sheriff's Office;

WHEREAS, his courage, commitment, and dedication to his community were acknowledged through multiple letters of recognition and citizen compliments;

WHEREAS, due to his leadership and passion for preparing the next generation of law enforcement officers, he was chosen to act as a Field Training Officer;

WHEREAS, he recently joined the Traffic Division, continuing his service as a motorman;

WHEREAS, he truly exemplified outstanding law enforcement as an honorable, brave, and selfless law enforcement officer with an incredible sense of integrity;

WHEREAS, in addition to being an exemplary law enforcement officer, he was an incredibly dedicated husband, father, son, brother, and friend to all;

WHEREAS, he was an avid cook and outdoorsman who loved listening to Frank Sinatra while he prepared meals and spending time riding his bike;

WHEREAS, his commitment to his family was shown through how much he valued spending quality time with his family, as well as his beloved pet, Zeke;

WHEREAS, Deputy Ohlmeyer's 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;

WHEREAS, he will be remembered for his leadership, passion, and selflessness;

WHEREAS, he is survived by his beloved wife of 20 years, Desiree Duhe Ohlmeyer, and their children, Gavin Ohlmeyer (Dakota Cope) and Olivia Ohlmeyer; his parents, Lori Payne (Jamie) and Joseph O'Neill; siblings, Megan O'Neill, Abby Breaux (Ryan), and Jamie Payne, Jr.; his in-laws, Timothy and Liz Duhe; his brothers-in-law, Timmy Duhe (Dana) and Derrick Duhe (Christie); his godson, Brayden Ducote; nephew, Stetson Breaux; aunts Lisa Ashley and Susan Good; uncle, Paul O'Neill (Rochelle); along with numerous nieces, nephews, and cousins, and his grandmother, Veronica (Nana) Ohlmeyer;

WHEREAS, he was preceded in death by Joey Liuzza and his grandparents, Joseph and Carol Liuzza, Thomas and Joann O'Neill and Morris Ohlmeyer;

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 Deputy Christoper Paul Ohlmeyer, 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 February 5, 2026.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, February 5, 2026.

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 3rd day of February, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#065

EXECUTIVE ORDER JML 26-014

Bond Allocation 2026 Ceiling and
Carry-Forward Bond Allocation 2025

WHEREAS, Section 146 of the Internal Revenue Code of 1986, 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 Act No. 51 of 1986, Executive Order Number JML 2024-123 was issued to (a) provide for the manner in which the ceiling shall be determined, (b) establish the method to be used in allocating the ceiling, (c) establish the application procedure for obtaining an allocation of Bonds subject to such ceiling, and (d) establish a system of record keeping for such allocations;

WHEREAS, Section 4(G) of Executive Order Number JML 2024-123 provides that if the ceiling for a calendar year exceeds the aggregate amount of bonds subject to the private activity bond volume limit issued during the year by all issuers, by executive order, the Governor may allocate the excess amount to issuers or an issuer for use as a carry-forward for one or more carry-forward projects permitted under the Act;

WHEREAS, the sum of five hundred ninety-seven million seven hundred six thousand two hundred dollars ($597,706,200) represents the amount of the ceiling determined by the staff of the Louisiana State Bond Commission ("SBC") for private activity bond volume limits for the year 2025 ("2025 Ceiling");

WHEREAS, the sum of two hundred eleven million ten thousand seven hundred and eighty-seven dollars ($211,010,787.00) of the 2025 Ceiling was not allocated during the 2025 calendar year; and

WHEREAS, the sum of six hundred twenty-three million four hundred fifty-five thousand five hundred fifteen dollars ($623,455,515) represents the amount of the ceiling determined by the staff of the SBC for private activity bond volume limits for the year 2026 ("2026 Ceiling").

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 and in accordance with the provisions of Section 146(f) of the Internal Revenue Code of 1986, as amended, and in accordance with the request for carry-forward filed by the designated issuer, the excess private activity bond volume limit under the 2025 Ceiling is hereby allocated to the following issuer(s), for the following carry-forward project(s), and in the following amount(s):

Issuer	Carry-Forward Project	Carry-Forward Amount
Louisiana Housing Corporation	Single Family Mortgage Revenue Bonds (Home Ownership Program) Series 2025A (Non-AMT)	$75,000,000
Louisiana Public Facilities Authority	Hyundai Steel Company	$100,000,000
Louisiana Community Development Authority	American Biocarbon	$36,010,787

Section 2: The allocation granted herein shall be used only for the bond issues described in Section 1 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 issue described in Section.

Section 3: All references in this Order to the singular shall include the plural, and all plural references shall include the singular.

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 February, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#066

EXECUTIVE ORDER JML 26-015

Bond Allocation 2026 Ceiling Amendment

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.

WHEREAS, the Capital Area Finance Authority (hereafter the "Authority") has authorized and approved $50,000,000 of Single Family Mortgage Revenue Bonds (Homeownership Program) Series 2026A in one or more tax-exempt series and has applied for $54,000,000 volume cap from the 2026 ceiling to be used for the principal and premium on the tax-exempt Series 2026A Bonds (Non-AMT).

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 2026 ceiling in the amounts shown:

Amount of Allocation	Name of Issuer	Name of Project
$54,000,000	Capital Area Finance Authority	Single Family Mortgage Revenue Bonds (Mortgage-Backed Securities Program) Series 2026A (Non-AMT)

Section 2: The allocation granted herein shall be used only for the bond issues described in Section l 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 June 30, 2026; therefore, any unused amount of the 2026 ceiling allocation shall be deemed returned as of July 1, 2026.

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 oflaw.

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 6th day of February, 2026.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2602#067

Emergency Rules

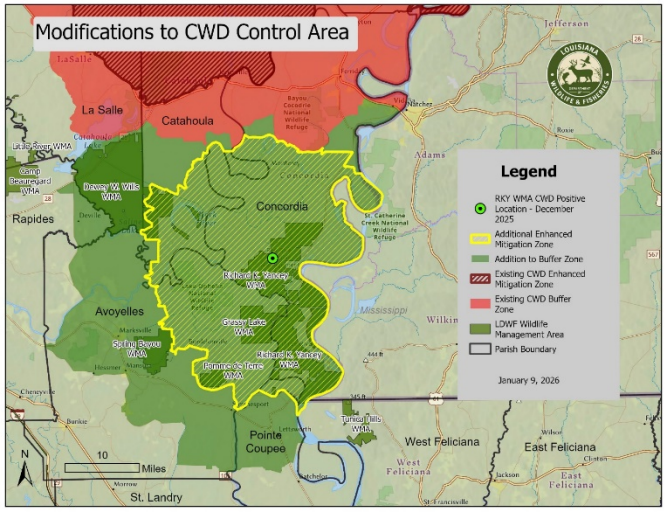
DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Chronic Wasting Disease Control Areas

A confirmed case of Chronic Wasting Disease (CWD) has been detected in a white-tailed deer harvested on Richard K. Yancey WMA in Concordia Parish. CWD is a neurodegenerative disease found in most deer species, including white-tailed deer. It is infectious, always fatal, and has no treatment. CWD is part of a group of diseases known as transmissible spongiform encephalopathies (TSEs). These diseases cause irreversible damage to brain tissue in deer, which leads to excessive salivation, neurological symptoms, emaciation, and death of the animal. Additionally, CWD is shed by infected deer onto the landscape and can persist in the environment indefinitely, spreading the disease to other deer. Emergency action is required to mitigate further spread of the disease.

In accordance with the emergency provisions of R.S. 49:962 and R.S. 56:6.1, the secretary of the Department of Wildlife and Fisheries hereby modifies the CWD Control Area established in LAC 76:V.137 to include an area surrounding where the confirmed CWD case was detected in Concordia Parish as follows:



Supplemental feeding, baiting, placement of bait, or hunting over bait is prohibited within the portion of the CWD Control Area designated as the CWD Enhanced Mitigation Zone. It is the responsibility of hunters to check their hunting area for bait prior to each hunt. A baited area is an area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or other feed could serve as a lure or attractant for wild quadrupeds or wild birds via ingestion. Supplemental feeding and baiting is allowed in the portion of the CWD Control Area designated as the CWD Buffer Zone, but only by non-stationary, mechanical or electronic broadcast methods. The use of bait not normally ingested by deer is allowed for feral hog trapping, or by holders of bear harvest permits during the designated bear baiting period.

The export of any cervid carcass or part of a cervid carcass originating within a designated CWD Control Area is prohibited, except for: meat that is cut and wrapped; meat that has been boned out; quarters or other portions of meat with no part of the spinal column or head attached, antlers, clean skull plates with antlers, cleaned skulls without tissue attached, capes, tanned hides, finished taxidermy mounts, and cleaned cervid teeth. An exemption for deer heads from within the CWD Control Area transported to Louisiana taxidermy businesses for taxidermy purposes outside of the CWD Control Area is allowed by electronic waiver and adherence to waiver guidelines.

Approved parts transported out of the CWD Control Area must be legally possessed. Approved parts must contain a possession tag with the hunter's name, address, LDWF license number, parish of harvest, date of harvest, and sex of deer. All cervid parts transported out of the Control Area that are in violation of the provisions of this ban shall be seized and disposed of in accordance with the Wildlife and Fisheries Commission and Department of Wildlife and Fisheries rules.

This Declaration of Emergency shall be effective January 9, 2026 and shall remain in effect for 180 days, unless superseded by action taken by the Wildlife and Fisheries Commission. The implementation of the supplemental feeding and baiting prohibition associated with the new addition to the Enhanced Mitigation Zone shall be delayed until February 1, 2026, so that landowners and hunters have an opportunity to use the remainder of any feed or bait they currently have in feeders.

Tyler M. Bosworth
Secretary

2602#002

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Shrimp Season Closure in Portions of State Outside 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 shrimp season in all or parts of state outside waters when biological and technical data indicate the need to do so or if enforcement problems develop, the secretary does hereby declare:

The 2025 fall shrimp season will close Monday, February 9, 2026, at official sunset, in portions of state outside waters between Caillou Boca and Freshwater Bayou Canal. The eastern boundary line originates at a point on the inside-outside line (LAC 76:VII.370) on the northwest shore of Caillou Boca at 29 degrees 02 minutes 46 seconds north latitude, 90 degrees 50 minutes 27 seconds west longitude and ends at a point on the three-mile line at 28 degrees 59 minutes 30 seconds north latitude, 90 degrees 51 minutes 57 seconds west longitude. The western boundary line originates at a point on the inside-outside line (LAC 76:VII.370) on the western shore of Freshwater Bayou Canal at 29 degrees 32 minutes 03 seconds north latitude, 92 degrees 18 minutes 33 seconds west longitude and ends at a point on the three-mile line at 29 degrees 29 minutes 02 seconds north latitude, 92 degrees 19 minutes 34 seconds west longitude.

Existing data do not currently support shrimping closures in additional state 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

2602#009

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Shrimp Season Closure in Portions of Zone 1
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 2025 fall inshore shrimp season will close Monday, January 26, 2026, at official sunset in the remaining inside waters open to shrimp harvest from the Mississippi/Louisiana state line westward to the eastern shore of South Pass of the Mississippi River, except for the following areas:

The open waters of Breton and Chandeleur Sounds as bounded by the double-rig line described in R.S. 56:495.1(A)2.

Existing data do not currently support shrimping closures in additional state inside and outside waters. However, historic data suggests 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

2602#004

RULE

Department of Agriculture and Forestry
Board of Veterinary Medicine

Various Rules Related to Licensing and Continuing Education for DVMs, RVTs, and CAETs
(LAC 46:LXXXV.305, 407, 811, 1213, and 1215)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Board ("Board") of Veterinary Medicine has amended LAC 46:LXXXV.Sections 305, 407, 811, 1213, and 1215 with respect to the renewal of licenses and certificates. There are no substantive changes to the renewal or continuing education requirements for licensure or certification. The proposed amendments make rule language clearer and more uniform and consistent. This Rule is hereby adopted on the day of promulgation.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LXXXV. Veterinarians

Chapter 3. Licensing Procedures

§305. License Renewals

A. Annual Renewal of Licenses. Pursuant to R.S. 37:1524, all licenses expire annually at midnight (central time) on September 30 of each year and must be renewed by making application for renewal of license with the board, submitting all satisfactory documentation of continuing education compliance, and payment of the annual renewal fee(s). A complete application for renewal must be submitted to the board or the license shall be expired. For an application for renewal to be considered complete, all of the following conditions must be fully met:

1. application for renewal must be received by September 30 of the year of application for renewal;
2. full payment of renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements in accordance with Chapter 4 of this Part must be received; and
4. if applicable, full payment of late continuing education fee and any other disciplinary fines must be received.

B. Renewal of Expired Licenses. A license which has expired may be renewed within five years of the date of its expiration by submitting an application for renewal which meets the following conditions:

1. application for renewal must be received;
2. full payment of current renewal fee must be received;
3. full payment of delinquent annual renewal fees must be received;
4. full payment of late fees for delinquent license renewal(s) must be received;
5. all satisfactory documentation of compliance with continuing education requirements, for the current year and all delinquent years, in accordance with Chapter 4 of this Part must be received; and
6. if applicable, late continuing education fee(s) must be received for the current year and all delinquent years.

C. Any application for renewal not completed pursuant to §305.A by midnight on September 30 of each year shall be subject to all accrued fees and an additional late renewal fee of $150 per fiscal year.

D. Notice

1. A person failing to renew his license shall receive one notification via certified mail, return receipt requested. Such notice shall be mailed within 10 days after expiration of the license and will advise that any person who shall practice veterinary medicine after the expiration of his license and willfully or by neglect fails to renew such license shall be guilty of practicing in violation of R.S. 37:1514. Such notice shall also state that the board may publish the name of any person holding an expired license and that the board may distribute the name of any person holding an expired license to agencies which may include, but is not limited to, the Louisiana state controlled dangerous substances program, the United States Drug Enforcement Administration, the United States Food and Drug Administration, the United States Department of Agriculture, drug supply wholesalers, veterinary supply wholesalers, the Louisiana Board of Pharmacy, the Louisiana Board of Wholesale Drug Distributors, the Louisiana Veterinary Medical Association, and any other entity that requests or is entitled to such information.
2. …

E. It is the duty of the licensee to maintain current contact details with the board office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:343 (March 1993); amended LR 23:965 (August, 1997), LR 24:941 (May 1998), LR 26:322 (February 2000), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:210 (February 2026).

Chapter 4. Continuing Education

§407. Expired License Requirements

A. Persons who have not renewed their license and wish to do so pursuant to R.S. 37:1525, may be required to submit proof of continuing education for each year for which the license was not renewed. Where insufficient hours have been acquired, the board may require additional hours to be obtained as a condition of licensure and/or as a condition of renewal for the next fiscal year. Any person who shall practice veterinary medicine after the expiration of his license and willfully or by neglect fails to renew such license, including submission of all satisfactory documentation of continuing education compliance, shall be guilty of practicing in violation of R.S. 37:1514.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1428 (November 1993), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:210 (February 2026).

Chapter 8. Registered Veterinary Technicians

§811. Certificate Renewals

A. Annual Renewal of Certificates. Pursuant to R.S. 37:1546, all certificates of approval expire annually at midnight (central time) on September 30 of each year and must be renewed by making application for renewal of certificate with the board, submitting all satisfactory documentation of continuing education compliance, and payment of the annual renewal fee(s). A complete application for renewal must be submitted to the board or the certificate shall be expired. For an application for renewal to be considered complete, all of the following conditions must be fully met:

1. application for renewal must be received by September 30 of the year of application for renewal;
2. full payment of renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements in accordance with Chapter 4 of this Part must be received; and
4. if applicable, full payment of late continuing education fee and any other disciplinary fines must be received.

B. Renewal of Expired Certificates. A certificate which has expired may be renewed within two years of the date of its expiration by submitting an application for renewal which meets the following conditions:

1. application for renewal must be received;
2. full payment of current renewal fee must be received;
3. full payment of delinquent annual renewal fees must be received;
4. full payment of late fees for delinquent certificate renewal(s) must be received;
5. all satisfactory documentation of compliance with continuing education requirements, for the current year and all delinquent years, in accordance with §812 must be received; and
6. if applicable, late continuing education fee(s) must be received for the current year and all delinquent years.

C. Any application for renewal not completed pursuant to §811A by midnight on September 30 of each year shall be subject to all accrued fees and an additional late renewal fee of $20 per fiscal year.

D. Notice

1. A person failing to renew his certificate shall receive one notification via certified mail, return receipt requested. Such notice shall be mailed within 10 days after expiration of the certificate and will advise that any person who shall practice as a registered veterinary technician after the expiration of his certificate and willfully or by neglect fails to renew such certificate shall be guilty of practicing in violation of R.S. 37:1544.

2. After two years have elapsed since the date of expiration, a certificate may not be renewed. No later than 60 days prior to the end of the two-year period, the board shall mail notice via certified mail, return receipt requested, to the person holding such expired certificate. Such notice shall state that if the certificate is not renewed prior to the end of the two-year period, the certificate shall be permanently removed from the board's rolls and that the holder shall be required to make application for a new certificate.

E. It is the duty of the certificate holder to maintain current contact details with the board office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1549.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:227 (March 1990), amended LR 23:1686 (December 1997), LR 26:84 (January 2000), LR 36:320 (February 2010), LR 37:1153 (April 2011), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:1137 (August 2024), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:211 (February 2026).

Chapter 12. Certified Animal Euthanasia Technicians

§1213. Certificate Renewals

A. Annual Renewal of Certificates. Pursuant to R.S. 37:1555, all certificates of approval expire annually at midnight (central time) on September 30 of each year and must be renewed by making application for renewal of certificate with the board, submitting all satisfactory documentation of continuing education compliance, and payment of the annual renewal fee(s). A complete application for renewal must be submitted to the board or the certificate shall be expired. For an application for renewal to be considered complete, all of the following conditions must be fully met:

1. application for renewal must be received by September 30 of the year of application for renewal;
2. full payment of renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements in accordance with Chapter 4 of this Part must be received; and
4. if applicable, full payment of late continuing education fee and any other disciplinary fines must be received.

B. Renewal of Expired Certificates. A certificate which has expired may be renewed within one year of the date of its expiration by submitting an application for renewal which meets the following conditions:

1. application for renewal must be received;
2. full payment of current renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements, for the current year and all delinquent years, in accordance with §1227 must be received; and
6. if applicable, late continuing education fee(s) must be received.

C. Any application for renewal not completed pursuant to §1213.A by midnight on September 30 of each year shall be subject to all accrued fees and an additional late renewal fee of $25 per fiscal year.

D. Notice

1. A person failing to renew his certificate shall receive one notification via certified mail, return receipt requested. Such notice shall be mailed within 10 days after expiration of the certificate and will advise that any person who shall practice as a certified animal euthanasia technician after the expiration of his certificate and willfully or by neglect fails to renew such certificate shall be guilty of practicing in violation of R.S. 37:1554.

2. After one year has elapsed since the date of expiration, a certificate may not be renewed. No later than 60 days prior to the end of the one-year period, the board shall mail notice via certified mail, return receipt requested, to the person holding such expired certificate. Such notice shall state that if the certificate is not renewed prior to the end of the one-year period, the certificate shall be permanently removed from the board's rolls and that the holder shall be required to make application for a new certificate.

F. It is the duty of the certificate holder to maintain current contact details with the board office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1558.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1426 (November 1993), amended LR 23:1685 (December 1997), LR 26:319 (February 2000), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:211 (February 2026).

§1215. Expired Certificate

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1558.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1426 (November 1993), amended LR 26:319 (February 2000), repealed LR 52:212 (February 2026).

Jared B. Granier
Executive Director

2602#015

RULE

Department of Conservation and Energy
Office of the Secretary

Open Meetings via Electronic Means
(LAC 43:I.Chapter 20)

The Department of Conservation and Energy, its boards and commissions, pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 36:354, 42:14(E), 42:17.2(E), and 42:17.2.1(B), adopts this Rule relative to Louisiana's open meetings law.

Act 393 of the 2023 Regular Legislative Session, amended R.S. 42:17.2 and enacted R.S. 42:14(E) and 17.2.1 of Louisiana's Open Meeting law to authorize eligible public bodies to conduct its meetings via electronic means (e.g. videoconference or teleconference) in order to allow any member of the public with a disability recognized by the American Disabilities Act or a designated caregiver to participate in its meeting.

The secretary of the Department of Conservation and Energy ("secretary") is authorized by the public bodies stated herein to take any and all necessary steps to promulgate and effectuate this Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Rule and compiling public comments and submissions for the commission's review and consideration, in order to promulgate regulations relative to conducting meetings via electronic means, provide for public notice, and detail participation requirements to ensure equal access for qualified individuals with disabilities recognized by the Americans with Disabilities Act by providing auxiliary aids and/or electronic services. In the absence of any further action by the public bodies stated herein, following an opportunity to consider all public comments regarding the Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule. This Rule is hereby adopted on the day of promulgation.

Title 43
NATURAL RESOURCES
Part I. Office of the Secretary
Subpart 1. General
Chapter 20. Disability Accommodations—Act 393 of 2023

§2001. Definitions

A. "*ADA*" shall mean the American with Disabilities Act.

B. "*Board and Commission*" shall mean those listed in R.S. 36:359.

C. "*DCE*" shall mean the Louisiana Department of Conservation and Energy.

D. "*People with Disabilities*" are defined as any of the following:

1. a member of the public with a disability recognized by the ADA;

2. a designated caregiver of such person; or

3. a participant member of a board and commission itself with an ADA qualifying disability.

E. *"Electronic Means"* shall have the same meaning as "meeting via electronic means" as provided in R.S. 42:17.2.

F. *"Meeting"* shall have the same meaning as "meeting" as provided in R.S. 42:13.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:212 (February 2026).

§2003. Eligibility Requirements

A. This regulation shall only apply to the DCE or its boards and commissions if they conduct at least six meeting in a calendar year.

B. If this regulation is applicable pursuant to Paragraph A, then the number of meeting via electronic means shall be limited as follows:

1. The number of its regularly scheduled meetings via electronic means shall be no more than one-third in a calendar year; and/or

2. The number of successive meetings via electronic means is limited to a reasonable number.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:212 (February 2026).

§2005 Open Meeting Accessibility

A. DCE and each board and commission shall provide for participation via electronic means, on an individualized basis, for people with disabilities in accordance with the guidelines set forth herein.

B. Each board and commission shall adopt these regulations via a resolution.

C. DCE and each board or commission shall post a written public notice of its meeting in accordance with R.S. 42:19 and on its website. The written public notice shall also contain:

1. The contact information of the designated representative of DCE or board or commission to whom a disability accommodation request must be submitted;

2. Detailed information regarding how people with disabilities may participate in the meeting via electronic means.

D. Any member of the public, DCE or the board or commission who qualifies as a person with a disability under the ADA and this Section shall make their accommodation requests as far in advance as possible to allow time to provide an accommodation. Upon receipt of an accommodation request, the designated DCE, board or commission representative shall, if possible, provide the requestor with an accommodation.

E. Any member of DCE or the board or commission who qualifies as a person with a disability under the ADA and this Section may participate in the meeting via electronic means. Notwithstanding law to the contrary, participation via electronic means shall count for purposes of establishing quorum and voting.

F. The designated representative of DCE and the board or commission shall provide the requestor with the accommodation information, 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 schedule meeting.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:212 (February 2026).

Dustin David
Secretary

2602#011

RULE

Board of Elementary and Secondary Education

Bulletin 746—Louisiana Standards for State Certification of School Personnel—Certification Endorsement
(LAC 28:CXXXI.1353)

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:CXXXI in *Bulletin 746–Louisiana Standards for State Certification of School Personnel*. The revisions acknowledge professional experience and provide expanded opportunities for educational diagnostician certification endorsement. This Rule is hereby adopted on the day of promulgation.

Title 28
EDUCATION
Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of School Personnel
Chapter 13. Endorsements to Existing Certificates
§1353. Educational Diagnostician (Special Education)

A. - A.2. …

a. hold generic special education certification, with at least one year of classroom teaching experience in special education; and

b. hold certification in at least two special education disability areas, with at least one year of teaching experience in special education, noting that academically gifted is not an accepted special education area;

A.3. - B. …

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 48:463 (March 2022), repromulgated LR 48:1071 (April 2022), amended LR 52:213 (February 2026).

Tavares A. Walker
Executive Director

2602#044

RULE

Board of Elementary and Secondary Education

Comprehensive Assessments
(LAC 28:XI.1707, 1903, 5107, 5701, 6803, 6821, 6827, and 6829, LAC 28:CXV.323 and 2316)

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*, *Bulletin 118—Statewide Assessment Standards and Practices*, and LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. The revisions establish comprehensive exams for incoming freshmen in the 2026-2027 school year and beyond. In spring 2028, tenth grade students would take comprehensive ELA and math assessments at the end of the school year. Students would continue taking LEAP 2025 Biology and Civics. The shift to comprehensive exams reduces the number of statewide standardized assessments while ensuring that quality information about student performance is available. 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 1. General Provisions
§1707. Student Growth Methodology

A. - C. …

D. For students taking a first LEAP 2025 assessment in high school in a subject area, the eighth grade assessment taken in the same subject will be used as the prior-year assessment for determining growth. The student must grow by one achievement subcategory from eighth grade to the comprehensive exam. If the student scored at mastery in eighth grade, the student must improve one scale point per year since the prior test. The high school assessment need not be taken in the school year directly following the examination counted as the prior-year assessment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:6.1, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:1630 (November 2024), amended LR 52:213 (February 2026).

Chapter 19. Inclusion in Accountability

§1903. Inclusion of Students

A. - C. …

D. When eighth grade students only participate in the Algebra I test, the Algebra I test results shall be used in the middle school assessment index in the numerator and the denominator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:6.1, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:1632 (November 2024), amended LR 52:214 (February 2026).

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 51. General Provisions

§5107. Assessment Programs [Formerly LAC 28:CXI.107]

A. - B.1. …

2. The assessments will be administered to high school students enrolled in and/or receiving credit for a high school course having a LEAP assessment or retesting for the purposes of graduation, as well as for students in the third-year assessment cohort as defined in Part XI, Subpart 1, §409. Comprehensive exams must be taken in the second year of the cohort.

C. - 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 52:214 (February 2026).

Chapter 57. Assessment Program Overview

§5701. Louisiana Assessment Programs

A. - C.1. …

2. LEAP 2025 English I, English II; fall 2017 to spring 2029.

3. LEAP 2025 Algebra 1, Geometry; fall 2017 to spring 2029.

4. - 6. …

7. Comprehensive high school exam in English language arts; beginning spring 2028.

8. Comprehensive high school exam in mathematics; beginning spring 2028.

D. - I.10. …

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 52:214 (February 2026).

Chapter 68. LEAP 2025 Assessments for High School

Subchapter A. General Provisions

§6803. Introduction

A. LEAP 2025 and comprehensive assessments for high school will measure the knowledge and skills a student should have mastered in required subjects. The results of the LEAP 2025 and comprehensive assessments for high school will help ensure that all Louisiana students have access to a rigorous curriculum that meets high academic standards.

B. - B.6. …

C. Beginning in the 2024-2025 through 2025-2026 school year, LEAP 2025 assessments for high school will assess student learning in the high school courses:

1. - 4. …

5. biology; and

C.6. - F. …

G. For incoming freshmen in 2026-2027 and beyond, participation in comprehensive high school exams for ELA and math is required. The exams shall be administered in the spring semester of the second year of the cohort, beginning in spring 2028. Participation in LEAP Biology and LEAP Civics assessments shall be required upon completion of each course.

H. Comprehensive exams for ELA and math shall be administered in the spring of the students' second year of the cohort. Any student enrolled the second year of the cohort is required to take the comprehensive high school ELA and math assessments.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:214 (February 2009), LR 36:477 (March 2010), amended LR 38:35 (January 2012), LR 40:2514 (December 2014), LR 44:469 (March 2018), LR 44:2129 (December 2018), LR 47:567 (May 2021), LR 48:38 (January 2022), LR 49:861 (May 2023), LR 52:214 (February 2026).

Subchapter C. LEAP 2025 for High School Administrative Rules

§6821. High School Test Cohorts [Formerly LAC 28:CXI.1821]

A. - B.1.d.ii. …

C. For incoming freshmen in 2026-2027 and beyond, participation in comprehensive high school exams for ELA and math is required. The exams shall be administered in the spring semester of the second year of the cohort, beginning in spring 2028. Participation in LEAP Biology and LEAP Civics assessments shall be required upon completion of each course.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:977 (May 2010), amended LR 38:36 (January 2012), LR 44:470 (March 2018), LR 47:859 (July 2021), LR 48:2559 (October 2022), LR 52:214 (February 2026).

§6827. LEAP 2025 Retest Administration [Formerly LAC 28:CXI.1827]

A. ...

B. Students who did not score *approaching basic* or above on a comprehensive exam may retest in the next administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:978 (May 2010), amended LR 44:471 (March 2018), LR 52:214 (February 2026).

§6829. LEAP 2025 Transfer Rules [Formerly LAC 28:CXI.1829]

A. - A.3.b. …

4. A student who transfers in twelfth grade with fewer than 30 days of enrollment in a Louisiana public high school is not required to take the comprehensive ELA and math exams.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:978 (May 2010), amended LR 37:820 (March 2011), LR 44:471 (March 2018), LR 46:1372 (October 2020), LR 47:567 (May 2021), LR 52:215 (February 2026).

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§323. Louisiana Educational Assessment Program

A. Each LEA shall participate in the Louisiana Educational Assessment Program (LEAP) grade level, subject area, and comprehensive exams in accordance with this Part.

B. Performance standards for LEAP and comprehensive exams are developed to be comparable to the rigor of national achievement tests including but not limited to the national assessment of educational progress (NAEP) performance standards.

C. - D. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1260 (June 2005), amended LR 39:2196 (August 2013), LR 52:215 (February 2026).

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2316. Assessment Requirements

A. - D. …

E. - E.2.d. Repealed.

F. For incoming freshmen in the 2010-2011 through 2016-2017 school years, students must pass three end-of-course tests in the following categories:

1. - 3. …

G. For incoming freshmen in the 2017-2018 through 2023-2024 school years, students must pass three LEAP 2025 assessments in the following categories:

G.3. - I.4.c. …

J. For incoming freshmen in the 2024-2025 and 2025-2026 school year, 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. - L.4. …

5. English I, English II, Algebra I, and geometry scores from the comprehensive exams from fall and spring administrations in 2027-2028.

M. For incoming freshmen in 2026-2027 and beyond, comprehensive exams in ELA and math replace the LEAP 2025 English I, English II, Algebra I, and geometry assessments required for graduation. The former assessments will be available through the 2028-2029 school year for students requiring a retest to fulfill graduation requirements.

1. Students are required to participate in comprehensive high school exams for ELA and math. The exams will be administered in the spring semester of the second year of the cohort beginning in spring 2028. Retesting shall be available.

2. A passing score on at least one of the LEAP 2025 Biology or LEAP 2025 Civics assessments is required for graduation.

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 52:215 (February 2026).

Tavares A. Walker
Executive Director

2602#043

RULE

Board of Elementary and Secondary Education

Implementation of Education Acts of the
2025 Regular Legislative Session
(LAC 28:CXV.1301; LAC 28:CLXI.1715 and 1727)

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:CXV in *Bulletin 741—Louisiana Handbook for School Administrators* and LAC 28:CLXI in *Bulletin 137–Louisiana Early Learning Center Licensing Regulations*. During the 2025 Regular Legislative Session, laws were enacted that require revisions to Board of Elementary and Secondary Education (BESE) policy. Revisions provide further clarity and alignment to include:

- Bulletin 741—Louisiana Handbook for School Administrators
  - Act 439. School Employee Bill of Rights
- Bulletin 137—Louisiana Early Learning Center Licensing Regulations
  - Act 409. Child Safety and Welfare

This Rule is hereby adopted on the day of promulgation.

Title 28
EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 13. Discipline

§1301. Disciplinary Regulations

A. - H. …

I. Each LEA shall establish a discipline policy review committee composed of seventeen members in accordance with the mandates of R.S. 17:416.8. The LEA shall establish procedures for selecting one paraprofessional to be elected by peers and for appointing the two parent members.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 36:1225 (June 2010), LR 37:1132, 1133 (April 2011), LR 39:476 (March 2013), LR 39:2210 (August 2013), LR 39:3069 (November 2013), LR 48:1011 (April 2022), LR 51:57 (January 2025), LR 52:215 (February 2026).

Part CLXI. Bulletin 137—Louisiana Early Learning Center Licensing Regulations

Chapter 17. Minimum Staffing Requirements and Standards

§1715. Staff Records and Personnel Files

A. - B. …

C. LDOE Electronic System. All current staff names, hire date, first day onsite working with children, and initial and annual mandatory reporter training documentation must be maintained in the LDOE electronic system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.40.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:635 (April 2015), effective July 1, 2015, amended LR 44:251 (February 2018), effective March 1, 2018, LR 44:1866 (October 2018), LR 47:1276 (September 2021), LR 52:216 (February 2026).

§1727. Child Neglect and Abuse Mandatory Reporter Training

A. After initial completion of training at time of hire, all staff members shall annually complete the online child abuse and neglect Mandated Reporter Training provided by DCFS between June 1 and August 31 of the calendar year.

B. Documentation of completion of the course shall be submitted in the LDOE electronic system by no later than September 30 of each calendar year for all staff and shall be available for on-site inspection, whether as hard copies or in electronic form, upon request by the LDOE.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, Article 603.1, and 17:407.40(A)(1).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:1278 (September 2021), amended LR 52:216 (February 2026).

Tavares A. Walker
Executive Director

2602#045

RULE

Office of the Governor
Firefighters Pension and Relief Fund for the City of New Orleans and Vicinity

Retirement (LAC 58:V.Chapters 1-21)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953, the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, (board), has amended Chapter 1 (Qualified Domestic Relations Orders), renumbered as Chapter 15 to simplify and eliminate redundant language and to reflect administrative protocols. Chapter 1 now consolidates all definitions which were previously found throughout the rules. Chapter 20 (Tax Qualification Provisions) is consolidated with Chapter 5 (Direct Rollover) and renumbered as Chapter 13 (Tax Qualification Provisions) and is amended to reflect proper statutory references and to update actuarial factors. Chapter 21 is consolidated with Chapter 3, (Procedural Rules and Regulations of the Board), and is amended to eliminate redundant language that is already set forth in the statute, and to update the rules to reflect statutory language. Chapter 17 (Election Rules) is renumbered as Chapter 5 and amended to eliminate redundant language that is already reflected in the statute, and to update the rules to reflect statutory language and administrative protocols. Chapter 7 (Partial Buy Back of Service Credit) is amended to eliminate obsolete language. Chapter 9 (Death Benefits) is restructured and amended to eliminate redundant language. Chapter 11 (Calculation of Benefits) is amended to eliminate obsolete language and to simplify and update the rules to reflect statutory language. This Rule is hereby adopted on the day of promulgation.

Title 58
RETIREMENT

Part V. Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity

Chapter 1. Introductory Information

§101. Definitions

Alternate Payee—the participant's spouse (or former spouse, child, or other dependent) who is entitled to receive some or all of the fund's benefit payments with respect to the participant under the terms of the QDRO. The same QDRO may identify more than one alternate payee, and several alternate payees may be identified in multiple QDROs. However, the board shall not recognize the entitlement of any alternate payee, even if specified in a domestic relations order, if the benefits assigned therein have already been assigned by reason of an earlier QDRO validly served upon the fund.

Dependent or Dependent upon the Firefighter for Support—prior to the firefighter's death, he contributed 50 percent or more to the support of said dependent.

Distributee—includes a member or former member. In addition, the member's or former member's surviving spouse and the member's or former member's spouse or former spouse who is the alternate payee under a qualified domestic relations order are distributees with regard to the interest of the spouse or former spouse. A distributee also includes a non-spouse beneficiary properly designated by the member.

Domestic Relations Order (DRO)—any judgment, decree, or order (including approval of a property settlement or community property partition) that:

1. relates to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child, or other dependent of a participant; and

2. is made pursuant to a state domestic relations law (including a community property law).

Note: A state court shall actually issue an order, or formally approve a proposed property settlement, in order for it to be recognized as a domestic relations order. A property settlement or community property partition signed by a participant and the participant's former spouse, or a draft order to which both parties consent, shall not be considered a domestic relations order until the state authority has executed the order or formally approved it and made it part of the domestic relations proceeding.

Eligible Retirement Plan—an individual retirement account described in IRC § 408(a), an individual retirement annuity described in IRC § 408(b), an annuity plan described in IRC § 403(a), or a qualified trust described in IRC § 401(a), that accepts the distributee's eligible rollover distribution. In the case of an eligible rollover distribution to the surviving spouse or alternate payee, an eligible retirement plan is an individual

retirement account or individual retirement annuity. An eligible retirement plan also shall include an annuity contract described in IRC § 403(b) and an eligible plan under IRC § 457(b), which is maintained by a state, political subdivision of the state, or any agency or instrumentality of a state or political subdivision of a state (which agrees to separately account for amounts transferred into such plan from this plan) a Roth individual retirement account or Roth individual retirement annuity described in IRC § 408A.

a. In the case of a non-spouse beneficiary, an eligible retirement plan is an individual retirement account or annuity described in IRC § 408(a), or IRC § 408(b) or, a Roth individual retirement account or annuity described in IRC § 408A, that is established on behalf of the designated beneficiary and that will be treated as an inherited IRA pursuant to the provisions of IRC § 402(c)(11).

Eligible Rollover Distribution—any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include:

a. any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancy) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more;

b. any distribution to the extent such distribution is required under IRC § 401(a)(9).

Non-Designated Beneficiary—in the event no valid designation of beneficiary exists with the fund, the person or persons designated in the first of the following classes which is applicable to the deceased firefighter shall be paid in the following order of priority to:

a. the surviving spouse; and if none to;

b. the surviving children, in equal shares; and if none to;

c. the surviving parents; and if none to;

d. the firefighter's estate or succession, if a succession has been opened, and if not, then to:

e. the surviving heirs, in equal shares.

Qualified Domestic Relations Order (QDRO)—a domestic relations order that creates or recognizes the existence of an alternate payee's right (or assigns to an alternate payee the right) to receive all or a portion of the benefits payable with respect to a participant in the fund, provided that the order complies with the fund's rules and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:216 (February 2026).

§103. Gender and Meaning

A. Whenever any words are used in these regulations in the masculine gender, they shall also be construed to include the feminine gender in all situations where they would so apply; and whenever any words are used in the singular, they shall also be construed to include the plural in all situations where they would apply and whenever any words are used in the plural, they shall also be construed to include the singular.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:217 (February 2026).

§105. QDRO Language

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 16:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 23:1305 (October 1997), LR 30:1685 (August 2004), repealed LR 52:217 (February 2026).

§107. Notice

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 16:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 23:1305 (October 1997), repealed LR 52:217 (February 2026).

§109. Determination

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 16:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 23:1305 (October 1997), repealed LR 52:217 (February 2026).

§111. Payments Pending Determination

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 16:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 23:1305 (October 1997), repealed LR 52:217 (February 2026).

§113. Representative of Alternate Payee

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 16:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 23:1306 (October 1997), repealed LR 52:217 (February 2026).

Chapter 3. Procedural Rules and Regulations of the Board of Trustees

§301. Organization, Rules, and Procedures of the Board [Formerly §303]

A. Organization of the Board

1. Election of President and Secretary. The board at a meeting held after the election of members to the board, shall elect from its members a president and secretary-treasurer, for the term of two years, or until a successor is duly elected in a manner consistent with R.S. 11:3362(C).

2. Rules of Order. The board or any committee shall not be bound by any rules of order, evidence, or procedure at its meetings, hearings or investigations, except such as it may itself establish.

B. Rules

1. Adoption of Amendment. These rules may be adopted or amended by the board in a manner consistent with R.S. 49:961.

2. Effective Date of Amendments. An amendment to the rule shall become effective on the first day of the month following the date of adoption by the board, unless otherwise specifically provided.

C. Meetings

1. Regular meetings may be held on any day of the month as determined by the board. Notice of the time and place of all regular meetings shall be given in writing to each member of the board by the secretary-treasurer.

2. Special meetings may be held at times and places specified by call of the president, or three other members of the board.

3. Four members of the board shall constitute a quorum for the transaction of business.

4. For purposes of a disability determination, an affirmative vote of two-thirds of the majority will be required.

5. The board shall maintain its records at the fund office.

D. Agency Ineligibility – Meeting Via Electronic Means

1. The fund does not meet the criteria pursuant to R.S. 42:17.2(H) to be eligible to conduct open meetings via electronic means, because it

a. is not a state agency as defined by R.S. 49:951; and

b. has powers, duties or functions that are limited in scope to a particular political subdivision or region.

E. Disability Accommodations

1. Despite ineligibility to conduct open meetings via electronic means, nonetheless the fund is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

2. People with disabilities are defined as any of the following:

a. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);

b. a designated caregiver of such a person; or

c. a participant member of the fund with an ADA-qualifying disability.

3. The written public notice for an open meeting, as required by R.S. 42:19, shall include the name, telephone number and email address of the fund representative to whom a disability accommodation may be submitted.

4. The requestor shall be provided with an 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.

5. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:685 (August 1990), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 52:217 (February 2026).

§303. Application Procedure, Initial Determination, and Notice [Formerly §305]

A. Application

1. All applications for pension and relief benefits must be made in advance of the regular monthly meeting at which the application is to be heard. Application shall only be made on a form provided by the board.

2. Documentary Evidence. Documentary evidence in support of disability applications shall be submitted in addition to the application, and may be in the form of doctors' reports, medical reports, or any other medical evidence or statements acceptable to the board which the claimant wishes to present to assist the board in making its initial determination of benefits payable. Said documentary evidence shall include a medical report from the board's chosen physician.

3. Application for death benefits shall be made on a form provided for by the board.

4. Surviving Spouses' Applications. In addition to providing medical evidence and any other statements presented to assist the board in making an initial determination, all surviving spouses who apply for pension benefits shall do so on a form furnished by the board In addition, surviving spouses shall furnish the board with a copy of the member's death certificate and a notarized affidavit to the effect that the surviving spouse was married to the decedent at the time of his death, and list the names of any and all surviving children under 18 years of age. Accompanying this affidavit shall be a certified copy of the marriage certificate of the decedent and surviving spouse, and birth certificates of all children under 18 years of age.

B. Initial Determination

1. The board shall meet and make an initial determination on any application filed in accordance with these rules based upon the evidence that is presented by the claimant in support of that application.

2. After the board makes its initial determination, the claimant shall be notified of the board's determination by mail and/or electronic means, as to what action the board has taken. In the event the application or any part of it is denied, the claimant shall be advised of his right to appeal the initial determination of the board by filing such a request, in writing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:686 (August 1990), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:218 (February 2026).

§305. Hearing Procedures, Appeal, Oath, Testimony, Production of Records and Depositions [Formerly §307]

A. The board may conduct a hearing to review any completed appeal filed. The claimant may represent himself or may be represented by an attorney or any other person he may designate.

B. Depositions may be used at the hearing conducted by the board or committee.

C. After hearing all of the evidence and considering all of the facts presented, the board shall make a determination of the appeal. The claimant shall be notified of the decision of the board by mail and/or electronic means.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:686 (August 1990), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 52:218 (February 2026).

§307. Judicial Review
[Formerly §309]

A. Judicial review of any final decision by the board shall be reviewable in the District Court of the domicile of the board. No petition for judicial review shall be filed, however, unless and until the claimant shall have first exhausted all internal fund remedies available hereunder, including the filing of an appeal contesting an adverse determination by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:686 (August 1990), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 52:219 (February 2026).

§309. Judicial Review

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 16:686 (August 1990), repealed LR 52:219 (February 2026).

Chapter 5. Election Rules
[Formerly Chapter 17]

§501. Nominations
[Formerly §1701]

A. Election for positions on the board of trustees as described in R.S. 11:3362(A)(3) and (4) will be held every two years on odd numbered years as required by R.S. 11:3362(B).

B. Notices for nomination will be recorded in monthly fund minutes, beginning in July of any election year.

C. Nominations for positions will be accepted from eligible members in writing on or around the second week in July in the fund office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5224:1927 (October 1998), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:219 (February 2026).

§503. Election Committee
[Formerly §1703]

A. All members nominated for the board will automatically become members of the election committee for the election in which they have been nominated. The election committee will meet to review all the rules of the election. The committee can discuss procedures but will not have the authority to change any rules for any election. Any committee member may offer recommendations or rule changes for any subsequent election, which shall be recorded in the minutes of the committee or a special report.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5224:1927 (October 1998), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:219 (February 2026).

§505. Ballot Procedure
[Formerly §1705]

A. Ballots with security envelopes and return envelopes will be mailed out no later than 21 days before the fourth Wednesday in August, subject to the following controls.

1. Records of the mailing will be kept at the fund office.

2. The listing of all members who were mailed ballots will be kept at the fund office. Any member may inspect, but not copy, the voter mailing list.

3. The election committee will make available to its members, upon request, the number of names added to the list after the initial mailing and the number of duplicate ballots mailed to members who did not receive the original ballot.

4. The election committee will account for all ballots (used and unused).

B. All ballots must be returned, signed, no later than 8 p.m. on the fourth Wednesday in August subject to the following controls:

1. Ballots will be verified for eligibility by fund office staff daily.

2. The election committee will have authority to check for eligibility prior to counting of ballots.

3. A current account of envelopes returned will be preserved.

4. Ballots will be placed in two secured ballot boxes at the fund office. Separate boxes will be maintained for active firefighter and retired members.

5. Each ballot box will be secured with two different locks. The election committee will designate two incumbent members and two non-incumbent member nominees to control the keys to all locks.

C. The following voting instructions and procedures shall apply:

1. Each member will receive an official ballot with voting instructions.

2. A blank security envelope and a self-addressed stamped envelope addressed to:

Firefighters' Pension and Relief Fund
5710 General Haig Street
New Orleans, LA 70124

3. Members must vote for only the specified number of candidates in the appropriate sections. Members may vote for less than the specified number, however, voting in excess of the specified number, in the appropriate section, will spoil and void the ballot for that section.

4. Members should place their ballot in the security envelope, then seal the envelope. The security envelope should then be placed inside the self-addressed, stamped envelope.

5. Members must sign the self-addressed envelope in the upper left corner in the space provided. A member's signature shall serve as proof of eligibility. Any envelopes not signed will be rejected.

6. All ballots must be returned signed, to the fund office, no later than the fourth-Wednesday in August.

D. All ballots will be counted at the fund office at 9 a.m. on the Thursday following the deadline for ballots to be returned, subject to the following conditions.:

1. The election committee shall report to the fund office no later than 8:30 a.m.

2. The election committee is to oversee the counting of ballots.

3. The election committee is responsible for accuracy of votes counted.

E. Envelopes and ballots will be maintained and preserved at the fund office for three months following any election.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5224:1927 (October 1998), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:219 (February 2026).

§507. Election Inquiries [Formerly §1709]

A. Any questions from members regarding the election should be directed to the election committee, in writing, addressed care of the fund secretary-treasurer.

B. The election committee may propose comments, suggestions and recommendations on any changes for the next election to be held following the election under its supervision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5224:1928 (October 1998), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:220 (February 2026).

Chapter 7. Partial Buy Back and Partial Restoration of Forfeited Credits of Service

§701. Partial Buy Back and Partial Restoration of Forfeited Credits of Service

A. A member shall partially buy back a portion of his forfeited credits of service and shall do so by satisfying the following requirements, as set forth herein.

1. A member must have returned to employment with the fire department and remain in such employment for a period of four years or more.

2. The amount of a partial buy back, and accordingly a partial restoration of forfeited credits, shall be determined by calculating the amount the member withdrew of his accumulated employee contributions on his initial termination of employment, plus 3 1/2 percent of interest, compounded annually, for each calendar year the member retained his withdrawn accumulated employee contributions, which total amount shall be referred to as the "total buy back amount" (interest shall be prorated for any period less than a calendar year period).

3. A member may restore his total number of years of forfeited credit on a piecemeal basis, provided the member restores at least two or more years of forfeited credit, in increments of 12 consecutive months. A member is prohibited from restoring his forfeited credits of service on a monthly basis and is prohibited from restoring less than two years, unless the restoration of credits is his final restoration request or the restoration request is for his total forfeited credits.

4. A year of credit shall mean a 12-month consecutive period.

5. A member shall elect a partial buy back and partial restoration of forfeited credits of service by completing and filing the applicable forms. A member may revoke any election for a partial buy-back and partial restoration, provided such revocation is in writing.

6. The member's years of credit service shall be adjusted as a result of the partial restoration of forfeited credits upon receipt of the annual buy-back amount for each year the member elects to restore.

7. A member is strictly prohibited hereunder from receiving his accumulated employee contributions upon his termination of employment in a form other than a full and total lump sum payment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363 and 3365.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5219:743 (June 1993), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:220 (February 2026).

Chapter 9. Death Benefits

§901. Beneficiary Designations and Election of Retirement and Death Benefits [Formerly §903]

A. Any designation of beneficiary made by a firefighter pursuant to the statute shall be made, in writing, by completing the applicable beneficiary designation form required by the board and shall be filed by the board.

B. Whenever a retirement benefit election includes a survivor annuity in any amount, a certified copy of the said survivor's birth certificate shall be furnished as proof of age. The retiree shall keep the board advised at all times of all changes of address of himself and said beneficiary.

C. Any such designation of beneficiary may be changed at any time prior to retirement but such change shall have no effect until filed and received by the board.

D. If a firefighter dies without having designated a beneficiary, in accordance with the statute, and a benefit is payable, the applicable death benefit shall be paid to the firefighter's non-designated beneficiary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3361 and R.S. 11:3378 et seq.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5220:183 (February 1994), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:220 (February 2026).

§903. Preretirement Death Benefits [Formerly §907]

A. Nonduty Deaths

1. If an active firefighter, whether or not he is eligible by age and service to retire should die a nonduty death, his surviving spouse may elect one of the following death benefits:

a. an annuity payable for the duration of the surviving spouse's life and calculated as if the employee had retired prior to death pursuant to R.S. 11:3385, Option 2; or alternatively

b. a refund of the employee's accumulated contributions, in lump sum, plus interest.

2. If an active firefighter whether or not he is eligible by age and service to retire~~,~~ should die a nonduty death, and

is not married at the time of his death, the designated beneficiary may elect one of the following death benefits:

a. an annuity payable for the duration of the designated beneficiary's life and calculated as if the employee had retired prior to death pursuant to R.S. 11:3385, Option 2; or alternatively

b. a refund of the employee's accumulated contributions, in lump sum, plus interest.

3. If an active firefighter, whether or not he is eligible by age and service to retire, fails to designate a beneficiary and is not married, when he suffers a nonduty death, his dependent parent may elect one of the following:

a. an annuity payable for the life of the dependent and calculated as if the employee has retired prior to death pursuant to R.S. 11:3385, Option 2, or alternatively

b. a refund of the employee's accumulated contributions in a lump sum.

4. If an active firefighter whether or not he is eligible by age and service to retire, should die a nonduty death, and if the firefighter is not married, failed to designate a beneficiary, and does not have a dependent parent, a refund of the employee's accumulated contributions, in lump sum, plus interest shall be paid to the non-designated beneficiary.

5. If an active firefighter who is not eligible by age and service to retire when he suffers a nonduty death, and the firefighter is survived by dependent minor children or physically or mentally handicapped dependent children, each child shall receive a death benefit set forth in R.S. 11:3378(A)(2).

B. On-Duty Deaths

1. If an active firefighter whether or not he is eligible by age and service to retire when he suffers death in the line of duty, the surviving spouse shall elect one of the following death benefits:

a. an annuity payable for the duration of employee had survived until he had 20 years service at the same salary and elected to retire under R.S. 33:43385, Option 2 with no reduction for age at the date of retirement. The Option 2 calculation shall be based on his age and the age of the surviving spouse at the date of death pursuant to R.S. 11:3385(B); or alternatively

b. a refund of the employee's accumulated contributions, in lump sum, plus interest.

2. If an active firefighter whether or not he is eligible by age and service to retire when he suffers death in the line of duty, and is not married at the time of death, his designated beneficiary may elect one of the following death benefits:

a. an annuity payable for the duration of the designated beneficiary's life and calculated as if the employee had survived until he had 20 years service at the same salary and elected to retire under R.S. 11:3385, Option 2 with no reduction for age at the date of retirement. The Option 2 calculation shall be based on his age and the age of his designated beneficiary at the date of death; or alternatively

b. a refund of the employee's accumulated contributions, plus interest earned, in lump sum, plus interest.

3. If an active firefighter, whether or not he is eligible by age and service to retire when he suffers death in the line of duty and is not married at the time of death and has failed to designate a beneficiary, a refund of the employee's accumulated contributions, in lump sum, plus interest shall be payable to the non-designated beneficiary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3361 and R.S. 11:3378 et seq.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5220:184 (February 1994), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:220 (February 2026).

§905 General
[Formerly §909]

A. A spouse or parent may receive only one survivor pension under R.S. 11:3378A(1)(e).

B. Neither a retiree nor a surviving spouse shall receive a pension less than $1200 per month R.S. 11:3383.

C. Once a firefighter has retired and elected an optional benefit under R.S. 11:3385, neither the designated joint annuitant nor the optional form of benefit may be changed. When the survivor designated as a joint annuitant dies, no further survivor benefit shall be payable.

D. No benefit or joint annuity payable under R.S. 11:3385 shall exceed the actuarial value of the employee's benefit.

E. Unless the benefit payable is a refund of the employee's accumulated contributions or is payable under R.S. 11:3378(B), no lump sum benefits shall be payable by this fund pursuant to R.S. 11:155.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3361 and R.S. 11:3378 et seq.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5220:184 (February 1994), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:221 (February 2026).

§907. Preretirement Death Benefits

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3361 and R.S. 11:3378 et seq.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 20:184 (February 1994), repealed LR 52:221 (February 2026).

§909. General

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3361 and R.S. 11:3378 et seq.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 20:184 (February 1994), repealed LR 52:221 (February 2026).

Chapter 11. Calculation of Benefits

§1101. Definitions

A. The term *year* when appearing in the term *best year of service*, under R.S. 11:3386 shall mean any 12-consecutive month period commencing on any day and date preceding the firefighter's retirement that results in the highest average compensation.

B. The term *year*s when appearing in the term *highest five average consecutive years of service* under R S. 11:3384 shall mean any five consecutive years ending on any day and date preceding the firefighter's last day of service that results in the *highest five consecutive years of service*.

C. The term *year* when appearing in the term *last year of service* under R.S. 11:3377(A) shall mean the consecutive 12-month period ending on the last day of the month prior to the firefighter's last day of service prior to retirement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363, 3377, and 3384.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5220:785 (July 1994), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:221 (February 2026).

§1103. General

A. Under no circumstances shall the terms *average compensation* and *average salary* be interpreted to include more than one annual excess millage payment in any given *year*.

B. Under no circumstances shall a different *year* be utilized for purposes of calculating the value of the different components included in *average compensation* or *average salary*, except in regard to excess millage payments, as specified herein.

C. Under no circumstances shall excess millage paid to a firefighter for any period less than a full calendar year be annualized for purposes of calculating a retirement benefit, nor shall excess millage paid to the firefighter in the calendar year of his retirement be utilized in his benefit calculation unless that calendar year is also a benefit *year*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363, 3381, 3385, and 3386.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5220:785 (July 1994), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:222 (February 2026).

§1105. Calculation of Benefit Amount

A. *Average compensation*, as referenced in R.S. 11:3386 for purposes of identifying the *best year of service*, and in R.S. 11:3377A), for purposes of calculating the benefit attributable to the *last year of service*, shall mean the monthly base pay (including regularly paid millage), monthly scheduled overtime, and monthly state supplemental pay earned in the year under review, irrespective of the date of payment.

B. The term *average salary* when appearing in R.S. 11:3384 for purposes of calculating the highest five consecutive years of service, shall mean the monthly base pay (including regularly paid millage), monthly scheduled overtime, and monthly state supplemental pay earned in the five years under review, irrespective of the date of payment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363-3381, 3385, and 3386.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5220:785 (July 1994), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:222 (February 2026).

Chapter 13. Tax Qualification Provisions

EDITOR'S NOTE: Section 1307 below references section 401(a)(37) of the Internal Revenue Code:

(37) Death benefits under userra-qualified active military service.— A trust shall not constitute a qualified trust unless the plan provides that, in the case of a participant who dies while performing qualified military service (as defined in section 414(u)), the survivors of the participant are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the plan had the participant resumed and then terminated employment on account of death.

§1301 Direct Rollover
[Formerly §501]

A. Notwithstanding any provision to the contrary, the fund shall permit a direct rollover of an eligible rollover distribution to an eligible retirement plan in accordance with the IRC §401(a)(31) and the terms set forth herein, upon properly completing and filing the appropriate administrative forms.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5219:742 (June 1993), amended LR 5222:708 (August 1996), LR 5238:1011 (April 2012), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:222 (February 2026).

§1303. General Provisions
[Formerly §2001]

A. The New Orleans Firefighters Pension and Relief Fund is a tax-qualified governmental plan. The following provisions shall apply:

1. The assets of the fund shall be held for the exclusive benefit of the members of the fund, the retirees thereof, and the survivors and beneficiaries of the retirees and members. No part of the assets held by the fund shall be used or diverted for any reason, including any contingency or event or by any other means, to other purposes, including but not limited to reversion to any employer.

2. The retirement benefit of a member shall be fully vested and nonforfeitable no later than the date on which he becomes eligible to retire. Benefits of members shall also become vested and nonforfeitable upon the termination of the fund or the complete discontinuance of contributions to the system.

3. Forfeitures shall not be used to increase the benefits of the remaining members of the fund. This shall specifically not preclude any increase in benefits by amendment to the benefit formula made possible by a change in contribution rate, favorable investment results, or other means.

4. A member's benefit shall begin to be distributed not later than the latest date provided for the commencement of benefits for governmental plans under IRC §401(a)(9)(C). Distributions to a surviving spouse, dependent, successor and/or beneficiary of a member shall be made at least as soon as distributions are required to be made by qualified governmental plans under IRC § 401(a)(9). Benefits payable shall be limited in accordance with IRC § 415 and applicable Treasury Regulations as applied to governmental plans.

5. In computing benefit accruals, there shall not be taken into account compensation in excess of the limitations specified in IRC §401(a)(17).

6. The fund, its trustees, consultants, and advisors shall not engage in any prohibited transactions as that term is defined in IRC § 503.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5237:1392 (May 2011), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:222 (February 2026).

§1305. Actuarial Equivalence
[Formerly §2003]

A. The following provisions shall apply to the fund~~.~~:

1. The term *actuarial equivalence* or terms of similar import, wherever used, means a benefit of equivalent actuarial value determined by using the mortality assumptions and interest rates described herein.

a. The mortality assumptions will be based upon the Pub-2016 for Public Safety healthy retirees, disabled retirees and contingent survivors (amount weighted mortality projected with Scale MP-2021, at 7.2 percent interest.

b. For purposes of determining actuarial equivalence, the assumptions used as the basis for actuarial equivalence shall be reviewed periodically by the board and updated and amended if appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5238:1012 (April 2012), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:222 (February 2026).

§1307. Military Service
[Formerly §2005]

A. Notwithstanding any provision to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with IRC § 414(u). To the extent applicable, the provisions of IRC § 401(a)(37) shall apply. (See Editor's Note.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5238:1012 (April 2012), amended by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:223 (February 2026).

Chapter 15. Qualified Domestic Relations Orders
[Formerly Chapter 1]

§1501. Determining Qualified Status of Domestic Relations Orders
[Formerly §101]

A. Intent and Construction. These procedural rules are adopted in order to satisfy the requirements of R.S. 11:291 and 292 and shall be construed consistently with this purpose.

B. The purpose of these rules is to establish the board's willingness to recognize and enforce any QDRO that meets the requirements set forth herein.

C. A QDRO must clearly specify:

1. the name and last known mailing address of the participant and the name and mailing address of each alternate payee covered by the order or, in the event the alternate payee is a minor or legally incompetent, the name and address of the alternate payee's guardian;

2. the amount or percentage of the participant's benefits to be paid by the fund to each alternate payee, or the manner in which such amount or percentage is to be determined;

3. the number of payments or the period to which such order applies; and

4. the name and identify of the fund.

D. The board shall not honor the terms of any order that requires the fund:

1. to provide any type or benefits, or any option, not otherwise provided under the fund.

2. to provide increased benefits (determined on the basis of actuarial value).

3. to pay benefits to an alternate payee that are required to be paid to another alternate payee under another order previously determined to be a QDRO.

4. to pay benefits to an alternate payee prior to the date the participant terminates employment and begins receiving pension benefits from the fund.

5. that allows the alternate payee to elect a form of benefit payable in any manner other than over the life of the participant when the order is presented to the fund after the participant has already begun receiving pension benefits.

6. to pay benefits to an alternate payee in any manner other than over the life of the alternate payee when the order is presented to the fund before the participant begins to receive pension benefits.

E. *Participant*—for purposes of this section, any employee or former employee in relation to the fund, who is or may become eligible to receive a benefits of any type from the fund, and who is the individual whose benefits under the fund are being divided by the QDRO.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5223:1304 (October 1997), LR 5230:1685 (August 2004), LR 5238:796 (March 2012), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:223 (February 2026).

1503. QDRO Language
[Formerly §105]

A. Many factors should be taken into account by the drafters of a DRO to determine which benefits to assign to an alternate payee and how these benefits are to be assigned. Because of the complexity and variety of circumstances that should be considered and the need to individually tailor the assignment of benefits under a DRO, the board may propose specific sample language for inclusion in a DRO. The participant, alternate payee, and their respective attorneys, are directed to collaborate jointly to draft a DRO that satisfies their individual needs. If requested, the board will review any proposed order submitted to the fund prior to its submission to the appropriate court for execution and entry, with the intent of determining the proposed order's qualified status. The board is required by law to honor and enforce the terms of any QDRO which meets the conditions specified in these rules, applicable statutes and the courts' interpretations thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5223:1305 (October 1997), LR 5230:1685 (August 2004), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:223 (February 2026).

§1505. Determination and Payment
[Formerly §109 and §111]

A. The board shall determine whether a domestic relations order is a qualified domestic relations order within a reasonable time after it is received and shall have the right to require such evidence as they may reasonably need to make the determination.

B. The board shall notify the participant and the alternate payee of its determination within a reasonable period of time after the determination is made.

C. The board's decision shall be in writing and shall include specific reasons for the decision, expressed in a manner calculated to be understood by the participant and the alternate payee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5223:1305 (October 1997), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 52:223 (February 2026).

1507. Representative of Alternate Payee [Formerly §113]

A. An alternate payee, by written notice to the board, may designate a representative for receipt of copies of notices that are sent to the alternate payee with respect to a domestic relations order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans, LR 5216:501 (June 1990), amended by the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 5223:1306 (October 1997), LR 52:224 (February 2026).

§1509. Trustees' Procedures Applicable to Payments to DROP Accounts

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363, and 3385.1.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 22:706 (August 1996), amended LR 26:294 (February 2000), repealed LR 52:224 (February 2026).

§1511. General

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363 and 3385.1.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 22:707 (August 1996), repealed LR 52:224 (February 2026).

Chapter 17. Election Rules

§1701. Nominations

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 24:1927 (October 1998), repealed LR 52:224 (February 2026).

§1703. Election Committee

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 24:1927 (October 1998), repealed LR 52:224 (February 2026).

§1705. Ballot Procedure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 24:1927 (October 1998), repealed LR 52:224 (February 2026).

§1707. Installation of Elected Members

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 24:1928 (October 1998), repealed LR 52:224 (February 2026).

§1709. Election Inquiries

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 24:1928 (October 1998), repealed LR 52:224 (February 2026).

§1711. Special Elections

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3362 and 3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 24:1928 (October 1998), repealed LR 52:224 (February 2026).

Chapter 19. Partial Lump-Sum Option Payment

§1901. General Rules for Participation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363, and 3385.2.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 26:291 (February 2000), repromulgated LR 26:1610 (August 2000), amended LR 30:1684 (August 2004), repealed LR 52:224 (February 2026).

§1903. Distributions from Partial Lump-Sum Option Payment

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363, and 3385.2.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 26:291 (February 2000), repromulgated LR 26:1610 (August 2000), amended LR 30:1684 (August 2004), repealed LR 52:224 (February 2026).

Chapter 20. Tax Qualification Provisions

§2001. General Provisions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 37:1392 (May 2011), repealed LR 52:224 (February 2026).

§2003. Actuarial Equivalence

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 38:1012 (April 2012), repealed LR 52:224 (February 2026).

§2005. Military Service

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:3363.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 38:1012 (April 2012), repealed LR 52:224 (February 2026).

Chapter 21. Procedural Rules and Regulations of the Board of Trustees

§2101. Agency Ineligibility

Repealed.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 50:780 (June 2024), repromulgated LR 51:70 (January 2025), repealed LR 52:225 (February 2026).

§2103. Disability Accommodations

Repealed.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 50:780 (June 2024), repromulgated LR 51:70 (January 2025), repealed LR 52:225 (February 2026).

Thomas Meagher
Secretary-Treasurer

2602#008

RULE

Department of Health
Board of Practical Nurse Examiners

Employment of Practical Nursing Students and Unsuccessful Candidates on the NCLEX-PN
(LAC 46:XLVII.1706)

The Board of Practical Nurse Examiners has adopted LAC 46:XLVII Section 1706, in accordance with the provisions of the Administrative Procedure Act, R.S. 950 et seq., and the Practical Nursing Practice Act, R.S. 37:961-979.

The purpose of the Rule is to allow practical nursing students and practical nursing graduates who are within 12 months of their practical nursing program completion date and have been unsuccessful on the NCLEX-PN examination to be employed in nursing settings and to perform procedures and/or tasks for which they have been educated and certified as competent by their practical nursing program and/or by graduation from an LSBPNE approved practical nursing program. This Rule is hereby adopted on the day of promulgation.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XLVII. Nurses: Practical Nurses and Registered Nurses
Subpart 1. Practical Nurses
Chapter 17. Licensure

§1706. Employment of Practical Nursing Students and Unsuccessful Candidates on the NCLEX-PN

A. Practical nursing students and unsuccessful candidates on the NCLEX-PN licensing examination employed in nursing settings may be employed as unlicensed persons and perform procedures and/or tasks for which they have been educated and cleared by their practical nursing program and/or by graduation from a board approved practical nursing program.

B. To assist these individuals to be employed in an acceptable position whereby they contribute to patient care and yet do not jeopardize the welfare of the patient nor legally implicate themselves or their employing institution, the board has adopted the following policies for performance of nursing activities by currently enrolled practical nursing students and practical nursing graduates who are within 12 months of their practical nursing program completion date and have been unsuccessful on the NCLEX-PN examination.

1. The employer shall:

a. document the unlicensed status of these individuals as currently enrolled practical nursing students or practical nursing graduates who are within 12 months of their practical nursing program completion date and have been unsuccessful on the NCLEX-PN examination;

b. develop and review the written job description with the employee;

c. provide proper orientation and training for the position;

d. provide direct supervision of these unlicensed personnel by a registered nurse or physician;

e. inform all nursing personnel that the practical nursing student and the unsuccessful candidate may perform procedures and/or tasks enumerated in the job description.

2. Employers shall not jeopardize the potential for licensure of the practical nursing student or the unsuccessful candidate for licensure in order to augment their staffing. It is understood that these unlicensed personnel may not perform the nursing tasks and procedures enumerated in their specific job description independently without the requisite direct supervision of the registered nurse or physician.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Practical Nurse Examiners, LR 52:225 (February 2026).

Christina Costanza, RN
Executive Director

2602#018

RULE

Department of Health
Bureau of Health Services Financing

Dental Benefits Prepaid Ambulatory Health Plan
Enrollment Broker (LAC 50:I.2105)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:I.2105 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 21. Dental Benefits Prepaid Ambulatory Health Plan
§2105. Prepaid Ambulatory Health Plan Responsibilities

A. - B.3. ...

C. Enrollment Period. The enrollment of a DBPM member shall be based on a calendar year, contingent upon his/her continued Medicaid eligibility. A member shall remain enrolled in the DBPM until:

1. the member submits a request to transfer to another DBPM. The member may request to transfer to another DBPM without cause up to two times per calendar year. After transferring a second time, the member will remain in that DBPM until the end of the calendar year unless the member submits a for cause disenrollment request, which is approved; or

2. Repealed.

C.3. - D.3. ...

E. Voluntary Selection of DBPM for New Enrollees

1. - 2. ...

3. Eligible enrollees shall be given the opportunity to change DBPMs two times each calendar year. If the enrollee transfers a second time, they will remain in that DBPM until the end of the calendar year.

4. All enrollees shall be given the opportunity to choose a DBPM at the start of a new DBPM contract through the regularly special enrollment period.

F - F.3 Repealed.

G. - G.4. ...

H. Disenrollment and Change of Dental Benefit Plan Manager

1. An enrollee may request disenrollment from the DBPM as follows:

a. for cause that is approved, once the member is locked into his/her DBPM. The following circumstances are cause for disenrollment:

i. - vi. ...

b. without cause for the following reasons:

i. ...

ii. upon automatic re-enrollment pursuant to 42 CFR §438.56(g);

iii. - iv. ...

v. at any time, up to two times per calendar year. After the second transfer, the enrollee will remain in that DBPM for the remainder of the calendar year unless they receive approval for a for cause disenrollment.

I. - U.2. ...

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, Bureau of Health Services Financing, LR 40:784 (April 2014), amended by the Department of Health, Bureau of Health Services Financing, LR 46:1228 (September 2020), LR 49:682 (April 2023), LR 52:226 (February 2026).

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

2602#027

RULE

Department of Health
Bureau of Health Services Financing

Managed Care for Physical and Behavioral Health
Enrollment Broker (LAC 50:I.3105 and 3107)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:I.3105 and 3107 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
§3105. Enrollment Process

A. …

B. The department will contract with an enrollment broker who will be responsible for the enrollment and disenrollment process for MCO enrollees. The enrollment broker shall be:

1. the primary contact for Medicaid beneficiaries regarding the MCO enrollment and disenrollment process, and shall assist the beneficiary with MCO enrollment;

2. the only authorized entity, other than the department, to assist a Medicaid beneficiary in the selection of an MCO; and

3. …

C. Enrollment Period. The enrollment of an MCO member shall be based on a calendar year, contingent upon his/her continued Medicaid eligibility. A member shall remain enrolled in the MCO until:

1. the member submits a request to transfer to another MCO. The member may request to transfer to another MCO without cause up to two times per calendar year. After transferring a second time, the member will remain in that MCO until the end of the calendar year unless the member submits a for cause disenrollment request that is approved; or

2. Repealed.

3. …

D. - D.4. Repealed.

E. Special Enrollment Provisions for Mandatory, Opt-In Population Only

1. Mandatory, opt-in populations may request participation in Healthy Louisiana for physical health services at any time. The effective date of enrollment shall be no later than the first day of the second month following the calendar month the request for enrollment is received. Retroactive begin dates are not allowed.

2. …

3. Following an opt-in for physical health and selection of an MCO and subsequent 90-day choice period, these members may transfer to another MCO up to two times for the remainder of the calendar year. If the member transfers a second time, the member will be locked in that MCO until the beginning of the next calendar year unless they elect to disenroll from physical health, or the member submits a for cause disenrollment request that is approved.

F. Enrollment of Newborns. Newborns of Medicaid eligible mothers, who are enrolled at the time of the newborn's birth, will be automatically enrolled with the mother's MCO.

1. If there is an administrative delay in enrolling the newborn and costs are incurred during that period, the member shall be held harmless for those costs and the MCO shall pay for those services.

2. - 2.b.…

G. Selection of an MCO

1. As part of the eligibility determination process, Medicaid and LaCHIP applicants, for whom the department determines eligibility, shall receive information and assistance with making informed choices about participating MCOs from the enrollment broker. These individuals will be afforded the opportunity to indicate the MCO of their choice on their Medicaid application or in a subsequent contact with the department prior to determination of Medicaid eligibility.

2. All new beneficiaries who have made a proactive selection of an MCO shall have that MCO choice transmitted to the enrollment broker immediately upon determination of Medicaid or LaCHIP eligibility. The member will be assigned to the MCO of their choosing unless the MCO is otherwise restricted by the department.

a. Beneficiaries who fail to choose an MCO shall be automatically assigned to an MCO by the enrollment broker, and the MCO shall be responsible to assign the member to a primary care provider (PCP) if a PCP is not selected at the time of enrollment into the MCO.

b. For mandatory populations for all covered services as well as mandatory, specialized behavioral health populations, the auto-assignment will automatically enroll members using a hierarchy that takes into account family/household member enrollment, or a round robin method that maximizes preservation of existing provider-enrollee relationships.

3. All new beneficiaries shall be immediately, automatically assigned to an MCO by the enrollment broker if they did not select an MCO during the eligibility determination process.

a. Repealed.

4. All new beneficiaries will be given 90 days to change MCOs if they so choose.

a. Repealed.

5. The following provisions will be applicable for beneficiaries who are mandatory participants.

a. …

b. Enrollees may request to transfer out of the MCO for cause and the effective date of enrollment into the new plan shall be no later than the first day of the second month following the calendar month that the request for disenrollment is filed.

H. Automatic Assignment Process

1. The following participants shall be automatically assigned to an MCO by the enrollment broker in accordance with the department's algorithm/formula and the provisions of §3105.D:

a. mandatory MCO participants;

b. …

c. other beneficiaries as determined by the department.

2. - 2.e.…

3. MCO assignment methodology shall be available to enrollees upon request to the enrollment broker.

I. Selection or Automatic Assignment of a Primary Care Provider for Mandatory Populations for All Covered Services

1. - 2. …

3. If the enrollee does not select an MCO and is automatically assigned to a PCP by the MCO, the MCO shall allow the enrollee to change PCP, at least once, during the first 90 days from the date of assignment to the PCP.

4. …

J. Enrollment Period

1. Members have 90 days from the initial date of enrollment into an MCO in which they may change the MCO for any reason. Beginning on the ninety-first day, the member will be able to change his/her MCO for any reason up to two times for the remainder of the calendar year. If the member transfers two times, he/she will remain in his/her MCO until the end of the calendar year, unless disenrolled under one of the conditions described in this Section, with the exception of the mandatory, opt-in populations, who may disenroll from Healthy Louisiana for physical health and return to legacy Medicaid at any time. Beginning January first of the following calendar year, the member will again be able to change MCOs up to two times per calendar year.

K. - K.3. Repealed.

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, Bureau of Health Services Financing, LR 37:1574 (June 2011), amended LR 40:310 (February 2014), LR 40:1097 (June 2014), LR 41:929 (May 2015), LR 41:2364 (November 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 42:755 (May 2016), LR 52:226 (February 2026).

§3107. Disenrollment and Change of Managed Care Organization

A. A member may request disenrollment from an MCO for cause once the member has changed MCOs two times in a calendar year.

B. A member may request disenrollment from an MCO without cause at the following times:

1. …

2. at any time, up to two times per calendar year. After the second transfer, the enrollee will remain in that MCO for the remainder of the calendar year unless they receive approval for a for cause disenrollment;

3. upon automatic re-enrollment; or

B.4. - C.4. ...

D. Disenrollment for Cause

1. A member may initiate disenrollment or transfer from their assigned MCO after the first 90 days of enrollment for cause once the member has changed MCOs two times in a calendar year. The following circumstances are cause for disenrollment:

D.1.a. - G.2. ...

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, Bureau of Health Services Financing, LR 37:1575 (June 2011), amended LR 40:311 (February 2014), LR 41:931 (May 2015), LR 41:2365 (November 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 52:227 (February 2026).

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

2602#028

RULE

Department of Health
Health Standards Section

Free-Standing Birth Centers
Licensing Standards (LAC 48:I.6737 and 6743)

The Department of Health, Health Standards Section (the department), has amended LAC 48:I.6737 and §6743 as authorized by R.S. 36:254 and R.S. 40:2180.21–2180.28. 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 48
PUBLIC HEALTH-GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification
Chapter 67. Free-Standing Birth Centers
Subchapter B. Administration and Organization
§6737. Policies and Procedures

A. - G. ...

H. The free-standing birth center (FSBC) shall have written policies and procedures approved by the governing body, which shall be implemented and followed that address, at a minimum, the following:

1. - 13. ...

14. conditions for coverage, if applicable;

15. preventing, responding to, reporting, and mitigating instances of healthcare workplace violence in accordance with R.S. 40:2199.12(3), or current law; and

16. provision of prenatal and postpartum care to a client who has had a previous cesarean section or other known uterine surgery such as hysterotomy or myomectomy, and who plans to give birth in a hospital.

I. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2116 (August 2022), amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025), LR 52:228 (February 2026).

Subchapter C. Admissions, Transfers and Discharges
§6743. Prohibitions to Admission or Continued Care in an FSBC

A. The FSBC shall not knowingly accept or thereafter maintain responsibility for the prenatal or intrapartum care of a woman who:

1. - 17. ...

18. is younger than 16 years old or a primipara older than 40 years old, unless the FSBC obtains and maintains documented evidence from an obstetrician/gynecologist that the pregnancy and delivery is expected to be a low-risk, singleton birth, with vertex presentation;

19. has been taking medications known to cause Neonatal Abstinence Syndrome, except if the woman is taking a selective serotonin reuptake inhibitor (SSRI) as prescribed by her healthcare professional. The FSBC shall have documented evidence that taking the SSRI as prescribed will not increase risk to the pregnancy or delivery;

20. - 22. ...

B. A licensed healthcare practitioner may render FSBC prenatal and postpartum care services to a client who has had a previous cesarean section or other known uterine surgery such as hysterotomy or myomectomy, when the client has a plan for hospital delivery.

C. A licensed healthcare practitioner shall not knowingly render FSBC services outside of their scope of practice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2117 (August 2022), amended LR 49:483 (March 2023), amended by the Department of Health, Health Standards Section, LR 52:228 (February 2026).

Bruce D. Greenstein
Secretary

2602#052

RULE

Department of Health
Office of Public Health

Day Care Centers and Residential Facilities
(LAC 51:XXI.101 and 105)

Under the authority granted by R.S. 40:4 and in accordance with the R.S. 49: 950 et seq., the Administrative Procedure Act, notice is hereby given that the Department of Health, Office of Public Health, has amended existing provisions of LAC 51 *Public Health—Sanitary Code* to allow for the inspection of prekindergarten programs affiliated with nonpublic schools under the provisions of Part XVII of that Code and adds language to exempt certain firms from complying with the provisions of Part XXI.

This Rule language will amend §101 to align the definition of *Early Learning Center* with the revised definition of that term contained in Act 409 of the 2025 Regular Session; amends §105 to provide that facilities operating prekindergarten programs attached to nonpublic schools will

continue to be inspected only under Part XVII, rather than Part XXI, until January 1, 2027; and amends §105 to provide that the following types of facilities are not required to meet the provisions of Part XXI: Louisiana Montessori accredited or provisionally accredited approved schools, camps, registered family child day care homes, and care given without charge. This Rule is hereby adopted on the day of promulgation.

Title 51
PUBLIC HEALTH—SANITARY CODE
Part XXI. Day Care Centers and Residential Facilities
Chapter 1. General Requirements
§101. Definitions
[Formerly 21:001]

A. Unless otherwise specifically provided herein, the following words and terms used in this Part and all other Parts which are adopted or may be adopted, are defined for the purpose thereof as follows.

* * *

Early Learning Center—any child day care center, early head start center, head start center, or nonpublic prekindergarten program.

* * *

AUTHORITY NOTE: The first source of authority for promulgation of the sanitary code is in R.S. 36:258(B), with more particular provisions found in Parts 1 and 4 of Title 40 of the Louisiana Revised Statutes. This Part is promulgated in accordance with the specific provisions of R.S. 40:4(A)(10), R.S. 40:5, and R.S. 40:31.15.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1399 (June 2002), amended by the Department of Health, Office of Public Health, LR 46:591 (April 2020), LR 52:229 (February 2026).

§105. General
[Formerly 21:002-1]

A.1.Unless otherwise provided in subparagraph A.2 of this Section, facilities applying for license after the effective date of this Part shall meet all of the requirements contained herein. Facilities licensed or with pending applications prior to the effective date shall be allowed 36 months from the effective date to comply with the following Sections: 105.C.5.a, 105.C.5.c, as regards temperature control; 105.C.5.d, 105.E.1, 105.F, 501.A, and 501.C as regards opening-sizes, heights and gates; 501.D. Facilities licensed or with pending applications prior to the effective date shall be allowed 12 months from the effective date to comply with the following Sections: 103.H.2 and 301.A.9. Such facilities shall comply with all other requirements of this Part on the effective date.

2. Facilities operating prekindergarten programs attached to nonpublic schools, which are required by Act 409 of the 2025 Regular Session to be licensed as early learning centers, will not be required to comply with the provisions of this Part, and will instead continue to be inspected under Part XVII of the Code, until January 1, 2027.

3. Pursuant to Act 409 of the 2025 Regular Session, the following types of facilities shall not be required to meet the provisions of this Part: Louisiana Montessori accredited or provisionally accredited approved schools, camps, registered family child day care homes, and care given without charge.

B. - J.2. ...

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(10), R.S. 40:5, and R.S. 40:4(A)(13).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1399 (June 2002), amended LR 37:2728 (September 2011), LR 38:2926 (November 2012), repromulgated LR 38:3233 (December 2012), amended LR 41:2657 (December 2015), LR 52:229 (February 2026).

Bruce D. Greenstein
Secretary
and
Ralph L. Abraham, MD
Surgeon General

2602#033

RULE

Department of Health
Office of Public Health

Sickle Cell Disease Registry
(LAC 48:V.Chapter 86)

Under the authority of R.S. 40:1125.16, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the surgeon general, acting through the Department of Health, Office of Public Health (LDH), has adopted this Rule. The Rule aims to comply with the provisions of Act 647 of the 2022 Regular Session of the Louisiana Legislature The legislation enacted R.S. 40:1125.11 through 1125.16. In response to the legislation, the Department of Health Office of Public Health adopts this Rule to outline the Louisiana Sickle Cell Disease Registry's purpose, scope, definitions, and responsibilities.

The Louisiana Sickle Cell Disease Registry, also known as the Skylar-Cooper Database, will function as a single repository of public health data for people in Louisiana who have sickle cell disease. The Rule sets standards in furtherance of the 2022 legislation, which allow the registry to quantify and characterize sickle cell disease data in the state, assess trends in diagnosis, treatment and access to care, and inform public health decision-making and policy to support residents living with the disease. This Rule is hereby adopted on the day of promulgation.

Title 48
PUBLIC HEALTH—GENERAL
Subpart 32. Louisiana Sickle Cell Disease Registry
Chapter 86. General Rules
§8601. Purpose and Scope

A. The purpose of this Rule is to define the authorities and requirements for the Louisiana Sickle Cell Disease Registry, also known as the Skylar-Cooper Database. As provided in the authorizing statute, the registry will function as a single repository of public health data for people in Louisiana who have sickle cell disease. The registry seeks to quantify and characterize sickle cell disease in Louisiana and assess trends in diagnosis, treatment, and access to care. This is consistent with other public health monitoring systems that collect information about people with certain health conditions. The data derived from the Sickle Cell Disease Registry will also inform public health decision-making, policy, and other actions to support those living with sickle cell disease in the state.

B. The registry was established by Act 647 of the 2022 Regular Session of the Louisiana Legislature.

C. This Rule, created in response to the 2022 legislation, applies to all entities involved in the collection, reporting, storage, analysis, and dissemination of data reported to or generated from the registry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:229 (February 2026).

§8603. Definitions

A. Unless the context or use thereof clearly indicates otherwise, the following words and terms used in this Part are defined as follows:

Case—an individual confirmed to have sickle cell disease as defined by the International Classification of Diseases as sickle cell disorders, a group of genetic blood diseases characterized by abnormal, sickle-shaped red blood cells.

Department—the Department of Health, the designated government agency responsible for oversight and management of the registry.

Registry—the Louisiana Sickle Cell Disease Registry, also known as the Skylar-Cooper Database. This is the information system to receive and maintain confidential case-specific demographic, diagnostic, treatment, service and other health-related data.

Reporting Entity—any individual or organization listed under the Louisiana Administrative Code, Title 51, Part II, Sections 103-105 that is required to report cases of sickle cell disease to the registry, or from which the department requests records related to sickle cell disease.

Sickle Cell Association (also referred to as Foundation)—a non-profit, community-based organization that provides information and assistance to people diagnosed with sickle cell disease, their families, and caregivers in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:230 (February 2026).

§8605. Responsibilities of the Department of Health

A. The Department of Health shall maintain a secure information system. This system will receive and manage electronic reporting of health information from multiple sources. The sources are described in this Rule to maintain a longitudinal de-duplicated registry of individuals with sickle cell disease in the state.

B. The Department of Health shall maintain qualified personnel responsible for data linkage, analysis, and management of the registry and associated activities.

C. The Department of Health shall routinely receive, process, link, and analyze demographic and diagnostic data from reporting entities. Such action should be taken to identify cases. In response, the department may request treatment, service, and health outcome data from reporting entities to link and analyze population-level monitoring and action.

D. The Department of Health may, as it deems appropriate, conduct special analyses and studies using data from the registry. Such data should be used to inform policy and other actions needed to improve access and outcomes among individuals with sickle cell disease in the state. Also, the data will inform the quality of health care and related services in this state.

E. The Department of Health shall maintain and publish guidelines and procedures for operations of the registry in a publicly available technical manual. At a minimum, the technical manual shall include:

1. comprehensive instructions for the registry staff;
2. technical specifications for the registry;
3. a list of the data elements included in the registry data submission and reporting timelines and procedures for reporting entities, mandatory and discretionary variables, and technical specifications for reporting;
4. guidelines for data management;
5. quality and performance measures for the system;
6. data quality requirements to ensure the quality and completeness of data in the system; and
7. data protections and authorized uses.

F. The Department of Health shall routinely assess the completeness, timeliness, and accuracy of data reported to the registry. This should be done to ensure its rigor as a public health monitoring system.

G. The Department of Health shall ensure that the registry and its activities comply with all applicable requirements of the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191. The registry and its activities shall also comply with regulations adopted pursuant to that Act, including but not limited to the HIPAA Privacy Rule, 45 CFR Part 164, and other applicable laws and regulations governing disclosure of health information.

H. The registry shall undergo regular audits by the Department of Health's Internal Audit Unit. These audits will ensure compliance with this Rule, data security standards, and privacy laws.

I. The Department of Health shall maintain a public-facing website with the registry's technical manual, associated publications, and department contact information.

J. The Department of Health shall publish an annual report. The report will include findings on the epidemiology of sickle cell disease and population-based information about the care and health outcomes of individuals with sickle cell disease in the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:230 (February 2026).

§8607. Responsibilities of Reporting Entities

A. Reporting entities, as defined in Section 2 of this Rule, are required to report or submit information to the registry as specified below. These entities will provide information or records related to the diagnosis, treatment, health-related services, health outcomes and vital events for confirmed cases.

B. Reporting entities shall provide routine, standardized electronic data transfers in formats outlined in the technical manual.

C. Entities that do not have electronic transfer capabilities shall report through mechanisms approved by the department.

D. Reporting is expected to occur at the intervals outlined in the technical manual, but no less than annually and as requested by the department. Additionally, the Department of Health may request data from any previous number of years and for special studies related to treatment, health-related services, health outcomes, and vital events, as needed to fulfil the registry's purpose.

E. Reporting entities shall facilitate access for registry personnel to relevant health and social service records, as needed to enable the registry to confirm cases, ensure the quality of registry data, and carry out other authorized activities. Reporting entities may provide electronic access to relevant health records through the execution of data sharing agreements with the registry. These agreements outline the scope of the data that may be accessed. The registry shall provide audit reports to the reporting entity to document that activities comply in accordance with the agreement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:230 (February 2026).

§8609. Reporting Entities

A. State Health Information Systems

1. State health information systems that collect or maintain information related to the diagnosis, treatment, care, and outcomes of cases of sickle cell disease shall provide routine standardized data transfers to the registry. The data will allow for the identification of cases, identification of services accessed, health outcomes, and vital events.

2. At a minimum, reporting shall be required for the sections of the Department of Health responsible for:

a. testing and follow-up of infants tested as a part of the newborn screening system;

b. stewardship of hospital inpatient discharge data reported to the department;

c. stewardship of admissions, discharge, and transfer data reported to the department;

d. management of claims and related information for Louisiana Medicaid;

e. vital records birth and death data for the state; and

f. management of Louisiana immunization information System.

B. Healthcare Provider Reporting

1. Sickle cell disease is a reportable condition. Healthcare providers listed under LAC 51:II.103-105 shall comply with reporting requirements for Class D reportable conditions.

2. Mandatory reporting requirements for positive newborn screening test results indicating sickle cell disease are detailed in R.S. 40:1081.2 and LAC 48:V.6303. Additionally, laboratories, whether public, private, hospital or other, within or outside of the state shall report to the registry the results of all non-newborn screening tests that are diagnostic or confirmatory for sickle cell disease and its variants for individuals residing in Louisiana. Laboratories or any applicable healthcare facilities shall not defer their public health reporting responsibilities to any other authorities within the institutions they serve.

C. Other Reporting for Special Studies

1. Inpatient and outpatient healthcare facilities, systems, laboratories, other healthcare institutions, health insurance carriers, and social service agencies, including but not limited to sickle cell foundations and associations that provide supportive services for individuals with sickle cell disease may be requested to report to the registry. The requested reporting may be done periodically for case ascertainment and analytic activities, as it relates to healthcare access, quality, and assessment of health outcomes. The reporting also assists in the quality assessment of registry data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:231 (February 2026).

§8611. Use, Disclosure, and Confidentiality of Registry Data

A. Access to identifiable or case-specific registry data shall be limited to authorized department personnel with a legitimate need to know, as determined by the department. Each employee, consultant, agent, or contractor of the department authorized to access registry data shall sign an annual agreement to maintain the confidentiality of registry data. The Department of Health shall keep these agreements on file.

B. The Department of Health shall implement strict measures to ensure that all identifiable or case-specific information collected, maintained, and/or analyzed as part of registry activities are treated as confidential and privileged. The information shall be collected, maintained, and analyzed in compliance with applicable federal and state laws and regulations protecting the privacy of health information. This includes but is not limited to the following, as applicable:

1. R.S. 40:1125.14;

2. R.S. 40:3.1;

3. R.S. 46:56;

4. the HIPAA Privacy Rule, 45 CFR Parts 160 and 164; and

5. the Common Rule, 45 CFR Part 46 (requirements for review and approval of human subjects research by Institutional Review Board).

C. The Department of Health may collaborate with external sickle cell disease partners, such as clinical or genetic patient registries, state and federal sickle cell disease registries, academic institutions or community partners, in activities furthering the purposes of the registry. This includes but is not limited to:

1. aiding in understanding the needs of persons with sickle cell disease related to timely access to preventive and emergency care and continuity of care across their lifespan;

2. aiding in understanding the prevalence and health outcomes related to sickle cell trait; and

3. supporting the delivery of high-quality, accessible services, including clinical care and care coordination.

D. Such activities may include the performance of health research aiding people with sickle cell disease, including special studies and human subjects research. Requests for registry data from external parties for use in such activities must be approved by the department. In addition, these request may require review and approval by one or more Institutional Review Boards. Whenever feasible, any disclosure of registry data to external parties should be governed by a data-sharing agreement that outlines the terms, conditions, and limitations of use.

E. The registry functions as a public health surveillance system. The primary data to be published or released publicly by public health surveillance systems are expected to be statistical compilations of aggregate data relating to sickle cell disease. The data shall not identify individual cases or individual physicians, hospitals, clinics, or other healthcare providers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:231 (February 2026).

Bruce D. Greenstein
Secretary

2602#032

RULE

Louisiana Economic Development
Office of Economic Development

Louisiana Biomedical Research and
Development Park Program (LAC 13:I.Chapter 13)

Louisiana Economic Development, Office of Economic Development, as authorized by and pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., R.S. 46:811 through 813.1, and R.S. 36:104, hereby repeals rules for the administration of the Louisiana Biomedical Research and Development Park Program.

In accordance with the Office of Governor Executive Order No. JML 25-038, LED reviewed and evaluated these program rules and determined them to be obsolete and unnecessary because the program was repealed by Act 487 of the 2005 Session of the Louisiana Legislature, and therefore seeks their repeal. This Rule is hereby adopted on the day of promulgation.

Title 13
ECONOMIC DEVELOPMENT
Part I. Financial Incentive Programs
Chapter 13. Louisiana Biomedical Research and Development Park Program

§1301. General

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1541 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1303. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1541 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1305. Qualifications

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1541 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1307. Filing of Applications

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1541 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1309. Recommendations of the Secretaries of Economic Development and Revenue and Taxation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1542 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1311. Application Shall Be Presented to the Board of Commerce and Industry

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1542 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1313. Board of Commerce and Industry Enters into Contract

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1542 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1315. Rebates on Sales/Use Taxes

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1542 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1317. Violations of Rules, Statutes, or Documents

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, office of Commerce and Industry, Division of Financial Incentives, LR 19:1542 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1319. Affidavits Certifying Eligibility Filed Annually

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1543 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1321. Appeals Procedure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1543 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:232 (February 2026).

§1323. Income and Franchise Tax Requirements

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:911 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1543 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1325. Hearing Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:911 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1543 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1327. Contract Execution Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:811 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Financial Incentives, LR 19:1543 (December 1993), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

Anne G. Villa
Deputy Secretary/CFO

2602#039

RULE

Louisiana Economic Development
Office of Economic Development

Louisiana University Research and
Development Parks Program (LAC 13:I.Chapter 15)

Louisiana Economic Development, Office of Economic Development, as authorized by and pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., R.S. 17:3389(G)., and R.S. 36:104, hereby repeals rules for the administration of the Louisiana University Research and Development Parks Program.

In accordance with the Office of Governor Executive Order No. JML 25-038, LED reviewed and evaluated these program rules and determined them to be obsolete and unnecessary because the program was sunset on July 1, 2017, has had no recorded activity in the Tax Exemption Budget since at least 2021 and was repealed by Act 5 of the 2024 Third Extraordinary of the Louisiana Legislature. This Rule is hereby adopted on the day of promulgation.

Chapter 15. Louisiana University Research and Development Parks Program

§1501. General

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:631 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1503. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:631 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1505. Criteria

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:632 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1506. Resolution from Local Governmental Subdivision

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:632 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1507. Filing of Applications

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:632 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1509. Recommendations of the Secretaries of Economic Development and Revenue

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:633 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1511. Application Shall Be Presented to the Board of Commerce and Industry

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:633 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1513. Contract Approvals

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:633 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:233 (February 2026).

§1515. Tax Incentives Available under Contract

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:633 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§1516. Tax Relief Granted

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:633 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§1517. Violations of Rules, Statutes, or Documents

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:634 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§1518. Contract Renewals

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:634 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§1519. Annual Review

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:634 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§1521. Appeals and Petition Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:634 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§1525. Hearing Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:634 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§1527. Contract Execution Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Division of Business Incentives LR 26:634 (April 2000), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

Anne G. Villa
Deputy Secretary/CFO

2602#025

RULE

Louisiana Economic Development
Office of Economic Development

Site Investment and Infrastructure Improvement Fund
(LAC 13:I.Chapter 55)

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, R.S. 51:2316, and Act 365 of the 2025 Regular Legislative Session, hereby adopts rules to be used by LED in administration of the Rules for the Site Investment and Infrastructure Improvement Fund. This Rule is hereby adopted on the day of promulgation.

Title 13
ECONOMIC DEVELOPMENT
Part I. Financial Incentive Programs
Chapter 55. Site Investment and Infrastructure Improvement Fund

§5501. Purpose

A. The purpose of this Chapter is to implement the Site Investment and Infrastructure Improvement Fund, hereafter referred to as the "fund", as established by R.S. 51: 2316.

B. This Chapter shall be administered solely for site investment and infrastructure improvements for economic development purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§5503. Definitions.

A. Terms not otherwise defined in this Chapter shall have the same meaning given to them in R.S. 51:2316, 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.

Begin Construction—construction of an infrastructure project shall begin when:

a. in the case of a new building, either:

i. materials to be used in the project, worth more than 5 percent of the construction budget, are placed at the project site; or

ii. other work is performed on the site which is visible from a simple inspection and reasonably indicates that the work has begun, such as substantial land fill, soil reinforcement or pouring of a foundation.

b. in the case of a retrofit project to an existing structure:

i. materials to be used in the project, worth more than 10 percent of the construction budget, are placed at the project site; or

ii. equipment to be used in the project, worth more than 20 percent of the construction budget, is placed and operational at the project site.

c. or as otherwise approved by the secretary

Department—Louisiana Economic Development. Abbreviated and also known as "LED"

Distressed Community—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. as approved by the Secretary.

Other Property—property that is not publicly owned, to the extent allowable under Article VII, Section 14 of the Louisiana Constitution or other applicable state law, as approved by LED, and subject to the provisions of 5507A(2)(b).

Public-Private Partnerships—any agreement or combination of agreements, pursuant to which at least one public entity and one private entity are parties, obligating a private entity to make an investment in site or infrastructure improvements in Louisiana, as approved by LED.

Public Site—a site which a public entity owns.

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".

Secretary—secretary of Louisiana Economic Development.

Site—immovable property, with or without improvements thereon, located in the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:234 (February 2026).

§5505. General Principles

A. The following general principles will direct the administration of the program.

1. Awards are not be considered as an entitlement, and the secretary has the final authority to determine whether or not each particular applicant is eligible and meets the criteria of the 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. Award amounts, per project, may vary at the discretion of LED, with a minimum award of one million dollars.

3. Applicants shall identify a funding match.

4. LED may negotiate with each applicant seeking an award based on the individual merits of each projects.

5. Award agreements shall contain "clawback" provisions to protect the state in case of default.

6. Award funds shall be used for the approved project only.

7. Awards may be administered by LED directly, or LED may use funds to contract with a third party administrator to undertake such activities.

8. Applications shall be accepted subject to availability of funding in any given year, or as otherwise determined by LED.

9. 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.

B. Program funding.

1. Funding for this program is provided by any money transferred, donated, or appropriated to the Site Investment and Infrastructure Improvement Fund ("Fund"), with an initial fund deposit of one hundred and fifty million dollars in fiscal year 2026.

2. LED may not authorize issuance of payments exceeding the available monies in the Fund.

3. The issuance of payments shall be subject to funding availability in any given fiscal year.

4. Monies in the fund shall be utilized in accordance with the department's strategic plan and program priorities. The department shall consider the following factors in the allocation of monies:

a. demonstrated market demand in priority sectors.

b. performance measures.

c. return on investment.

d. impact on distressed communities.

e. public benefit and economic impact.

f. site potential.

5. Notwithstanding any provision of law to the contrary, the department shall prioritize allocation of monies to purposes that meet any of the following criteria:

a. leverage public-private partnerships, private equity, or other resources.

b. address specific and critical needs for high-potential projects.

c. are a Louisiana Economic Development certified site.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:235 (February 2026).

§5507. General Program Description

A. Funding may be available for site investment and infrastructure improvement projects with demonstrated economic development purposes as follows:

1. Applicants

a. Applications may be submitted by local or regional economic development organizations, municipalities, non-profit organizations, redevelopment authorities or political subdivisions and such organizations shall be considered qualified applicants.

b. Public-private partnerships or other quasi-private entities may be considered qualified applicants at the discretion of the secretary.

2. Project Location

a. Projects may be located on either public or privately owned lands, however, projects located on privately owned lands may be subject to additional restrictions or requirements such as higher match percentages or higher loan commitment fees, and

b. Reimbursement of funds expended on private or other property is contingent upon written evidence being provided to LED that such development costs are allowable under Article VII, Section 14 of the Constitution and any other applicable state law. Such evidence may include but not be limited to a final judicial determination from a court of competent jurisdiction.

3. Project Timeline

a. As a general rule, funds shall be obligated and projects shall begin construction within nine months of the fully executed contract. However, LED will evaluate the readiness of each project and memorialize all applicable construction deadlines and project milestones in a contract between all appropriate parties.

4. Construction Components

a. Eligible project costs may include but not be limited to the following expenses:

i. rail or road access;
ii. utility extensions;
iii. wetland mitigation;
iv. demolition;
v. expansion;
vi. remediation;
vii. land purchases.

b. Unless otherwise approved by the secretary, ineligible project costs may include but not be limited to:

i. consulting fees;
ii. legal or financial service fees;
iii. marketing of site;
iv. moveable equipment;
v. routine site maintenance;
vi. any expenses occurring outside of the approved construction period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:235 (February 2026).

§5509. Application Procedure

A. LED will provide a standard application form which applicants may be required to use to apply for assistance under this program. Applications may be filed through LED's online portal, or as otherwise directed by LED.

B. The application shall include, but not be limited to, the following information:

1. applicant name;
2. contact person and their title;
3. applicant physical address;
4. applicant phone number and email address;
5. description of the proposed project, including the following:
   a. site location;
   b. target industry;
   c. funding match identification;
   d. prior due diligence reports;
   e. site readiness;
   f. breakdown of proposed site improvements, with proposed construction timeline, engineering report, bids/cost estimates, as may be applicable;
   g. impact on distressed communities;
   h. an outline of possible public-private partnership entities and opportunities;
6. Secretary of State registration, as applicable;
7. any additional information requested by LED; and
8. letters of support from the applicable regional economic development organization and state legislators (from both House Representative and Senator).

C. A non-refundable application fee is due in accordance with R.S. 36:104, to be payable as follows: an initial payment of $250 due upon application submission, with a supplemental fee up to the maximum application fee authorized by law, based upon the total amount of incentives or program award to be recognized, as directed by LED.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:236 (February 2026).

§5511. Selection Criteria

A. LED will consider various discretionary factors when determining which applications will be funded. Among the factors which may be taken into consideration include, but are not limited to:

1. demonstrated market demand in priority sectors;
2. performance measures;
3. return on investment;
4. impact on distressed communities;
5. public benefit and economic impact;
6. site potential;
7. availability of funding; and
8. best interests of the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:236 (February 2026).

§5513. LED Action—Approval or Denial Provisions

A. In the event LED determines that an applicant is eligible, funding is available, and an award would be appropriate, LED will negotiate all appropriate provisions with interested parties, and issue applicable contracts, specifying the funding amount and the terms and conditions of the award.

1. Partially forgivable loans may be awarded the discretion of LED. Forgiveness conditions include but are not limited to: Site located in a distressed community, locating entity creates ten jobs that pay at or above 150 percent of the parish average wage, and locating entity has invested an additional one billion dollars.

B. In the event an application is denied, LED shall issue a written denial.

C. LED reserves the right to enter into public-private partnerships if determined to be in the best interest of the State.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:236 (February 2026).

§5515. Return of Benefits

A. If an applicant receives an award from the fund and it is subsequently determined that the applicant did not qualify for the benefit then:

1. Future payments to the applicant shall be reduced by the amount wrongfully received by the applicant; or,

2. If there are no future payments due the applicant 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: 2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:237 (February 2026).

§5517. Annual Reporting

A. LED shall include a detailed listing of all project awards in its annual report to the legislature, in accordance with R.S. 36:104.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 51:2316.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:237 (February 2026).

Anne G. Villa
Deputy Secretary/CFO

2602#037

RULE

Department of Public Safety and Corrections
Board of Private Security Examiners

Private Security Examiners
(LAC 46:LIX.Chapter 4, 5, 6, 7, 8, 9, and 10)

Editor's Note: The following sections are being repromulgated in order to notify the public of the review of LAC 46:LIX.Chapters 4 through 10. This repromulgation provides for the reorganization of LAC 46:LIX.

The Department of Public Safety and Corrections, Board of Private Security Examiners, in accordance with R.S. R.S. 37:3270, et seq., and pursuant to the Administrative Procedure Act, R.S. 49:961 et seq., has repromulgated LAC 46:LIX, Chapters 4 through 9, Private Security Examiners, as LAC 46: LIX as Chapter 4 through 10, Private Security Examiners. This repromulgation is necessary to provide for the reorganization of LAC 46:LIX and to improve the readability of amendments to the rules that will be submitted for future publication in the *Louisiana Register*. These rules were previously adopted. This repromulgation of the rules is hereby adopted on the day of publication in the *Louisiana Register*. This Rule is hereby adopted on the day of promulgation.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LIX. Private Security Examiners
Chapter 4. Training

§401. Instructor Requirements, Responsibilities and Liability
[Formerly §409]

A. The board shall collect the instructor fees prescribed in R.S. 37:3286.

B. An applicant applying for an instructor license who does not successfully pass the required examination may reapply to take the examination twice within a six-month period. If the applicant does not successfully pass the examination as required, the application shall be referred to the board for action.

C. Instructor Responsibilities and Liability

1. An in-house instructor who is covered under his employer's company insurance policy shall be required to have his employer submit a letter to the board stating that he is covered under the company policy for the teaching of security officers. If not covered under a company insurance policy, an instructor must provide a certificate of general public liability insurance in an amount as required by law, with the state of Louisiana named as an additional insured.

2. Licensed instructors are required to keep on file for three years records of training tests and any other documentation that verifies the test scores achieved by security officers they trained.

D. License Renewal

1. Instructor licenses issued by the board shall be valid for one year. Expiration date is based on the date the license is approved and issued.

2. To renew an instructor license, instructor shall submit to the board a renewal application form provided by the board and the required renewal fee 30 days prior to the expiration date of license.

E. Insurance Renewal. On or before the expiration date of the general liability insurance policy, instructor shall submit to the board a new certificate of insurance in an amount as required by law showing that insurance has been renewed and there has not been any lapse of coverage.

F. License Classification. Instructor licenses are categorized as follows.

In-House—licensed with a security company and may only teach security officers employed with that company.

Outside—licensed to train anyone in the state of Louisiana.

Outside Limited—licensed to teach students at a training academy or educational institution. Instructor may only teach students of that particular institution.

G. License Transfer

1. An instructor may transfer his license to another company by submitting to the board a transfer application, the transfer fee prescribed by law, and proof of general liability insurance coverage.

2. An in-house instructor who desires to become an outside instructor shall submit a new instructor application, the application fee prescribed by law, proof of general liability insurance and training program that will be used to teach the students.

H. An administrative fee of $10 made payable to the board will be assessed on all fees that may be assessed by the board under this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:755 (December 1987), amended LR 18:194 (February 1992), LR 23:589 (May 1997), LR 26:1074 (May 2000), LR 31:1600 (July 2005), LR 36:72 (January 2010), repromulgated LR 52:237 (February 2026).

Chapter 5. Training Programs

§501. Training Programs [Formerly §401]

A. All board-required training shall be administered by a licensed instructor. The board shall approve all training programs and shall develop training criteria outlining specific curriculum to be used in the instructing and training of all security officers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:755 (December 1987), amended LR 15:13 (January 1989), LR 15:850 (October 1989), LR 18:192 (February 1992), LR 26:1072 (May 2000), repromulgated LR 52:238 (February 2026).

§503. Classroom Training [Formerly §403]

A. Any security officer employed after September 1, 1985 shall complete, within 30 days from his date of hire, eight hours' classroom training under a board-licensed classroom instructor.

B. Security officer shall have 60 days from date of first work assignment to complete an additional eight-hour classroom training program which has been approved by the board.

C. Upon completion of each of the eight-hour segments of the prescribed training, a 50-question examination shall be given to each security officer by the board-licensed instructor. The first eight-hour examination shall be different from the second eight-hour examination, cover the required training topics, and be approved by the board prior to being administered. Minimum passing score is 70 percent.

D. All scores of such examinations must be recorded and submitted to the board by the licensee or employer, as the case may be, on its prescribed training verification form signed by the licensed instructor within 15 calendar days from completion of training.

E. Security officers who have been registered in other states who have licensing requirements similar to Louisiana, and law enforcement officers identified in R.S. 37:3284 may attend a four-hour modular training program administered by a board-licensed instructor. Upon completion of the four-hour modular training, the officer shall take a 50-question examination, and if the security officer successfully passes the examination, this modular training shall be considered the equivalent to the classroom training provided for in R.S. 37:3284 and rules herein. It the security officer does not successfully pass the examination, then he must go through the entire classroom training program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:755 (December 1987), amended LR 15:850 (October 1989), LR 18:192 (February 1992), LR 23:588 (May 1997), LR 26:1072 (May 2000), repromulgated LR 52:238 (February 2026).

§505. Firearms Training [Formerly §405]

A. Armed security officers, in addition to the training requirements outlined in R.S. 37:3284 and in the rules herein, shall complete firearms training and range qualifications by a board-licensed firearms instructor, as prescribed by the board, prior to working an armed assignment. Examination scores must be recorded and submitted to the board by the licensee or employer, as the case may be, on its prescribed verification form signed by the licensed instructor within 15 calendar days from completion of training.

B. Upon completion of the prescribed firearms training, a written examination will be given to each security officer by the board-licensed firearms instructor. The examination shall cover the required training topics and be approved by the board. Minimum passing score is 70 percent.

C. Successful completion of firearms training also includes the security officer passing the board required firearms proficiency course by achieving a minimum marksmanship qualifying score of 80 percent.

D. Annual refresher firearms training, as outlined in Subsection F below, is due one year from the date of the last firearms training recorded at the board office. The anniversary date will not change if the training is taken within 30 days prior to said date.

E. Authorized Weapons. The following weapons are the only weapons authorized and approved by the board:

1. straight baton or PR-24 baton;
2. .357 caliber revolver, minimum four inch barrel with .357 or .38 caliber ammunition or .38 caliber revolver, minimum 4-inch barrel with .38 caliber ammunition only;
3. 9mm semiautomatic, minimum 4-inch barrel, double action; and
4. shotgun;
5. 40 caliber semiautomatic weapon, minimum 4 inch barrel;
6. 45 caliber semiautomatic weapon, minimum 4 inch barrel, double action;
7. single action semiautomatic weapons are prohibited.

F. Handgun Proficiency Course. The handgun proficiency course shall have the following requirements:

1. a score of 80 percent required to qualify, 200 points out of 250 points;
2. an approved standard police or security firearms' target shall be used;
3. the caliber weapon trained with must be the same caliber weapon the security officer carries while on duty; and
4. the handgun course of fire shall be:
   a. at a distance of 4 yards: 12 shots, unsupported, point shooting, without sights: 45 seconds:
      i. six shots, strong hand only; and
      ii. six shots, weak hand only;
   b. at a distance of seven yards:
      i. two shots, unsupported, two-handed with sights: five seconds (indexing these rounds);
      ii. 12 shots, unsupported, two-handed with sights: 60 seconds; and
      iii. 12 shots, unsupported, two-handed point shooting: 60 seconds; and
   c. at a distance of 15 yards:

i. 12 shots, barricade, strong hand: 60 seconds; and

ii. 12 shots, barricade, two handed with sights: 60 seconds:

(a). six shots, standing right barricade; and

(b). six shots, standing left barricade.

G. Semiautomatic Handgun

1. A board-licensed semiautomatic firearms instructor must train the officer in the use of a semiautomatic handgun prior to him carrying such weapon on a job site. The board-licensed semiautomatic firearms instructor must meet the same qualifications of a firearms instructor as required by R.S. 37:3284.

2. The semiautomatic proficiency course used by the firearms instructor must be certified by the National Rifle Association, Department of Energy or P.O.S.T., and proof of such certification shall be submitted to the board for approval and verification.

H. Shotgun Proficiency Course. The shotgun proficiency course shall have the following requirements.

1. Training in use of shotgun is to be taught only if the security officer is required to carry a shotgun in the performance of his duties.

2. The shotgun course of fire shall be:

a. buckshot phase: recommend use of 9-pellet "OO" buckshot (may be fired with any buckshot);

b. 25 yards (5 rounds buckshot), total time: 35 seconds:

i. on command, assembly load two rounds of buckshot from shoulder and come to "ready gun position." Officer will have three additional rounds of buckshot on his/her person;

ii. on command, officer will fire two rounds from the shoulder (standing), then combat load three and fire three rounds from the shoulder (kneeling);

c. 15 yards (5 rounds buckshot), total time: 25 seconds:

i. officer will start with five rounds of buckshot on their person and an empty shotgun;

ii. on command, the officer will combat load five rounds of buckshot and fire two rounds from the shoulder (standing);

iii. officer will then cover target;

iv. on command, fire one round from the shoulder (standing) in two seconds;

v. on command, fire one round from the shoulder (standing) in two seconds;

vi. on command, fire one round from the shoulder (standing) in two seconds;

d. target: B-27 or P.O.S.T. qualification (P-1);

e. score: One point for hit on black of B-27 target. One point for hit on green of P-1 target:

i. total score should equal 75 percent with or without the slug phase

I. Security officers are prohibited from carrying rifles, except when requested in writing the executive secretary on a case-by-case basis may authorize the carrying of a semiautomatic rifle in the event of a national security emergency or public safety necessity. Denial by the executive secretary is appealable to the board. Security officers shall be required to complete the training required in Subsection J before they may carry a semiautomatic rifle when authorized by the executive secretary.

J. Semiautomatic Rifle Proficiency Course. The semiautomatic rifle proficiency course shall have the following requirements.

1. Training in use of a semiautomatic rifle is to be taught only if the security officer is required to carry a semiautomatic rifle in the performance of his duties.

2. Security officer shall qualify with a semiautomatic rifle by firing the 100-yard course of fire specified by the National Rifle Association or a nationally recognized equivalent course of fire approved by the board, which course of fire may be reduced to 24 rounds using the accumulated totals to simulate 100 yards. Qualifying score shall be an accumulated total of 80 percent of the maximum obtainable score.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:755 (December 1987), amended LR 15:13 (January 1989), LR 15:850 (October 1989), LR 18:192 (February 1992), LR 23:588 (May 1997), LR 26:1073 (May 2000), LR 27:1241 (August 2001), LR 28:2204 (October 2002), LR 31:1600 (July 2005), LR 34:667 (April 2008), repromulgated LR 52:238 (February 2026).

§507. Baton Training
[Formerly §407]

A. Security officers carrying a straight baton as a weapon must successfully complete a minimum of eight hours of an initial straight baton training course approved by the board and administered by a board-licensed straight baton instructor prior to carrying such weapon on duty. Security officer must also successfully complete a four-hour annual refresher straight baton training program approved by the board.

B. Security officers carrying a PR-24 baton as a weapon must successfully complete a minimum eight hours of a prebasic PR-24 baton training course approved by the board and administered by a board-licensed PR-24 baton instructor prior to carrying such weapon on post. Security officer must also successfully complete a four-hour annual refresher PR-24 baton training program approved by the board.

C. The board-licensed baton instructor must meet the same qualifications of a classroom instructor as required by R.S. 37:3284 and must possess a board-recognized law enforcement baton certification.

D. Annual baton refresher training is due one year from the date of the last baton training recorded at the board office.

E. Security officers trained in baton must successfully pass a written examination administered by a board-licensed baton instructor and achieve a minimum passing score of 70 percent. Examination scores must be recorded and submitted to the board by the licensee or employer, as the case may be, on its prescribed verification form signed by the licensed instructor within 15 calendar days from completion of training.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 18:193 (February 1992), amended LR 23:589 (May 1997), LR 26:1073 (May 2000), repromulgated LR 52:239 (February 2026).

Chapter 6. Criminal Background Checks

§601. Criminal Background Checks [Formerly §501]

A. Dispositions

1. If an applicant has been convicted of any crime that would prevent him from meeting the qualifications of a licensee or registrant as specified in R.S. 37:3276, it shall be incumbent upon the applicant to submit with his application documentation showing proof that he has been pardoned for that crime.

2. If an applicant possesses an arrest record as issued by the Louisiana State Police, Bureau of Identification, without the disposition thereof, it shall be incumbent upon the applicant, within 30 days, to provide the written disposition of his arrest from the district attorney's office or the criminal clerk of court's office from the judicial district in which the arrest occurred.

3. If the applicant does not provide the written disposition as required, the board shall have sufficient cause to deny the application.

B. Denial of Application Due to Conviction

1. If an applicant has a felony conviction, as evidenced by the background check run by the Louisiana State Police, Bureau of Identification, then his employment as a security officer must be terminated immediately unless he has provided the board with documentation showing proof that he has received a pardon or similar relief.

2. The board will notify the employer that the officer has been denied and it is incumbent upon the employer to submit to the board a termination notice within 10 calendar days after denial notification.

3. If the background check reveals a misdemeanor conviction that would disqualify the applicant under the provisions of R.S. 37:3270-3298 and the rules herein, he may continue to work pending the outcome of the appeal process.

4. If the applicant does not appeal the board's denial of his application due to his misdemeanor conviction, then the applicant must be terminated 30 days after receipt of written notice of denial from the board.

5. The board will notify the applicant and his employer if the application is denied and the reason therefor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:757 (December 1987), amended LR 15:849 (October 1989), LR 18:194 (February 1992), LR 26:1074 (May 2000), repromulgated LR 52:240 (February 2026).

Chapter 7. Disciplinary Action

§701. Contested Proceedings [Formerly §601]

A. Before revoking or suspending a license or registration card, or imposing fines or costs over $500, the board will afford the applicant an opportunity for a hearing after reasonable notice of not less than 15 days, except in a case of a failure to maintain the required insurance or when a registrant is found carrying an unauthorized weapon while performing the duties of a security officer.

B. All requests for a hearing must be submitted in writing to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:756 (December 1987), amended LR 18:194 (February 1992), LR 26:1074 (May 2000), repromulgated LR 52:240 (February 2026).

§703. Final Decision and Orders [Formerly §603]

A. All final decisions and orders of the board shall be in writing and signed by the executive secretary or chairperson.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, 13:756 (December 1987), amended LR 18:195 (February 1992), repromulgated LR 26:1075 (May 2000), repromulgated LR 52:240 (February 2026).

Chapter 8. Insignias, Markings, Restrictions

§801. Restrictions [Formerly §701]

A. No badge or insignia with the initials "SP" or "SO" may be worn on the uniform of a registrant.

B. A licensee shall not display red or blue emergency lights on any vehicle used on a security assignment.

C. Effective January 1, 2008, all uniforms worn by security officers shall contain the name of the company for whom they are employed. Effective July 1, 2008, all outerwear worn by security officers shall contain the name of the company for whom they are employed.

D. All requests for plain clothes security officers shall be made to the board and approval in writing from the board must first be obtained prior to any security officer being allowed to work an assignment out of uniform.

E. The following individuals are prohibited from wearing any insignia or lettering which indicate a role or function of a security officer:

1. ticket takers;
2. ushers;
3. wrist band monitors;
4. parking attendants;
5. crowd counters;
6. badge checkers;
7. informational personnel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:758 (December 1987), amended LR 15:14 (January 1989), LR 15:852 (October 1989), LR 18:195 (February 1992), LR 26:1074 (May 2000), LR 34:667 (April 2008), LR 37:3275 (November 2011), repromulgated LR 52:240 (February 2026).

§803. Alcohol Restrictions [Formerly §703]

A. No licensee, as defined in R.S. 37:3270 et seq., shall sell, dispense or handle alcoholic beverages of high or low alcohol content, or in any manner perform those functions for which a permit is required by R.S. 26:932, while on duty as a security officer as defined in R.S. 37:3272. Further, in no event shall any licensed security officer sell, dispense, or handle alcohol while in uniform, regardless of whether or not such officer is on duty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 27:735 (May 2001), repromulgated LR 52:240 (February 2026).

Chapter 9. Licensee Suitability, Records, Investigations, and Registrant Violations

§901. Licensee's Suitability and Business Relationships [Formerly §801]

A. The board may deny an application, suspend, revoke, or restrict a licensee upon the vote of four concurring members when it finds that the licensee or business entity is unsuitable for the purpose of its license or endangers the health, safety, or welfare of the citizens of this state.

B. In determining the suitability of an applicant or licensee or other persons or business entities, the board may consider the following:

1. general character, including honesty and integrity;

2. financial security and stability, competency, and business experience in the capacity of the relationship; and

3. refusal to provide records, information, equipment, or access to premises to any authorized representative of the board, or any law enforcement officer when such access is reasonably necessary to insure compliance with R.S. 37:3270-3298 and the rules herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:757 (December 1987), amended LR 15:852 (October 1989), LR 18:195 (February 1992), LR 26:1075 (May 2000), repromulgated LR 52:241 (February 2026).

§903. Employee Records Required to be Kept and Subject to Inspection [Formerly §803]

A. The licensee is required to keep on file the following documentation on each registrant in their employment up to three years from date of termination. Such documentation is subject to inspection as may reasonably be required by an authorized representative of the board during reasonable business hours:

1. current residence and phone number of all registrants;

2. copy of the application submitted to the board;

3. copy of training verification form submitted to the board and original training tests completed by any registrant trained by such company, and any other documented information on required training;

4. copy of registration card issued by the board; and

5. copy of termination notice.

B. An authorized representative of the board shall be defined as the executive secretary, investigator, or staff member of the board. Board members are not authorized to inspect employee records of licensees without the voting approval of the majority of the board at a public board meeting.

C. Licensee shall make available to any authorized representative of the board for inspection such employee records and other information as the board may reasonably require to insure compliance with R.S. 37:3270-3298 and the rules herein.

D. The board shall notify the company, in writing, 15 days prior to the conducting of a routine inspection of employee records.

E. A company will have no more than 30 days to comply with the board's written findings as a result of an inspection, in addition to paying any assessed administrative fines.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:757 (December 1987), amended LR 15:14 (January 1989), LR 18:195 (February 1992), LR 26:1075 (May 2000), repromulgated LR 52:241 (February 2026).

§905. Investigations [Formerly §805]

A. The board may investigate the actions of any licensee. The investigation shall be conducted for the purpose of determining whether a licensee is in compliance with R.S. 37:3270-3298 and the rules herein.

B. An investigation conducted by a duly authorized representative of the board is not to be construed as an inspection of files as described in §803.C hereof. It is an investigation of alleged violations by a licensee or registrant as a result of a complaint and is exempt from written and verbal notification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:757 (December 1987), amended LR 18:195 (February 1992), LR 23:589 (May 1997), LR 26:1075 (May 2000), repromulgated LR 52:241 (February 2026).

§907. Violations by Registrants [Formerly §807]

A. In addition to violations specified in R.S. 37:3270 et seq., and the other parts of these rules, the following shall be considered violations by a registrant:

1. performing security duties for any other person other than the licensee with whom he is registered;

2. failure to sign registration card;

3. failure to affix a photograph of registrant, taken within the last six months, to registration card;

4. failure to timely surrender registration card when required to do so;

5. possession or use of any registration card which has been improperly altered;

6. defacing of a registration card; and

7. allowing improper use of a registration card.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:758 (December 1987), amended LR 15:852 (October 1989), LR 18:195 (February 1992), LR 23:589 (May 1997), LR 26:1075 (May 2000), repromulgated LR 52:241 (February 2026).

§909. Inspection of Records [Formerly §809]

A. Licensee shall make available to any authorized representative of the board for inspection such employee records and other information as the board may reasonably require to ensure compliance with the Private Security Regulatory and Licensing Law and with these rules and regulations.

B. The board shall notify the company, in writing, 15 days prior to the conducting of a routine inspection of employee records.

C. The board shall notify the company, in writing, three days prior to conducting an inspection of their employee records brought on by a complaint.

D. A company will have no more than 30 days to comply with the board's written findings as a result of any inspection in addition to paying any fine assessed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:757 (December 1987), amended LR 15:14 (January 1989), LR 15:852 (October 1989), LR 26:1075 (May 2000), repromulgated LR 52:241 (February 2026).

§911. Training Records
[Formerly §811]

A. It is the responsibility of licensees and certified trainers to keep records of tests and firearms certification on training for each registrant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:757 (December 1987), amended LR 26:1076 (May 2000), repromulgated LR 52:242 (February 2026).

§913. Unlawful Act
[Formerly §813]

A. No person shall engage in the business of providing contract security services except in accordance with Chapter 2 and the rules and regulations adopted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:758 *(December 1987), amended* LR 15:852 (October 1989), LR 26:1076 (May 2000), LR 31:1600 (July 2005), repromulgated LR 52:242 (February 2026).

Chapter 10. Administrative Penalties

§1001. Administrative Penalties Pursuant to R.S. 37:3288
[Formerly §901]

A. Any person who is determined by the board, after reasonable notice and opportunity for a fair and impartial hearing held in accordance with the Administrative Procedure Act, to have committed an act that is a violation of R.S. 37:3270 et seq., or any rule herein, is subject to an administrative penalty of not more than $500 per violation; and/or denial, suspension, or revocation of a license or registration card; and/or imposition of probationary conditions or other restrictions including assessment of administrative costs incurred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:758 (December 1987), amended LR 18:196 (February 1992), LR 26:1076 (May 2000), repromulgated LR 52:242 (February 2026).

§1003. Administrative Penalties Pursuant to R.S. 37:3288.B
[Formerly §903]

A. Licensees and registrants who violate provisions of R.S. 37:3270 et seq., and the rules herein may be assessed administrative penalties by the executive secretary in lieu of, but not limited to, bringing licensee or registrant before the board at a hearing.

B. Assessed administrative fines may be appealed by submitting to the board a written request to appear before the board at the next scheduled board meeting.

C. In accordance with R.S. 37:3288.B, administrative penalty schedule is as follows.

Penalty Fee Schedule	Not to Exceed
Licensee's failure to submit security officer application, fingerprint card, and/or necessary registration fees within prescribed time period. If the application, fingerprint card, and/or registration fees are not submitted within 14 days after deadline date, administrative fine accumulates at a daily rate, not to exceed $500.	$50
Licensee's failure to resubmit fingerprint card after two written requests by the board when a deadline date is given. If the fingerprint card is not resubmitted within 14 days after deadline date, administrative fine accumulates at a daily rate, not to exceed $500.	$50
Licensee's failure to notify the board in writing within prescribed time period of security officers in their employ who have been terminated. If termination is not submitted within 14 days after deadline date, administrative fine accumulates at a daily rate, not to exceed $500.	$50
Licensee or registrant's failure to submit information as requested by the board when a deadline date is given. If information is not submitted within 14 days after deadline date, administrative fine accumulates at a daily rate, not to exceed $500.	$50
Licensee's failure to submit company license renewal fee prior to expiration date.	$50/day up to $500
Licensee's failure to submit renewal application and renewal fee for a registrant in their employ prior to expiration date. If the renewal application and renewal fee are not submitted within 14 days after deadline date, administrative fine accumulates at a daily rate, not to exceed $500.	$50
Licensee's failure to have registrant in their employ trained within prescribed time period. If registrant is not trained within 14 days after deadline date, administrative fine accumulates at a daily rate, not to exceed $500.	$50
Licensee's failure to submit to the board a training verification form on a registrant in their employ within prescribed time period. If training verification is not submitted within 14 days after deadline date, administrative fine accumulates at a daily rate, not to exceed $500.	$50
Registrant's failure to carry on his person a temporary or permanent registration card while on duty.	$50
Fingerprint cards repeatedly rejected by the Department of Public Safety as non-classifiable due to smudges, not being fully rolled, etc.	$50
Registrant's performing security duties for any other person other than the licensee with whom he is registered.	$50
Registrant's failure to sign registration card.	$50
Registrant's failure to affix a photograph of registrant, taken within the last six months, to registration card.	$50
Registrant's failure to timely surrender registration card when required to do so.	$50
Registrant's possession or use of any registration card which has been improperly altered.	$50
Registrant's defacing of a registration card.	$50
Registrant's allowing improper use of a registration card.	$50
Registrant carrying an unauthorized weapon while on duty.	not less than $50 nor more than $100
Licensee or registrant's submission of a check to the board that is returned from the bank deemed non-sufficient funds.	$50

Penalty Fee Schedule	Not to Exceed
Licensee allowing registrant to carry an unauthorized weapon while on duty.	not less than $50 nor more than $100

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:757 (December 1987), amended LR 15:14 (January 1989), LR 18:196 (February 1992), LR 26:1077 (May 2000), LR 35:2814 (December 2009), repromulgated LR 52:242 (February 2026).

§1005. Request for Copies
[Formerly §905]

A. Copies of these rules and regulations will be made available upon written request to the board, and a monetary fee will be assessed in accordance with the division of administration's rules governing public records.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:758 (December 1987), repromulgated LR 26:1077 (May 2000), repromulgated LR 52:243 (February 2026).

§1007. Public Comments
[Formerly §907]

A. Upon adoption of these rules and regulations, the board, if requested to do so by an interested person within 30 days after adoption, shall issue a concise statement of the principal reasons for and against its adoption.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270, et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:758 (December 1987), repromulgated LR 26:1077 (May 2000), repromulgated LR 52:243 (February 2026).

Carl F. Saizan, Jr.
Executive Secretary

2602#024

RULE

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., has amended 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 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. 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 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 renotice 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), amended LR 52:243 (February 2026).

Keith Neal
Commissioner

2602#021

RULE

Department of Revenue
Tax Policy and Planning Division

Petition for Rulemaking (LAC 61:III.103)

Under the authority of R.S. 47:1511, and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division adopts LAC 61:III.103 relative to petitions to adopt, amend, or repeal Department of Revenue rules. The following shall also apply to petitions to adopt, amend, or repeal the Office of Charitable Gaming rules.

Revised Statute 49:964(A) requires each agency to enact rules prescribing the form for requesting the Department of Revenue to adopt a new rule or to amend or repeal existing rules. This Rule outlines the information to be included in the petition submitted to the department, as well as the procedures for submission, consideration, and disposition of these petitions. This Rule is hereby adopted on the day of promulgation.

Title 61
REVENUE AND TAXATION
Part III. Administrative and Miscellaneous Provisions
Chapter 1. Agency Guidelines
§103. Petitions to Adopt, Amend, or Repeal

A. A petition requesting the adoption, amendment, or repeal of a Department of Revenue rule (including Charitable Gaming rules) shall be submitted in writing on a form prescribed by the department. The petition must be submitted electronically and include all of the following:

1. the name, mailing address, and contact information of the petitioner.

2. a statement identifying whether the petition seeks adoption of a new rule, amendment of an existing rule, or repeal of an existing rule.

3. the citation or subject matter of the rule at issue, if applicable.

4. a concise statement of the substance of the rule proposed for adoption, amendment, or repeal.

5. the reasons for the requested action, including supporting facts, legal arguments, or policy considerations.

6. the petitioner's signature and date of submission.

B. The petition may include any supporting materials the petitioner wishes the department to consider.

C. The department shall promptly review each petition to determine whether it is complete and in compliance with the requirements of this Section.

D. Within 90 days after the receipt of a properly submitted petition, the department shall either:

1. deny the petition in writing, stating the reasons for denial; or

2. initiate rulemaking proceedings.

E. Disposition

1. If the department denies the petition, notice of the denial and the reasons therefore shall be emailed to the petitioner at the address provided.

2. If the department initiates rulemaking, the petitioner shall be notified, and rule-making proceedings shall be initiated in accordance with the department's rule making procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 49:964(A).

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 52:244 (February 2026).

Jarrod Coniglio
Secretary

2602#013

RULE

Department of Revenue
Tax Policy and Planning Division

Sales Tax on Vending Machine Sales
(LAC 61.I.4301)

Under the authority of R.S. 47:1511, and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, gives notice that it has amended LAC 61.I.4301-Dealer relative to purchases and sales by vending machine operators.

Act 11 of the 2024 Third Extraordinary Session of the Legislature repealed a provision that classified sales of tangible personal property to vending machine operators as sales at retail and the operator's subsequent sale through the vending machine exempt from tax. As a result of this repeal, sales of tangible personal property from vending machines qualify as sales at retail and the operator is required to collect and remit sales tax on those sales. The purpose of this Rule is to provide guidance to vending machine operators on how to calculate and account for the sales tax due on sales from its vending machines. This Rule is hereby adopted on the day of promulgation.

Title 61
REVENUE AND TAXATION
Part I. Administrative and Miscellaneous Provisions
Chapter 43. Sales and Use Tax
§4301. Uniform State and Local Sales Tax Definitions

A. - C. ...

* * *

Dealer—

a. - g. …

h. A vending machine operator is a dealer and must report his sales of tangible personal property through coin-operated vending machines as retail sales.

i. Gross taxable sales from coin-operated vending machines shall equal the total gross receipts from sales divided by one plus the total combined state and local tax rate.

ii. The vending machine operator shall display a notice on each vending machine that the advertised price includes applicable state and local sales taxes.

i. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:301 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Sales Tax Section, LR 13:107 (February 1987), amended by the Department of Revenue and Taxation, Sales Tax Division, LR 21:957 (September 1995), LR 22:855 (September 1996), amended by the Department of Revenue, Policy Services Division, LR 27:1703 (October 2001), LR 28:348 (February 2002), LR 28:1488 (June 2002), LR 28:2554, 2556 (December 2002), LR 29:186 (February 2003), LR 30:1306 (June 2004), LR 30:2870 (December 2004), LR 31:697 (March 2005), LR 32:111 (January 2006), LR 32:865 (May 2006), LR 44:2022 (November 2018), amended by Department of Revenue, Tax Policy and Planning Division, LR 52:245 (February 2026).

Jarrod Coniglio
Secretary

2602#001

RULE

Department of Revenue
Tax Policy and Planning Division

Work-Based Learning Tax Credit-Eligible Apprentice
(LAC 61:I.1909)

Under the authority of R.S. 47:1511 and 6003 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.1909 relative to the Work-Based Learning Tax Credit.

Revised Statute 47:6003 creates the Work-Based Learning Tax Credit by combining the former Apprenticeship Tax Credit (R.S. 47:6033) and the Youth Jobs Tax Credit (R.S. 47:6028), and by adding eligibility for interns. The credit is nonrefundable and applies to the hiring of apprentices, interns, or youth workers, as defined therein.

The purpose of these amendments is to implement Act 376 of the 2025 Legislative Session and clarify what documentation is required to claim the credit for hiring an eligible apprentice. To qualify, a business must show either: (1) a written apprentice agreement under an apprenticeship program in R.S. 23:281; or (2) participation in a training program accredited by the National Center for Construction Education and Research. 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
§1909. Work-Based Learning Tax Credit-Eligible Apprentice

A. General Description

1. For tax periods beginning after December 31, 2025, Revised Statute 47:6003 authorizes businesses to earn a non-refundable work-based learning tax credit against Louisiana income tax equal to $2.50 for each hour of employment for each eligible apprentice, intern, or youth worker, not to exceed 1,000 hours for each eligible apprentice, intern or youth worker.

B. Documentation Requirements-Eligible Apprentice

1. Taxpayers must attach to the applicable Louisiana income tax return the completed tax credit certification form issued by the department, as well as all other required documentation. Additionally, supporting documentation should be maintained or submitted to the department, as directed in Paragraph 2. of this Subsection.

2. Unless otherwise provided, eligible employers seeking to qualify for the credit pursuant to the hiring of an eligible apprentice are responsible for maintaining or submitting all required information, as follows:

a. For taxpayers seeking to qualify pursuant to a written apprentice agreement:

i. report the number of hours worked during the taxable period for each eligible apprentice; and

ii. maintain a copy of the contract executed between the employer and the eligible apprentice and provide it upon request from the department.

b. For taxpayers seeking to qualify pursuant to an eligible apprentice enrolled in a training program accredited by the National Center for Construction Education and Research (NCCER);

i. report the number of hours each eligible apprentice worked during the taxable period for each eligible apprentice; and

ii maintain a copy of the NCCER transcript for each eligible apprentice, which includes:

(a). the level of training attained by the student enrolled in the training program; and

(b). the number of hours worked during the taxable period by the student enrolled in the training program.

c. Any other information required by the department.

3. No later than January 31 of each calendar year, the Louisiana Workforce Commission shall provide to the department a list of all employers or association of employers that have registered and have been approved to participate in an apprenticeship program as provided for in R.S. 23:381.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6003.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 36:1791 (August 2010); amended by the Department of Revenue, Policy Services Division, LR 49:73 (January 2023); amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:245 (February 2026).

Jarrod Coniglio
Secretary

2602#020

Notices of Intent

NOTICE OF INTENT

Department of Children and Family Services
Division of Child Welfare

Louisiana Pregnancy and Baby Care Initiative
(LAC 67:V.Chapter 9)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:950 et seq., the Department of Children and Family Services (DCFS) proposes to adopt LAC 67:V, Subpart 2, Chapter 9, Louisiana Pregnancy and Baby Care Initiative (PBCI).

Pursuant to R.S 46:972.1, adoption of Chapter 9, Louisiana Pregnancy and Baby Care Initiative (PBCI), is necessary to implement a program designed to improve access to resources that promote childbirth for women experiencing unplanned pregnancies, while providing comprehensive support services, including pregnancy support, parenting support, and adoption assistance. The proposed Rule establishes the framework for implementing the initiative, under which DCFS shall enter into an agreement with a nonprofit organization to coordinate and oversee the delivery of services.

Title 67
SOCIAL SERVICES
Part V. Child Welfare
Subpart 2. Community Services
Chapter 9. Louisiana Pregnancy and Baby Care Initiative (PBCI)

§901. Eligibility for Services

A. The Louisiana Pregnancy and Baby Care Initiative (PBCI) is a program designed to provide pregnancy, parenting, and adoption support. Program services are available to Louisiana residents who are:

1. pregnant;
2. the biological father of an unborn child;
3. the biological or adoptive parent, or legal guardian, of a child from birth through thirty-six months of age;
4. a program participant who has experienced the loss of a child; or
5. an immediate family member of a current biological parent who is a program participant.

B. Program services are available during pregnancy and may continue for up to thirty-six months following the birth of the child.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:972.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Child Welfare, LR 52:

§903. Authorized Services

A. Services provided under the PBCI shall be limited to the following:

1. counseling or mentoring intended to improve the pregnancy or parenting situation, including care coordination for prenatal services, providing educational materials and information about pregnancy and parenting;
   a. Counseling services shall be provided only by individuals or organizations that hold a professional license, or by individuals or organizations providing services funded by Medicaid and not reimbursed through this program.
   b. Mentoring services shall be provided only by individuals or organizations that hold approved training certificates or whose experience has been specifically approved by the department on a service-by-service basis.
2. referrals intended to improve the pregnancy or parenting situation, including referrals to parish and social service programs; referrals for childcare, transportation, housing resources, state and federal benefit programs, and health programs;
3. classes intended to improve the pregnancy or parenting situation, including classes on life skills, healthy pregnancies, budgeting, parenting, stress management, job training, and job placement; and
   a. Classes or educational materials shall use an evidence-based, evidence-informed, or otherwise department approved curriculum.
4. material items intended to improve the pregnancy or parenting situation, including but not limited to car seats, cribs, maternity clothing, infant diapers, and formula.

B. Program subcontractors may offer additional services at their discretion; however, only services authorized under applicable state law are reimbursable through the PBCI. Services not authorized for reimbursement shall not be funded by the PBCI.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:972.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Child Welfare, LR 52:

§905. General Contractor Responsibilities

A. DCFS will select a single nonprofit organization to serve as a general contractor responsible for managing the provision of services under the PBCI. The general contractor may not provide direct services to clients and shall:

1. subcontract on a fee-for-service basis with other local nonprofits, such as pregnancy centers, adoption agencies, and maternity homes, that will directly provide services to clients;
2. submit all proposed subcontracts to the department for review and approval;
   a. A subcontractor may not receive funding under the program without prior written approval from the department.
   b. The department may deny approval of any subcontractor that does not meet applicable programmatic requirements.
3. provide ongoing monitoring and oversight of all approved subcontractors to ensure strict adherence to program requirements;
4. establish and implement a formal review process to review subcontractor performance against established benchmarks and outcomes;
5. ensure that all funds disbursed to subcontractors are used solely for authorized services and in compliance with department financial standards;

6. ensure that all subcontracts include provisions granting the department, or its designee, the right to audit, inspect, and copy all records related to the subcontractor's performance and participant eligibility verification;

7. identify deficiencies in subcontractor performance and require corrective action plans when necessary; and

8. notify the department immediately of any violation of program policy or statutory requirements by a subcontractor.

B. Documentation Requirements

1. The general contractor must ensure that all subcontractors maintain and submit complete documentation for any services or materials funded through the program. Documentation shall be sufficient to support reimbursable expenses and verify participant eligibility. Payments may be disallowed for services provided when required documentation is incomplete, inaccurate, or unavailable.

a. Documentation of participant eligibility may include information reasonably available from participants, such as evidence of pregnancy, relationship to the minor or unborn child, or a signed certification attesting to specific eligibility criteria.

b. Documentation of services and materials provided must include department-required records, receipts, invoices, proof of reimbursable expenses, and any records necessary to verify eligibility and compliance with service standards for services funded through the program.

C. Record Retention

1. The general contractor must ensure that subcontractors maintain service and eligibility documentation for a minimum of three calendar years from the end of the calendar year in which the documentation was received, or a longer period if required by the department.

2. If a subcontractor ceases participation in the program, the general contractor must obtain and maintain all relevant records for the required retention period.

D. Consistent with R.S. 46:972.1, the department shall not impose requirements on the general contractor other than those set forth in this Chapter and the standard terms and conditions of the contract.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:972.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Child Welfare, LR 52:

§907. Department Oversight and Penalties

A. DCFS shall monitor the program to ensure that services reimbursed under the PBCI are provided to eligible clients and to support accurate reimbursement, accountability, and consistent oversight of program performance and outcomes.

B. Failure by the general contractor to comply with R.S. 46:972.1, applicable contract requirements, or the standards set forth in this Chapter may result in enforcement action by the department. Such enforcement actions may include, but are not limited to:

1. withholding of payments;
2. recoupment of payments;
3. assessment of liquidated damages;
4. imposition of monetary fines; and/or
5. termination of the contract.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:972.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Child Welfare, 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 Statement

The proposed Rule is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

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 to Yazan Rantisi, DCFS Policy and Rulemaking Director, Department of Children and Family Services, P.O. Box 3776, Baton Rouge, LA 70821 or by email to DCFSPublicHearings@la.gov. The deadline for submitting written comments is at 4:30 p.m. on March 31, 2026.

Public Hearing

A public hearing on the proposed Rule will be held on March 31, 2026, at DCFS, Iberville Building, 627 North Fourth Street, Room 127, Baton Rouge, LA beginning at 9 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 the DCFS Policy and Rulemaking Unit at least seven working days in advance of the hearing. For assistance, call (225) 219-0210 (voice and TDD).

Rebecca Harris
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Louisiana Pregnancy and Baby Care Initiative

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

As a result of the proposed rule, an expenditure increase for implementation costs of $1.74 M, publication costs of $1,385, and a minimal increase in workload are anticipated to impact the Department of Children and Family Services (DCFS). Implementation of the initiative will be supported by state general funds and/or federal funds as appropriated by the Louisiana legislature.

The proposed rule will include a minimal increase in workload because the initiative will be managed by one (1) Contract Monitor within the department, while implemented by a general contractor who will administer subcontracts for the provision of services and material goods to eligible participants.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This proposed rule will have no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed rule is not anticipated to provide economic cost or benefit to small businesses; however, the Louisiana Pregnancy and Baby Care Initiative will assist pregnant women and their families in the form of services and material items, and eligible nonprofit organizations (i.e., non-governmental groups) as general contractors and subcontractors to manage the program and provide services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule is not anticipated to have a significant impact on competition. The PBCI provides funding exclusively to eligible nonprofit organizations, and participation in the program may provide a competitive advantage to the selected general contractor and subcontractor, limited to nonprofit organizations offering similar services.

The proposed rule is not anticipated to have a significant impact on employment levels statewide. Program funding may support the continuation or modest expansion of employment within the nonprofit organizations, including counselors, case managers, and administrative staff. Additionally, program services may indirectly support workforce participation among recipients by reducing barriers related to pregnancy and parenting.

Christopher B. Bahm	Alan M. Boxberger
Undersecretary	Legislative Fiscal Officer
2602#019	Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 746–Louisiana Standards for State Certification of School Personnel—Certification Endorsement
(LAC 28:CXXXI.547, 1901, 1903, 1904, 1909, 1911, 1913, and 2103)

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) proposes to amend LAC 28:CXXXI in *Bulletin 746–Louisiana Standards for State Certification of School Personnel*. The revisions update the appeal process for issuance or reinstatement and clarifies criminal background check, rap back monitoring, fraud, and definitions. Further changes remove a redundant certification requirement for JROTC instructors and expand access to currently serving members of the U.S. Armed Forces, update paraprofessional ETS assessments, and provide for technical edits.

Title 28
EDUCATION
Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of School Personnel
Chapter 5. Teaching Credentials, Licenses and Certifications
Subchapter C. Ancillary Teaching Certificates
§547. Junior Reserve Officers Training Corps Instructor (ROTC)

A. Effective June 1, 2026, a retiree, retired grade, non-retired/currently serving Guard/Reserve, or honorably discharged veteran who holds a current, valid JROTC certification and recommendation issued by the appropriate branch of the U.S. Armed Forces is considered certified by BESE.

B. - B.2. Repealed.

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 48:441 (March 2022), repromulgated LR 48:1045 (April 2022), amended LR 50:663 (May 2024), LR 52:

Subchapter D. All Other Supervisory Endorsements
Chapter 19. Actions and Sanctions to Louisiana Educator Credentials
§1901. Overview

A. Educator credentials can be sanctioned for a conviction of certain criminal offenses, for fraud, for professional license censure, for failure to meet the standards for effectiveness, or for participation in cheating. This chapter presents the circumstances that result in sanction, the criteria under which reinstatement or issuance may be obtained, and the circumstances under which a credential may be rescinded. Conditions and mandates for issuance and sanction outlined in this Chapter will be the same for all educator credentials issued by the Louisiana Department of Education.

B. - B.1. …

2. The person has been found to have submitted or used fraudulent documents.

B.3. - E. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), amended LR 50:1448 (October 2024), LR 52:

§1903. Definitions

* * *

Cheating—as determined by the LDOE in accordance with LAC 28:XI, *Bulletin 118—Statewide Assessment Standards and Practices*, a testing irregularity and/or test security violation committed by an educator in order to alter student or school assessment results in violation of Bulletin 118, LAC 28:XI.Chapter 53. The determination is made by the LDE in consultation with the LEA.

Clear Credential—designation on an educator certification record signifying the educator was fingerprinted for certification under the LDOE Originating Agency Identifier for the purposes of credentialing/licensing. The criminal background check (CBC) provided was free of disqualifying conviction, or the educator was cleared by BESE in accordance with records review provisions in accordance with §1919 of this Chapter.

Convicted or *Conviction*—any proceedings in which the accused person pleads guilty or no contest, and those proceedings that are tried and result in a judgment of guilty. Convictions also include matters that have been granted expungement and/or deferred disposition under Louisiana CCP Article 893 or 894.

Credential—documentation issued by the LDOE to validate educator qualifications including but not limited to certification, authorization, permit, or license.

Criminal Background Check (CBC)—bureau of criminal identification and information criminal history records and identification files, including Federal Bureau of Investigation

(FBI) information from other jurisdictions, used to ascertain whether a person has been arrested for, convicted of, or pled nolo contendere to any criminal offense.

* * *

Fraudulent Document—any paper, instrument, or other form of written or electronic text that is false, altered, or counterfeit, and that is used as a subterfuge or device to induce the issuance or reinstatement of an educator credential or that is used to falsely represent or signify that the holder of the credential has certification which has not been issued or is not valid.

* * *

Offense or *Crime*—those listed in R.S. 15.587.1(C) and any felony offense whatsoever.

Rap Back—record of arrest and prosecution background FBI service that notifies authorized agencies when new criminal history information is added to the criminal background check of an individual.

Records Review—official board procedure for consideration of an educator appeal regarding credential issuance, reinstatement, or sanction.

* * *

Teaching Authorization (TA)—Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), amended LR 50:1448 (October 2024), LR 52:

§1904. Criminal History Review for Certification

A. - B. …

C. Effective January 1, 2025, an application for certification renewal, advancement, or modification shall require state and federal criminal history checks for individuals for whom LDOE records do not include a state and federal criminal history check.

D. ...

E. Upon receipt of a CBC conducted through LDOE, the department shall determine eligibility for certification as follows:

1. An applicant with no disqualifying convictions shall be cleared for certification, with the "Clear Credential" notation placed on the certification record.

2. The certification of an applicant with a felony conviction shall be sanctioned. Eligibility for records review and appeal to BESE shall be in accordance with §1909 and §1919 of this Chapter for felony convictions other than those felonies enumerated in R.S. 15:587.1.

3. An applicant with a felony or misdemeanor conviction enumerated in R.S. 15:587.1 shall receive a permanent denial or revocation of certification. An appeal to BESE is prohibited.

F. Credentials issued by LDOE are subject to continuing rap back monitoring.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, R.S. 17:15, R.S. 15:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:1449 (October 2024), LR 52:

§1909. Sanctions for Criminal Convictions

A. - D.2.…

E. Misdemeanor and felony criminal convictions, or plea of nolo contendere, for an offense listed in R.S. 15:587.1 shall be a prohibited conviction for which denial, suspension, and/or revocation is mandated and issuance or reinstatement shall never be considered.

F. With the exception of convictions listed in R.S. 15:587.1, records review for appeal of sanction eligibility may be considered under the following conditions:

1. - 3. …

G. Rap Back Monitoring and Appeals.

1. If an applicant's appeal is filed within ninety days of issuance of the letter of suspension or letter of denial, the applicant will not have to undergo a new criminal history record check.

2. If an applicant's appeal is filed after ninety days have passed since issuance of the letter of suspension or letter of denial, the applicant shall undergo a new criminal history check.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:15, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1752 (July 2022), LR 50:31 (January 2024), LR 50:1449 (October 2024), LR 52:

§1911. Fraudulent Documents

A. A Louisiana teaching credential will be sanctioned in accordance with §1903 of this Chapter if an educator uses or submits fraudulent documents.

B. Repealed.

C. - D.3. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6), R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), amended LR 50:1449 (October 2024), LR 52:

§1913. Professional License Censure

A. - B. …

C. An existing credential, even if expired, for which license censure has been reported and verified may be suspended by the LDOE and referred to BESE for review.

D. - E.3. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), amended LR 50:1449 (October 2024), LR 52:

Chapter 21. State Guidelines Related to Qualifications for Paraprofessionals

§2103. Paraprofessional Qualifications

A. - D. …

1. State Test. A paraprofessional who passes the Educational Testing Service (ETS) ParaPro or ParaPathways assessment will meet state and federal requirements to be classified as a highly qualified paraprofessional. A paraprofessional who is not new to the profession, passes the ACT work keys assessment, and has successful observations will meet state and federal requirements to be classified as a highly qualified paraprofessional.

D.2. - F.1. …

a. passed the ETS ParaPro or ParaPathways assessment;

F.1.b. - F.2. …

a. passed the ETS ParaPro or ParaPathways assessment;

F.2.b. - F.2.d. …

G. Curriculum-based Pathways for Paraprofessionals. General education and teacher preparation coursework must address the K-12 state content standards, Louisiana components of effective Teaching, National Council for the Accreditation of Teacher Education (NCATE) standards, and Praxis expectations. In addition to the ETS ParaPro or ParaPathways assessment, the state specified three curriculum-based pathways for paraprofessionals to meet federal requirements, as follows:

G.1. - G.3.b.iii.(b). …

H. ETS Paraprofessional Assessments.

1. ParaPro (1755); prior to August 31, 2026; score 450.

2. ParaPathways (5758 and 5759); effective June 1, 2026.

a. Reading and Writing (5758); score 332; and

b. Mathematics (5759); score 334.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 3902, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:474 (March 2022), repromulgated LR 48:1083 (April 2022), LR 52:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word "poverty" means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? No.

3. Will the proposed Rule affect employment and workforce development? Yes.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule 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 Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule 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 via the U.S. Mail until noon, March 10, 2026, to Tavares Walker, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Tavares Walker, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Tavares A. Walker
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Bulletin 746–Louisiana Standards for State Certification of School Personnel—Certification Endorsement

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs to state or local governmental units as a result of the proposed rule change. The proposed change amends LAC 28:CXXXI in *Bulletin 746–Louisiana Standards for State Certification of School Personnel* to update the appeal process for issuance or reinstatement of teacher certifications and clarifies criminal background check and rap back monitoring requirements.

Further changes remove the ancillary certification requirement for Junior Reserve Officers' Training Corps (JROTC) instructors and expands eligibility to become an instructor beyond JROTC retirees to include non-retired/currently serving Guard/Reserve or honorably discharged

veterans who hold a current, valid certification and recommendation issued by the appropriate branch of the U.S. Armed Forces. Under the proposed rule change, these eligible individuals are considered certified as a JROTC instructor by the Board of Elementary and Secondary Education (BESE), eliminating the need for an additional certification issued by the Louisiana Department of Education (LDOE). Additional changes include updates to paraprofessional Education Testing Services (ETS) assessments, transitioning from use of the ParaPro assessment to the ParaPathways assessment to determine classification as a "highly qualified paraprofessional."

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is anticipated to minimally decrease self-generated revenue collections of LDOE. Historically, the department has received very few applications for JROTC instructor certifications; therefore, any decrease in revenues due to the elimination of the separate JROTC certification and its associated $50 application fee is not anticipated to be significant.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There are anticipated economic savings to persons, small businesses, or non-governmental groups as a result of the proposed rule change. The cost of the ETS paraprofessional test will decrease from $85 to $75 with the transition from the ParaPro exam to the ParaPathways exam. Further, the repeal of the duplicate certification requirement for JROTC instructors will result in a savings of the $50 application fee for applicants seeking certification by BESE.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change may increase competition and employment as currently serving members of the U.S. Armed Forces may now be eligible to teach JROTC courses instead of limiting access to retirees.

Beth Scioneaux	Patrice Thomas
Deputy Superintendent	Deputy Fiscal Officer
2602#042	Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Solid Waste and Waste Tire Public Notice Revision
(LAC 33:VII.509, 513, and 10513)

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 Solid Waste regulations, LAC 33:VII.509, 513, and 10513 (SW078).

This proposed Rule modernizes the public notice requirements for solid waste and waste tires to make the department's website the official location of public notices for draft permit decisions and public hearings. In addition, the proposed Rule allows the department to supplement web publication with other noticing methods at the discretion of the department.

Currently, the public notices for solid waste and waste tire draft permit decisions and public hearings are published on the department's website and are published one time as a single classified advertisement in the official state journal and a major local newspaper. This proposed Rule will streamline the public notice process for solid waste and waste tires by removing the duplicate publishing effort, removing the cost of publication in the state journal and newspaper, and providing quicker publishing of the notices through the department's website. The proposed Rule also provides that the public notice be published on the department's website for the duration of the public comment period.

The basis and rationale for this proposed Rule are to modernize the solid waste and waste tire regulations regarding the public notice requirements for draft permit decisions and public hearings. The department's website, as the official location of these public notices, provides a centralized approach for the public to be informed of a draft permit decision and a public hearing, access material associated with a draft permit, and provide comments on a draft permit during the public comment period. 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.

Title 33
ENVIRONMENTAL QUALITY
Part VII. Solid Waste
Subpart 1. Solid Waste Regulations
Chapter 5. Solid Waste Management System
Subchapter B. Permit Administration
§509. Permit System
[Formerly §511, §315.E and F, and §513.F.5-7]

A. - E.4. …

5. Public Opportunity to Request a Hearing. Any person may, within 30 days after the date of publication of the draft decision on the department's website (LAC 33:VII.513.G.3), request that the administrative authority consider whether a public hearing is necessary. If the administrative authority determines that the requests warrant it, a public hearing will be scheduled. If the administrative authority determines that the requests do not raise genuine and pertinent issues, the Office of Environmental Services shall send the person(s) requesting the hearing written notification of the determination. The request for a hearing shall be in writing and shall contain the name and affiliation of the person making the request and the comments in support of or in objection to the issuance of a permit.

6. Public Notice of a Public Hearing. If the administrative authority determines that a hearing is necessary, notice shall be published at least 20 days before a fact-finding hearing on the department's website. Those persons on the Office of Environmental Services mailing list for hearings shall be mailed notice of the hearing at least 20 days before a public hearing.

E.7. - G. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2518, 2519 (November 2000), amended by the Office of Environmental Assessment, LR 30:2032 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR

31:2488 (October 2005), LR 33:1035 (June 2007), LR 33:2143 (October 2007), LR 37:3236 (November 2011), repromulgated LR 37:3509 (December 2011), amended by the Office of the Secretary, Legal Affairs Division, LR 52:

§513. Permit Process for Existing Facilities and for Proposed Facilities

A. - G.2.f. …

3. Public Notice. The Office of Environmental Services shall publish a notice of the draft permit decision on the department's website for the duration of the public comment period. Web publication may be supplemented by other noticing methods at the discretion of the department. The public notice shall solicit comment from interested individuals and groups. Comments received by the administrative authority within the timeframe specified in the public notice shall be reviewed by the Office of Environmental Services prior to the preparation of a final decision.

G.4. - K.…

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2519 (November 2000), amended by the Office of Environmental Assessment, LR 30:2032 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2488 (October 2005), LR 33:1037 (June 2007), LR 33:2143 (October 2007), LR 37:1563 (June 2011), LR 37:3238 (November 2011), repromulgated LR 37:3510 (December 2011), amended by the Office of the Secretary, Legal Division, LR 40:293 (February 2014), LR 52:

Subpart 2. Recycling

Chapter 105. Waste Tires

§10513. Permit Process for Existing and Proposed Facilities

A. - F.2. …

3. After the six copies are submitted to the administrative authority, notices shall be placed on the department's website for the duration of the public comment period. Web publication may be supplemented by other noticing methods at the discretion of the department. The public notice shall solicit comment from interested individuals and groups. Comments received by the administrative authority within 30 days after the date the notice is published on the department's website shall be reviewed by the administrative authority.

4. …

5. Public Opportunity to Request a Hearing. Any person may, within 30 days after the date of publication on the department's website required in Paragraph F.3 of this Section, request that a public hearing be held. If the administrative authority determines that the hearing is warranted, a public hearing shall be held. If the administrative authority determines not to hold the requested hearing, the administrative authority shall send the person requesting the hearing written notification of the determination. The request for a hearing shall be in writing and shall contain the name and affiliation of the person making the request and the comments in support of or in objection to the issuance of a permit.

6. Public Notice of a Public Hearing. If the administrative authority determines that a hearing is necessary, a notice shall be published at least 20 days before a fact-finding hearing on the department's website. Those persons on the department's mailing list for hearings shall be mailed notice of the hearing at least 20 days before a public hearing.

F.7. - G.2. …

H. Public Notice of Permit Issuance. No later than 20 days following the issuance of a standard permit, the administrative authority shall publish a notice of the issuance of the standard permit. This notice shall be published on the department's website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2411-2422.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 18:39 (January 1992), amended LR 20:1001 (September 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2775 (December 2000), LR 27:829 (June 2001), amended by the Office of Environmental Assessment, LR 30:2033 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2502 (October 2005), LR 33:2157 (October 2007), amended by the Office of the Secretary, Legal Division, LR 42:249 (February 2016), amended by the 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 SW078. Such comments must be received no later than April 7, 2026, 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 SW078. The proposed regulation is available on the Internet at https://deq.louisiana.gov/page/monthly-regulation-changes-2026%20.

Public Hearing

A public hearing will be held on March 31, 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=91248479184

or by phone (309) 740-3221, 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: Solid Waste and Waste Tire Public Notice Revision

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs or savings associated with the proposed rule change to state agencies or local governmental units. The proposed rule change modernizes public notice requirements for solid waste and waste tire permits by designating the Department of Environmental Quality's (DEQ) website as the official location of public notices of draft permit decisions and public hearings. The proposed rule change also allows the department to supplement web publication with other notice methods at the department's discretion.

Currently, public notices for solid waste and waste tire draft permit decisions and public hearings are published on the department's website, and once as a single classified advertisement in the official state journal and a major local newspaper. The proposed rule change streamlines this process by eliminating duplicative publishing requirements, removing the applicant's cost of publication in the official journal of the state and local newspaper, and allowing for quicker publishing of the notices through the DEQ website. The proposed rule change also provides that the public notice be published on the department's website for the duration of the public comment period. The applicant pays the fee to publish notices; therefore, the department's costs or savings would not be directly impacted. The only impact would be a minor decrease in workload.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to result in any increase or decrease in state or local revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The economic cost and or benefit is negligible to directly affected persons, small businesses, or nongovernmental groups. Publication costs vary by journal and newspaper.

The rule makes the LDEQ's website the official location of public notices for solid waste and waste tire media instead of publishing in the official journal of the state (newspaper) and local newspapers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment in the public or private sectors.

Courtney J. Burdette	Patrice Thomas
Secretary	Deputy Fiscal Officer
2602#041	Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor
Department of Veterans Affairs

Cemeteries (LAC 4:VII.990)

Under the authority of R.S. 29:252-261, 288-290, 295, 381-391, R.S. 36:781-787, R.S. 42:17.2, and R.S. 46:121-123, 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 Department of Veterans Affairs regulations, LAC 4:VII.990.

The revisions are necessary to provide transparency to Department of Veterans Affairs businesses practices, specifically to the provision of benefits to certain spouses.

Title 4
ADMINISTRATION
Part VII. Governor's Office
Chapter 9. Veterans' Affairs
Subchapter E. Veterans' Cemeteries
§990. Fee Waivers

A. The secretary of the department may waive all or part of the fee charged under R.S. 29:295 or §992 of this Chapter for burying veterans, spouses or dependent children in Louisiana veterans' cemeteries if unusual financial circumstances or hardships exist. Family members who believe they have unusual financial circumstances or hardships may request relief and consideration of a waiver of the burial fee. Family members may apply for a waiver through the cemetery director. If no family members are available, the cemetery director may request a waiver on behalf of the deceased veteran, spouse or dependent child. The application must include appropriate documentation to support a finding that an unusual financial circumstance or hardship exists. If the cemetery director determines that the application and supporting documentation reflect that an unusual financial circumstance or hardship exists, then the director will forward the request with an appropriate recommendation to the secretary for approval or disapproval to waive the fee in whole or in part.

B. For any current spouse of a former active duty United States military retiree that qualifies for retirement for regular service, and where that spouse was married to the service member for 20 years or more during that service, fees will be waived for burial at the State Veterans Cemetery.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 45:1592 (November 2019), amended LR 50:502 (April 2024), 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

The proposed Rule should have no adverse impact on small businesses 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 Connor Junkin, Executive Counsel, Department of Veterans Affairs, 602 N. 5th Street, Baton Rouge, Louisiana 70802 and must be received no later than 4 p.m. on March 10, 2026. All written comments must be signed and dated.

Charlton Meginley
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Cemeteries

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will not result in any costs or savings to state or local governmental units.

The proposed rule change provides that burial fees at the State Veterans Cemetery will be waived for the current spouse of a retired military service member if:

- The service member retired after completing regular military service
- The couple was married for at least 20 years during the service member's active duty

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The department expects approximately 3-5 eligible spouses per year to use this benefit, resulting in an estimated annual revenue decrease of $3,000-$5,000 the full burial fee will be waived for qualifying spouses with the waiver amount matching the plot allowance in effect at the time of burial.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Certain current spouses of a retired military service member will benefit by having the burial fees waived, which is estimated to be $1,000 per plot allowance.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will not affect competition and employment.

Charlton Meginley	Patrice Thomas
Secretary	Deputy Fiscal Officer
2602#003	Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor
Department of Veterans Affairs

Military Family Assistance Grants (LAC 4:VII.Chapter 9)

Under the authority of R.S. 29:252-261, R.S. 36:781-787, and R.S. 46:121-123, 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 Department of Veterans Affairs regulations, LAC 4:VII.Chapter 9.

The revisions are necessary to effectuate Act 241 of the 2025 Louisiana Regular Legislative Session, regarding the grant-making authority of the Military Family Assistance Board.

Title 4
ADMINISTRATION
Part VII. Governor's Office
Chapter 9. Veterans' Affairs
Subchapter D. Military Family Assistance Program Fund

§965. Definitions

Application—a written request for financial assistance or grant funding from the Military Family Assistance Fund made on the form captioned Military Family Assistance Fund Application, together with documents related thereto.

Approval Authority—the third party administrator for all need-based claims of $1500 or less; the fund committee for all need-based claims of greater than $1500 up to $2500; and the board for all need-based claims of greater than $2500. The fund committee and the board are the approval authority for all claims for one-time lump sum payments and all claims appealed by an eligible applicant.

Board—the Louisiana Military Family Assistance Board.

Claimant—an eligible applicant.

Eligible Applicant—activated military person, honorably discharged military person, or a family member of activated military person as defined in R.S. 46:121.

Family Member of Activated Military Personnel—the primary next of kin or an immediate family member.

Final Appeal—an appeal to the Louisiana Military Family Assistance Board.

Fund Committee—the committee comprised of three board members appointed by the chairman of the board to assist in administering the Louisiana Military Family Assistance Fund which committee shall also serve as an appellate body for all claims of $1500 or less before a final appeal is made to the full board.

Immediate Family Member—with respect to an activated military person:

1. spouse;

2. a natural child, adopted child, step child, or illegitimate child, if acknowledged by the person or parenthood has been established by a court of competent jurisdiction, except that if such child has not attained the age of 18 years, the term means a surviving parent or legal guardian of such child;

3. any other person claimed as a dependent on the federal income tax of the activated military person;

4. a biological or adoptive parent, unless legal custody of the person by the parent has been previously terminated by reason of a court decree or otherwise under law and not restored;

5. a brother or sister of the person, if such brother or sister has attained the age of 18 years; or

6. any other person, if such person was given sole legal custody of the person by a court decree or otherwise under law before the person attained the age of 18 years and such custody was not subsequently terminated before that time.

Outreach—activities directed at improving or strengthening veteran initiatives, activities or problems.

Third Party Administrator—the Louisiana Department of Veterans Affairs Benefits Division, or a designee of the Secretary of the Louisiana Department of Veterans Affairs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1607 (June 2011), amended LR 45:1590 (November 2019), LR 50:500 (April 2024), LR 52:

§967. Eligibility

A. The approval authority may, in its sole discretion, waive the requirement to seek assistance from other available sources when unusual or exigent circumstances make such application impractical or unlikely to produce results in a timely manner or when the applicant shows that the circumstances are such that other potential sources of funds are inapplicable to the particular circumstances.

B. Requests for assistance from the Military Family Assistance Fund shall not be bifurcated.

C. An eligible application for a non-profit grant award shall meet the following criteria:

1. Organization shall be a registered 501(c)(3) non-profit venture.

2. Submitted projects shall be demonstrably dedicated to the assistance of veterans and their families.

3. Project operations shall be performed in the State of Louisiana.

4. The following projects or ventures shall not be eligible for awards under the MFA Grant program:

a. retail businesses, enterprises, and/or operations;

b. gaming or gambling businesses, enterprises, and/or operations;

c. business startups;

d. alcohol purchases.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1607 (June 2011), amended LR 45:1591 (November 2019), LR 50:500 (April 2024), LR 52:

§969. Application Process

A. Eligible Applicant Responsibilities

1. All requests for assistance shall be made through a completed Military Family Assistance Fund Application.

2. An application is not complete unless it is signed by the applicant and contains all information requested by the form.

3. All applicants shall provide all additional information requested by the Military Family Assistance Board, the fund committee, or the third-party administrator. Failure to provide additional requested information may result in the denial of the application.

4. Applications for assistance from the Military Family Assistance Fund shall include copies of applications for other types of assistance filed by the applicant.

5. Applications, together with all supporting documents, may be faxed to the MFA Fund third party administrator, may be submitted electronically or online through the Military Family Assistance Fund application submission process provided on the Department of Veterans Affairs website, or may be mailed to: Department of Veterans Affairs, Attn: MFA Third Party Administrator, P.O. Box 94095, Baton Rouge, LA 70804-9095.

6. An application for assistance from the Military Family Assistance Fund shall be considered made as of the date that it is received by the third party administrator.

7. If an individual other than a spouse acts on behalf of an eligible applicant in preparing and submitting the application, a signed, written statement by the applicant or a copy of a fully executed power of attorney authorizing the individual preparing and submitting the application to act on the eligible applicant's behalf must be submitted as an attachment to the application.

B. MFA Grant Award Applications

1. Applicants must submit an application to the Board on a form provided by LDVA which shall contain, but not be limited to, the following:

a. an overview of the organization, its history, past projects, objectives, and in the discretion of the board, either audited financial statements or an independent CPA certification of the organization's solvency.

b. a detailed description of the project to be undertaken, along with any potential adverse factors to be considered for the project goals. This description shall include operation and maintenance plans, a timetable for operations, and projected impact.

c. a complete list of financial support sources for the organization and project.

d. a sworn statement certifying that the organization is not engaged in any litigation with the State of Louisiana or its political subdivisions.

e. a sworn statement certifying that no individuals involved with the administration of the organization or project have ever been convicted of any crimes involving theft, fraud, or similar offenses.

f. any additional information that the Board may require.

2. Applicants may begin submitting their grant applications on August 1, and all grant applications must be submitted by September 15. Grant applications received after this date will be automatically denied. Grant applications shall not be amended or supplemented after September 15.

3. Applications for grant funding shall be considered by the board annually during the December grant review period. The December grant review period shall be the only dates of review for complete submitted applications.

4. Application denials are the final decision of the Board and shall bear no impact on any future applications.

5. Notices of application awards or denials shall be issued in writing by the board to the address provided on the application by December 15.

6. Grants funds shall be issued in the January following the decision by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1607 (June 2011), amended LR 45:1591 (November 2019), LR 50:501 (April 2024), LR 52:

§971. Types of Grants; Restrictions on Awards

A. Four types of grants may be made by the Military Family Assistance Fund:

1. grants for need-based assistance;

2. grants for one-time lump sum awards; and

3. grants for transportation and other related costs as authorized by the board.

4. grants for 501(c)(3) organizations for projects to assist veterans and their families.

B. No request shall be approved by the board, the fund committee, or the third party administrator that does not meet the requirements of the law or the rules.

C. The request of an eligible applicant may be denied if the activated military personnel is not in good standing with the appropriate military unit at the time the application is submitted or the time payment is made.

D. The board may disapprove a request for assistance if the board determines that the grant of an award under the facts and circumstances of a particular case is not be in the best interests of the board or the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1608 (June 2011), amended LR 52:

§973. Award Amounts

A. The maximum dollar amount that may be awarded on behalf of an activated military person for a need-based claim per 12 month period is $10,000.

B. One uniform maximum dollar amount that may be awarded on behalf of an activated military person for a one-time lump sum award shall be $700. With respect to one-time lump sum awards, the following shall apply.

1. An eligible applicant may be awarded an additional one-time lump sum award for cost directly related to a service related death or an injury with a greater than 50 percent residual disability.

2. One-time lump sum awards are in addition to, and not in lieu of, need-based awards.

3. A one-time lump sum award may be made only when extenuating circumstances are present. Extenuating circumstances include, but are not limited to:

a. the circumstance in which the injured military person is recuperating in a location away from home that necessitates travel by family members to visit with the injured military person. Costs associated with transportation, lodging, meals, and other related matters not covered by any other source to enable family members to visit an activated military person with a service related injury with a greater than 50 percent residual disability, whether the extent of the disability has been determined at the time application is made or is reasonably anticipated to result in a greater than 50 percent residual disability at the time application is made, may be requested;

b. the circumstance in which the funeral of an activated military person necessitates travel by family members to attend the funeral. Costs associated with transportation, lodging, meals, and other related matters not covered by any other source to enable family members to attend the funeral of an activated military person may be requested;

c. the circumstance in which the absence of family members to visit the injured activated military person or attend the funeral of the activated military person creates financial needs for the care of a home, pets, children, or others when the financial need is not covered by any other source;

d. such other extenuating circumstances as may be determined on a case-by-case basis by the fund committee.

4. Family members of activated military personnel who are listed as missing in action or prisoner of war by the U.S. Department of Defense shall be eligible for the lump sum award. The activated military person must be listed as missing in action or a prisoner of war on or after September 11, 2001.

C. With respect to grants for transportation and other related costs of activated military personnel, the following shall apply.

1. One transportation request shall be approved per person per period of mobilization, and pay no greater than $500 per applicant.

2. The utilization of the lowest cost fare and group rates with other applicants, where practicable, shall be encouraged.

3. The awarded amount shall be subtracted from the maximum dollar amount of $10,000 per applicant per 12-month period.

4. Consideration for assistance will be limited to activated military personnel whose deployment is for overseas only.

5. Requests for assistance must have the approval from the adjutant general and/or commanding officer.

D. With respect to grants for 501(c)(3) organizations for projects assisting veterans or their families, one application shall be approved per organization per calendar year, and pay no greater than $10,000 per applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1608 (June 2011), amended LR 45:1591 (November 2019), LR 52:

§975. Minimum Funding Levels; Reserve Level; Calculation of Funds Available for Payment of One-Time Lump Sum Awards

A. The Military Family Assistance Fund shall have a minimum of $150,000 on deposit for the Military Family Assistance Program to become operational.

B. At all times the fund shall have a reserve of a minimum of $15,000.

C. For each fiscal year, the maximum percentage of the Military Family Assistance Fund that may be directed to one-time lump sum awards shall not exceed 20 percent. This percentage shall be based on the amount of funds on deposit in the Military Family Assistance Fund as of the first day of the fiscal year.

D. Award amounts directed to transportation and other related costs of activated military personnel shall not exceed 30 percent of the funds on deposit in the Military Family Assistance Fund on the first day of the fiscal year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1609 (June 2011), amended LR 50:501 (April 2024), LR 52:

§977. Third Party Administrator

A. The third party administrator shall receive all need-based applications, all applications for one-time lump sum assistance, all applications for transportation and other related costs assistance, and all applications for 501(c)(3) project grants.

B. The third party administrator is authorized to review, process, approve and remit payment on all need-based applications of $1500 and less. In no event shall the third party administrator remit payment on any request that exceeds $1500 without the prior express written approval of the board or the fund committee.

C. The third party administrator is authorized to disapprove need-based applications for $1500 or less if the eligible applicant fails to show that all requirements set forth in the law and the rules are met. The eligible applicant has the right to appeal such disapproval to the fund committee.

D. With respect to need-based applications of $1500 and less, the third party administrator is authorized to approve the claim in part and disapprove the claim in part. The eligible applicant has the right to appeal the third party administrator's disapproval of any part of its need-based claim to the fund committee.

E. For all need-based applications received, regardless of the dollar amount of the request, the third party administrator shall make a determination on the following issues:

1. that all awards are on behalf of activated military personnel or honorably discharged military personnel as defined in R.S. 46:121;

2. that all awards are made pursuant to a claim that is made by an eligible applicant;

3. that all awards are need-based. The third party administrator, fund committee or Military Family Assistance Board may consider a claim need-based if all of the following apply:

a. the funds are requested for necessary expenses incurred or to be incurred;

b. the necessary expenses created or will create an undue hardship on the activated military person, family member of the activated military person, or the honorably discharged military person;

c. the activated military person, family member of the activated military person, or the honorably discharged military person does not have reasonable and timely access to any other funding source;

d. payment of the claim does not supplant other available public or private funds; and

e. the activated military person, family member of the activated military person, or the honorably discharged military person has made reasonable attempts to secure alternative funding through another program, recognizing that the approval authority in its discretion accorded under these rules may waive the requirement for that applicant to have sought this alternative funding.

F. For all one-time lump sum applications, the third party administrator shall make an initial determination of whether extenuating circumstances exist that support approval of the application.

G. After making the determinations set forth above, the third party administrator shall, for all need-based applications requesting assistance in an amount greater than $1500 and for all one-time lump sum applications, forward the application together with all supporting documents and the determination to the fund committee for further review and processing, approval or disapproval, and payment by the third party administrator in the event of approval.

H. If the third party administrator approves a request of $1500 or less, it shall determine when the claim shall be paid, the amount of payment, to whom the payment shall be made, and such other matters as it deems necessary and appropriate.

I. The third party administrator shall make a written determination on all need-based applications for assistance as soon as possible.

1. In no event shall the time period between receipt of the completed application by the third party administrator and release of the written determination by the third party administrator exceed 30 calendar days.

2. The written determination shall be:

a. to approve the claim;

b. to disapprove the claim;

c. to request additional information or documentation regarding the claim; or

d. to schedule a meeting with the eligible applicant to discuss the claim.

J. If the third party administrator schedules a meeting, it shall make a determination within 15 days following the date that such meeting actually takes place. The determination shall be to either approve or disapprove the claim.

K. If the third party administrator fails to make a written determination within the time periods set forth in these rules, the claim shall be considered disapproved. The eligible applicant may then lodge an appeal within the time delays set forth by statute.

L. The third party administrator shall determine that sufficient funds are on deposit for the payment of all approved claims.

M. The third party administrator shall notify the fund committee and the board in writing any time approved applications will cause the Military Family Assistance Fund's unobligated balance to drop to within $15,000 of its minimum reserve level.

N. With respect to any application that creates a conflict of interest for the third party administrator, the third party administrator shall refer the application to the fund committee for consideration and action.

O. The third party administrator shall notify the board if it appears that an application is submitted in violation the law and these rules.

P. The third party administrator shall submit such reports to the Fund Committee and the board as are requested.

Q. The third party administrator may refer need-based requests for assistance to the fund committee for determination if the third party administrator suspects that the grant of an award under the facts and circumstances of a particular case may not be in the best interests of the Board or the state of Louisiana.

R. The third party administrator's expenses in the administration of the program shall be paid from the balance of the Military Family Assistance Fund, but shall not exceed 5 percent of the total amount deposited into the fund in the previous fiscal year.

S. Upon receipt of any 501(c)(3) grant applications, the third party administrator shall conduct a preliminary screen of the application for base eligibility and completeness requirements. If the application is missing an element of eligibility or completeness, the third party administrator shall return the application with a written explanation.

1. Any application rejected for clerical errors may be resubmitted for evaluation within three business days of the issued written notice.

2. Any application rejected for missing elements or documents will be rejected.

T. Prior to the annual 501(c)(3) grant review meeting by the Board, the third party administrator shall compile all eligible applications for the Board's review.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1609 (June 2011), amended LR 45:1592 (November 2019), LR 50:501 (April 2024), LR 52:

§979. Fund Committee

A. The Fund Committee shall receive determinations from the third party administrator and make decisions on all need-based applications of greater than $1500 up to $2500 and all applications for one-time lump sum assistance.

B. The board chairman shall designate the members of the fund committee and shall select alternates to act on their behalf.

C. The fund committee shall receive the third party administrator's monthly report on applications received and claims paid. The fund committee shall determine the payment of claims when the Military Family Assistance Fund falls to within $15,000 of its minimum funding level.

D. The fund committee shall instruct the third party administrator with respect to the receipt and processing of all applications for assistance from the fund if the fund falls to within $15,000 of its minimum funding level.

E. The fund committee may refer need-based requests for assistance and requests for one-time lump sum awards to the board for determination if the Fund Committee suspects that the grant of an award under the facts and circumstances of a particular case may not be in the best interests of the board or the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1610 (June 2011), amended LR 50:501 (April 2024), LR 52:

§981. The Board and Chairman of the Board

A. If the board suspects that an application is submitted in violation of the provisions of the law and these rules, it shall refer such application to the appropriate district attorney's office.

B. The board shall provide an annual report to the Joint Legislative Committee on the Budget on the overall activities of the program and any recommendations for consideration.

C. The chairman of the board shall appoint three board members and alternates to serve on the fund committee.

D. The board shall make determinations on requests for assistance or grant applications brought before the board.

E. The board shall exercise oversight of the activities of the third party administrator and the fund committee.

F. The chairman of the board shall provide for state administration of the program, the cost of which shall be paid from the balance of the Military Family Assistance Fund, not to exceed 5 percent of the total amount deposited into the fund in the previous fiscal year.

G. The secretary of the Louisiana Department of Veterans Affairs may direct up to 10 percent of the total amount deposited into the fund in the previous fiscal year to be spent toward veteran outreach activities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1610 (June 2011), amended LR 50:501 (April 2024), LR 52:

§982. Meetings of the Board

A. The board meets criteria pursuant to R.S. 42:17.2 to be eligible to conduct open public meetings via electronic means.

B. At least 24 hours prior to a meeting conducted via electronic means, the board shall post the following on the Louisiana Department of Veterans Affairs' website at vetaffairs.la.gov:

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.

C. Given that the board assists military families, there is no limitation as to the number of successive meetings via electronic means that may be conducted.

D. 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 at vetaffairs.la.gov on an annual basis.

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 at vetaffairs.la.gov.

F. The board shall provide for participation via electronic means on an individualized basis by people with disabilities.

G. 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 board with an ADA-qualifying disability.

H. The written public notice for an open meeting, as required by R.S. 42:19, shall include the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.

I. The requestor shall be provided with an 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.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 50:501 (April 2024), amended LR 52:

§983. Appeals

A. The fund committee shall sit as a board of appeals for the third party administrator's disapproval of all or any part of a need-based application for $1500 or less. An eligible applicant may appeal the third party administrator's disapproval of a request for assistance within thirty days of the receipt of the written determination disapproving the claim. The request for an appeal must be made in writing to the third party administrator.

B. The fund committee is authorized by these rules to decline to consider any appeal that is not timely filed.

C. The board shall sit as a board of appeals for the fund committee's disapproval of all or any part of a need-based application for greater than $1500 up to $2500. An eligible applicant may appeal the fund committee's disapproval of claim to the board within 30 days of the receipt of the written determination disapproving the claim. The request for an appeal must be made in writing to the third party administrator.

D. The board is authorized by these rules to decline to consider any appeal that is not timely filed.

E. The decision of the board on a request for assistance shall be final.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1610 (June 2011), amended LR 52:

§985. Withdrawal of Applications

A. An eligible applicant and anyone properly acting on behalf of an eligible applicant shall have the right to withdraw the application at any time prior to final disposition of the application by the third party administrator, the fund committee or the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1611 (June 2011), amended LR 50:502 (April 2024), LR 52:

§987. Waivers

A. Prior to the approval of a claim, applications and the identity of eligible applicants and their related military personnel shall be confidential unless expressly waived by the eligible applicant in writing. The filing of an appeal before the fund committee or the board shall be considered a waiver of the identity of eligible applicants and their related military personnel or veterans.

B. Once a claim is approved, the identity of the eligible applicant, related activated military personnel or honorably discharged military personnel, and any person filing the application on behalf of the eligible applicant, and the amount approved shall be public record.

C. Applications, the identity of applicants and their related military personnel or honorably discharged military personnel, and all records of the board, the fund committee and the third party administrator related thereto, shall be available prior to any approval of the application, to necessary parties including but not limited to, the legislative auditor, the legislative oversight committee for rules and annual reports, and such other parties as necessary for prudent administration of the Military Family Assistance Program and verification of elements of the application.

D. The board, the fund committee, and the third party administrator are expressly authorized to make public data concerning the number of applications received, the amount of claims approved, the geographic areas of the state from which such applications are received and approved, the number of disapproved applications, and the amount of funds in the Military Family Assistance Fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:121 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 37:1611 (June 2011), amended LR 45:1592 (November 2019), LR 50:502 (April 2024), 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

The proposed Rule should have no adverse impact on small businesses 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 Connor Junkin, Executive Counsel, Department of Veterans Affairs, 602 N. 5th Street, Baton Rouge, Louisiana 70802 and must be received no later than 4 p.m. on March 10, 2026. All written comments must be signed and dated.

Charlton Meginley
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Military Family Assistance Grants

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Proposed rule change broadens the use of the Louisiana Military Family Assistance Fund. Broadening the allowable uses of the existing monies may lead to those funds being depleted more quickly.

In accordance with Act 241 of the 2025 Regular Legislative Session, the proposed rule change expands allowable uses of the Louisiana Military Family Assistance Fund to include issuing annual grants in amounts limited to $10,000 to certain tax-exempt organizations.

Note: Deposits into the Louisiana Military Family Assistance Fund are from public and private donations, gifts, grants, and appropriations, including revenue from the "Support Our Troops" specialty license plates. Louisiana taxpayers can contribute via a checkoff option on state income tax returns. Additionally, driver's license applicants of any class can choose to donate $1 when obtaining or renewing their license. As of 2/03/26, the balance of the fund is approximately $906,000.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated change in revenue collections for state or local governmental entities as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will have positive economic benefits to those small businesses and/or non-governmental groups that qualify for the grants. The grants authorized by the legislation and effectuated by the proposed rules will provide qualifying organizations up to $10,000 per fiscal year for projects associated with assisting military and veteran families.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Due to the limited nature of the grant-creating authority, there will be a competitive application and approval process to be overseen by the Military Family Assistance Board. This should foster healthy competitive innovation amongst qualifying organizations.

Dustin Guy	Patrice Thomas
Chief of Staff	Deputy Fiscal Officer
2602#038	Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor
Division of Administration
Office of the Commissioner

Nongovernmental Entity Database Reporting
(LAC 4:XXIV.Chapter 1)

The Division of Administration, Office of the Commissioner, proposes to adopt LAC 4.XXIV as authorized by R.S. 39:16.15. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The Division of Administration must ensure the Louisiana Checkbook website contains a nongovernmental entity database with certain contract and other information on appropriations to nongovernmental entities. This proposed Rule establishes the requirements for state agencies to provide such data to the Division of Administration.

Title 4
ADMINISTRATION
Part XXIV. Reporting for Nongovernmental Entity Database

Chapter 1. Reporting
§101 Definitions

Appropriation—an authorization by the legislature to a budget unit for a program to expend from public funds, including federal funding sources.

Audit Law—the provisions in R.S. 24:513, which include acceptance and approval by the legislative auditor of certain not-for-profit organization's annual report which may be a sworn financial statement, compilation report, review report, or audit report, as determined based on the not-for-profit organization's funding received during the fiscal year.

Contract—a cooperative endeavor agreement or equivalent agreement between a state agency and an NGE outlining the terms and conditions for the receipt and expenditure of the public funds.

Nongovernmental Entity (NGE)—any not-for-profit organization, except school governing authorities required to post fiscal information through the School Transparency Project Portal pursuant to R.S. 17:88.1.

State Agency—any state office, department, board, commission, institution, division, officer or other person, or functional group, heretofore existing or hereafter created, that is authorized to exercise, or that does exercise, any functions of the government of the state in the executive branch, including higher education agencies and state retirement systems.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39.16.15

HISTORICAL NOTE: Promulgated by the Division of Administration, Office of the Commissioner, LR 52:

§103 Division of Administration Requirements and Responsibilities

A. The commissioner of administration, through the Division of Administration, Office of Technology Services (OTS) on behalf of the Louisiana Legislative Auditor pursuant to R.S. 24:571 through R.S. 24:585, shall ensure the Louisiana Checkbook website includes an NGE database containing certain information on appropriations to NGEs as required by R.S. 39:16.15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39.16.15

HISTORICAL NOTE: Promulgated by the Division of Administration, Office of the Commissioner, LR 52:

§105 State Agency Requirements and Responsibilities

A. State agencies shall comply with applicable requirements in R.S. 39:89.1 through 39.89.4 when administering an appropriation to an NGE.

B. A contract shall be executed between the state agency disbursing the appropriated funds and the NGE receiving the appropriated funds.

C. Prior to executing a contract, the state agency administering the appropriation shall:

1. obtain an itemized report of the NGE's budgeted administrative expenses associated with the distribution and utilization of the appropriated funds;

2. verify the NGE is compliant with applicable audit law requirements. A listing of noncompliant entities identified by the legislative auditor is posted on the legislative auditor's website. No contract shall be executed to disburse appropriations to an NGE that is identified by the legislative auditor as noncompliant with audit law requirements; and

3. If applicable, obtain the NGE's most recent report posted on the legislative auditor's website and verify the auditor's report contains an unqualified opinion on the financial statements and the NGE has resolved, or is actively working to resolve, any audit findings.

D. State agencies utilizing the state's accounting system shall record the required NGE contract information using a purchase order generated within LaGov SRM on all NGE contracts in effect as of June 30, 2025, and all NGE contracts executed subsequent to June 30, 2025. Required information on the NGE contract includes:

1. category of service provided by the NGE;
2. name of the NGE;
3. physical address of the NGE, unless confidential under state or federal law, rule, or regulation;
4. contract or appropriation amount and total means of finance, including state and federal sources, if applicable;
5. contract effective date and end date;
6. purpose of the contract or appropriation;
7. outcome assessment, including whether the NGE has completed the purposes of the contract or achieved defined performance goals. The outcome assessment shall be completed and recorded in the purchase order within 60 days of the contract end date; and
8. compliance status of all reports submitted pursuant to paragraph C above.

E. Any state agency not utilizing the state's accounting system for contracts shall provide the required NGE contract information in paragraph D above to OTS in the format and frequency requested by OTS for inclusion in the NGE database.

F. If NGE becomes noncompliant with applicable audit law requirements during performance of the contract, the state agency shall cease disbursements until the NGE has achieved compliance or authorization to release the payment to the noncompliant NGE is received by the legislative auditor in accordance with R.S 39:72.1(D).

AUTHORITY NOTE: Promulgated in accordance with R.S. 39.16.15.

HISTORICAL NOTE: Promulgated by the Division of Administration, Office of the Commissioner, 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. This proposed Rule 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 the child, individual or family as defined by R.S. 49:973.B.

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 has no impact on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Session.

Public Comments

Interested persons may submit written comments on this proposed rule change to Brian Fleming, State Accounting System Director, Division of Administration, 1201 North Third Street, Suite 06-130, Baton Rouge, LA 70802. The deadline to submit comments is at 5 p.m. CST on March 10, 2026.

Taylor F. Barras
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Nongovernmental Entity Database Reporting

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to impact the costs or savings to state or local governmental units. The proposed rule change establishes the state agencies' reporting requirements to the Department of Administration (DOA) for the Nongovernmental Entity (NGE) database, as required by Act 467 of the 2025 Regular Legislative Session.

The proposed rule change will require the LaGov system to be updated to create new fields. The department reports that these system changes to LaGov, which allow agencies to record

the necessary NGE contract fields that will populate the NGE database website, have been made using existing Office of Technology Services (OTS) resources.

State agencies using LaGov are not expected to incur any additional costs to enter the information for these new fields, and agencies with separate accounting systems are not expected to incur any additional costs to provide the requested data to OTS. The proposed rule change is also not anticipated to require any additional workload for agencies other than completing the additional required fields.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to impact revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to have any costs to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to impact competition and employment in either the public or private sector.

Taylor F. Barras	Patrice Thomas
Commissioner	Deputy Fiscal Officer
2602#022	Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor
Division of Administration
Office of Group Benefits

Payment of Premiums (LAC 32:I.307 and 319)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., as authorized pursuant to R.S. 42:801 and 42:802, the Office of the Governor, Division of Administration, Office of Group Benefits (OGB), proposes to amend Chapter 3 of LAC 32:I, Uniform Provisions—Participation in the Office of Group Benefits. The amendments provide that those who are not active employees are required to remit their premiums owed to OGB through an automated clearing house (ACH) ACH payment or deduction from a retirement plan distribution, if applicable. The Final Rule is intended to be effective on July 1, 2026.

Title 32
EMPLOYEE BENEFITS
Part I. General Provisions
Chapter 3. Uniform Provisions—Participation in the Office of Group Benefits

§307. Persons to be Covered

A. - A.7.b. ...

B. Retiree Coverage

1. - 2.a. …

3. Payment of Premiums

a. Unless a retiree's agency remits the premiums in full, all retirees enrolled in OGB-sponsored coverage or who elect to continue their OGB coverage shall pay their health coverage and life insurance premiums, as applicable, by having the amount(s) deducted on a monthly basis from either their retirement plan distribution or a bank account through an automated clearing house (ACH) payment.

C. - H. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:339 (February 2015), effective March 1, 2015, amended LR 41:2350 (November 2015), effective January 1, 2016, LR 51:1857 (November 2025), effective January 1, 2026, amended LR 52:

§319. Continued Coverage

A. - C.5.e.iv.(d). …

6. All surviving spouses, dependents, and special spouses shall pay health coverage premiums by having the amount(s) deducted on a monthly basis from a bank account through an automated clearing house (ACH) payment.

D. - E.3.b. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:341 (February 2015), effective March 1, 2015, amended LR 43:2152 (November 2017), effective January 1, 2018, amended LR 50:1822 (December 2024), amended LR 52:

Family Impact Statement

The proposed amendments are not anticipated to have an impact on family formation, functioning, stability, or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed amendments are not anticipated to have an impact on poverty, as described in R.S. 49:973.

Small Business Analysis

The proposed amendments are not anticipated to have an adverse effect or economic impact on small businesses in accordance with the Regulatory Flexibility Act.

Provider Impact Statement

The proposed amendments are 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

Interested persons may submit written comments about the proposed Rules to the Office of Group Benefits, Attn.: Margaret A. Collier, P.O. Box 44036, Baton Rouge, LA 70804 or via fax (225) 342-9917. The deadline for receipt of written comments is Tuesday, March 10, 2026 by 4:30 PM.

Public Hearing

Interested persons may submit a written request to conduct a public hearing to Margaret A. Collier, P.O. Box 44036, Baton Rouge, LA 70804 or via fax (225) 342-9917. The deadline for receipt of such a request is Tuesday, March 10, 2026 by 4:30 p.m. If the criteria set forth in law are met, a public hearing on the proposed amendments will be held on Wednesday, March 26, 2026, beginning at 10 a.m., in the Marbois Room (Room 1-137) on the first floor of the Claiborne Building, located at 1201 North Third Street, Baton Rouge, LA 70802. If a public hearing is held, all interested persons will be afforded an opportunity to submit data, views,

or arguments, orally or in writing, at the hearing. For assistance in determining if a hearing will be held, please call OGB Customer Service at 225-925-6625, or at 1-800-272-8451.

Heath Williams
Chief Executive Officer

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Payment of Premiums

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule will result in an estimated cost to the Office of Group Benefits (OGB) of $208.26/year to pay for the additional ACH transactions at a cost of $0.015 per transaction, based upon average current receipts of 1,157 checks each month for retirees and survivor premium payments. Actual costs will vary based on the number of plan participants switching to ACH payments once the rule takes effect. OGB anticipates this rule will eventually result in savings because the new rule will result in fewer collections. However, these savings are indeterminable.

The proposed rule requires retirees and those with OGB coverage as a surviving spouse or dependent to have their portion of the premium deducted from their pension or paid via ACH. Currently, there is no such requirement or rule and these individuals may pay via pension deduction, ACH, or a check sent to OGB on a monthly basis.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule may result in more timely revenue collections for OGB premiums due to a potential decrease in delinquent premium payments, but it is not expected to result in increased revenue to OGB since these are premiums that are already owed to OGB.

In OGB's collections process, eventually, a debt owed is sent to the Office of Debt Recovery (ODR). Per the Louisiana Administrative Code, ODR charges the debtor a 15 percent fee in addition to the debt owed. While outstanding collections issues will not be resolved as a result of this new rule, OGB may not need this collections process in the future if the proposed rule prevents future premiums from becoming delinquent, and ODR will not collect the additional fee that they charge the debtor. In calendar year 2025, ODR collected $10,403 as their fee from OGB plan participant debt.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule may result in savings for individuals who would otherwise fail to pay their premiums on time and end up owing ODR a 15 percent fee in addition to their delinquent premiums. In calendar year 2025, plan participants paid ODR $10,403 in fees for ODR's collection operations. Plan participants who currently pay their premiums via check may also experience a negligible reduction in postage fees. For informational purposes, OGB reports that 418 plan participants had their debt enter collections in calendar year 2025.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to have any effect on competition or employment.

Heath Williams	Alan M. Boxberger
Chief Executive Officer	Legislative Fiscal Officer
2602#017	Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor
Uniform Construction Code Council

International Building Code and International Existing Building Code Changes (LAC 17:I.103 and 105)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority of R.S. 40:1730.28, the council proposes to amend LAC 17:I.103, International Building Code, and LAC 17:I.105, International Existing Building Code regarding uniform construction code matters under the jurisdiction of the LSUCCC.

These changes to LAC 17:I.103 are a direct result of the need to clarify the current standards within the 2021 International Building Code relating to the accessibility requirements for commercial buildings. These changes to LAC 17:I.105 are a direct result of the need to provide reference standards for the conveyance industry in line with R.S. 40:1646 and R.S. 40:1664.1 et seq. This update will serve to better protect the public and to follow national guidelines for occupants to live and work in safe, healthy, resilient environments.

Title 17
CONSTRUCTION
Part I. Uniform Construction Code
Chapter 1. Adoption of the Louisiana State Uniform Construction Code
(Formerly LAC 55:VI.Chapter 3)
§103. International Building Code
(Formerly LAC 55:VI.301.A.1)

A. *International Building Code* (IBC), 2021 Edition, not including Chapter 1, Administration and Chapter 27, Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. Furthermore, IBC shall be amended as follows and shall only apply to the International Building Code.

Amend	Chapter 2, Definitions.	Mini-Storage Facility- a self-service storage facility which rents or leases individual storage space to occupants for the storage and/or removal of personal property.
Amend	Table 509.1	
Adopt	Item (18)	Stationary storage battery systems having an energy capacity greater than the threshold quantity specified in 2021 IFC Table 1207.1.1, shall have a 2 HR Separation and/or Protection.
Amend	Section 903.2.1.2, Group A-2.	
Amend	Item (2.)	Item (2). The fire area has an occupant load of 300 or more.
Adopt	Item (4.)	Item (4). Open-air pavilions on three sides or more, not exceeding 12,000 square feet, shall not be required to comply with 903.2.1.2(1) and 903.2.1.2(2) where each side has unobstructed access to a public way (10'-0" wide by 10'-0")' high). No fixed elements, equipment, seating, etc. are permitted within the 10'-0" by 10'-0" access.

Adopt	Exceptions	(a). The requirements of Sections 903.2.1.2(1) and 903.2.1.2(2) shall not apply to a single multi-purpose room less than 12,000 sf when all of the following conditions are met. (1.) The single multi-purpose room shall not be used for display or exhibition, bars or taverns. (2.) The single multi-purpose room shall not share exit access with other occupancies. Non-separated accessory uses that are incidental or ancillary to the single multi-purpose room shall be considered as part of the assembly occupancy. The accessory uses shall not be limited to 10 percent of the single multi-purpose room floor area and/or building, but shall be included and considered as part of the limited assembly room floor area. (3.) The single multi-purpose room shall not be part of a fire area containing other assembly occupancies. (4.) A single multi-purpose room with an occupant load greater than 300 persons shall be provided with a fire alarm system in accordance with Section 907.2.1. (5.) The single multi-purpose room with its accessory or ancillary uses shall be separated, when part of a multiple occupancy, in accordance with Table 508.4 and Section 707 from the remainder of the building. The single multi-purpose room fire area containing the single multi-purpose room and its accessory or ancillary uses shall be less than 12,000 sf. (6.) Provide system smoke detection in all areas in accordance with Section 907 throughout the entire building.
Amend	Section 903.2.1.3, Group A-3.	
Adopt	Item (4.)	4. Open air pavilions on three sides or more, not exceeding 12,000 square feet, shall not be required to comply with Section 903.2.1.3(2) where each side has unobstructed access to a public way (10'-0" wide by 10'-0" high). No fixed elements, equipment, seating, etc. are permitted within the 10'-0" by 10'-0" access.
Adopt	Exceptions	(a). The requirements of Sections 903.2.1.3(1) and 903.2.1.3(2) shall not apply to a single multi- purpose room less than 12,000 sf when all of the following conditions are met: (1.) The single multi-purpose room shall not be used for display or exhibition. (2.) The single multi-purpose room shall not share exit access with other occupancies. Non-separated accessory uses that are incidental or ancillary to the single multi-purpose room shall be considered as part of the assembly occupancy. The accessory uses shall not be limited to 10 percent of the single multi-purpose room floor area and/or building, but shall be included and considered as part of the limited assembly room floor area. (3.) The single multi-purpose room shall not be part of a fire area containing other assembly occupancies. (4.) A single multi-purpose room with an occupant load greater than 300 persons shall be provided with a fire alarm system in accordance with Section 907.2.1. (5.) The single multi-purpose room with its accessory or ancillary uses shall be separated, when part of a multiple occupancy, in accordance with Table 508.4 and Section 707 from the remainder of the building. The single multi-purpose room fire area containing the single multi-purpose room and its accessory or ancillary uses shall be less than 12,000 sf. (6.) Provide system smoke detection in all areas in accordance with Section 907 throughout the entire building.
Amend	Section 903.2.9.4, Group S-1.	
Amend	Exception	
Adopt	Item (2)	(2.) The requirement of Section 903.2.9.4 shall not apply to mini-storage facilities less than 12,000 sf. Mini-storage facilities, including mini-storage facilities which are climate-controlled, shall comply with 903.2.9(1) thru 903.2.9(4).
Amend	Section 903.2.8, Group R.	
Adopt	Exceptions	(a). An automatic sprinkler system is not required when not more than two dwelling or sleeping units are attached to a commercial or non-residential occupancy where all of the following conditions exist: (1.) The dwelling or sleeping units shall be separated vertically and/or horizontally from the non- residential occupancy as well as each other by two-hour construction in accordance with Sections 707 and 711. (2.) Provide system smoke detection in all areas in accordance with Section 907 throughout the entire building. (3.) Egress from the dwelling or sleeping units shall not pass through the non-residential occupancy. (4.) The building shall not exceed two stories.
Adopt		(b.) An automatic sprinkler system is not required in Residential Group R-3, boarding houses (transient and nontransient) as defined by Section 310.5, where one of the following conditions exist: (1.) Every sleeping room has a door opening directly to the exterior at the street or finish grade. (2.) Every sleeping room has a door opening directly to the exterior which leads to an outside stair protected in accordance with Section 1027.
Amend	Section 1010.2.4, Locks and Latches.	
Amend	Item (2.)	Electric locking systems, including electromechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group I-1 or I-2 occupancies where persons receiving care require their containment. Controlled egress doors shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following: (a.) The door locks shall unlock on actuation of the automatic sprinkler system or automatic fire detection system. (b.) The door locks shall unlock on loss of power controlling the lock or lock mechanism. (c.) The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock. (d.) A means of manual mechanical unlocking must be provided at each door that is not in direct view of the remote release location required by Item c.

		(e.) The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the International Fire Code. (f.) All clinical staff shall have the keys, codes or other means necessary to operate the locking systems. (g.) Emergency lighting shall be provided at the door. (h.) The door locking system units shall be listed in accordance with UL 294. (i.) "Automatic" Re-Locking, after an emergency release as described above, shall be prohibited. A specific human action dedicated for re-locking doors must be provided at the remote control location or at each lock location. (j.) Document the "staff/patient ratio" for the occupants of the locked area to the authority having jurisdiction. The ratio shall be within state and federal licensing/certification guidelines. Please note that only "nurses" and "nurses' aides" assigned to the locked area shall be considered acceptable responsible staff in regard to this ratio documentation. (k.) Provide the reason for installing specialized security measures to the authority having jurisdiction. (l.) Documentation addressing each condition itemized above shall be provided to the authority having jurisdiction and shall include the signature of the building owner or the facility administrator.
Amend	Item (3.)	3. In buildings in occupancy Group A having an occupant load of 500 or less, Groups B and M, the main door or doors are permitted to be equipped with key-operated locking devices from the egress side provided: 3.1. The locking device is readily distinguishable as locked. 3.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background. 3.3. The use of the key-operated locking device is revocable by the building official for due cause.
Adopt	Item (3.4)	Doors remain unlocked when the building or space is occupied
Adopt	Item (3.5)	A key is immediately available to any occupant inside the building or space when it is locked.
Repeal	Item (8)	
Repeal	Item (8.1)	
Repeal	Item (8.2)	
Repeal	Item (8.3)	
Repeal	Item (8.4)	
Repeal	Item (8.5)	
Repeal	Item (8.6)	
Repeal	Exception	Where approved, in Group I occupancies, the installation of a sign is not required where care recipients who because of clinical needs require restraint or containment as part of the function of the treatment area.
Amend		(7.) Emergency lighting shall be provided on the egress side of the door. (8.) The delayed egress locking system units shall be listed in accordance with UL 294.
Amend	Section 1010.2.11, Door hardware release of electrically locked egress doors.	(a.) a. Doors in the required means of egress shall be permitted to be locked with an electromagnetic locking system where equipped with hardware and where installed and operated in accordance with all of the following: (1.) The hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions. (2.) The hardware is capable of being operated with one hand. (3.) Operation of the hardware directly interrupts the power to the electromagnetic lock and unlocks the door immediately. (4.) Loss of power to the locking system automatically unlocks the door. (5.) Where panic or fire exit hardware is required by Section 1010.1.10, operation of the panic or fire exit hardware also releases the electromagnetic lock. (6.) The locking system units shall be listed in accordance with UL 294.
Adopt	Item (5.)	(5.) The activation of manual fire alarm boxes that activate the fire alarm system shall not be required to unlock the doors.
Amend	Item (6.)	(6.) Activation of the building automatic sprinkler system or fire detection system, where provided, shall automatically unlock the doors. The doors shall remain unlocked until the fire alarm system has been reset.
Amend	Item (7.)	(7.) The door locking system units shall be listed in accordance with UL 294.
Adopt	Item (8.)	(8.) Doors in buildings with an occupancy in Group A shall not be secured from the egress side during periods that the building is open to the general public.
Adopt	Item (9.)	(9.) Doors in buildings with an occupancy in Group R-3 or Group I-3 shall not be equipped with this locking system.
Adopt	Item (10.)	(10.) Doors serving any Group M occupancy shall be permitted to be equipped with this locking system in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907.
Adopt	Item (11.)	(11.) Emergency egress lighting shall be provided at the door.
Amend	Section 1010.2.12, Sensor Release of Electrically Locked Egress Doors.	
Adopt	Exception	The activation of manual fire alarm boxes that activate the building fire-protective signaling system shall not be required to unlock the door leaves.
Amend	Section 1010.2.13, Delayed Egress.	Delayed egress locking systems shall be permitted to be installed on doors serving the following occupancies in buildings that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907.
Amend	Item (3)	Group A, other than the main entrance/exit doors.

Amend	Section 1010.2.13.1, Delayed Egress Locking System.	
Amend	Item (5.)	The egress path from any point shall not pass through more than one delayed egress locking system.
Repeal	Exception	
Repeal	Item (1.)	
Repeal	Item (2.)	
Amend	Item (6.)	
Repeal	Exception	
Amend	Section 1020.2, Construction.	
Amend	Exception	
Adopt	Item (6.)	(6.) A fire-resistance rating is not required for corridors where the space or area served does not exceed the occupant load and common path of egress travel values, for each occupancy, listed in Table 1006.2.1. The travel distance to the exit from the space or area served shall not exceed the common path of travel.
Amend	Section 1020.6, Air Movement in Corridors.	Corridors that require protection under Table 1020.1—Corridor Fire-Resistance Rating, shall not serve as supply, return, exhaust, relief or ventilation air ducts.
Amend	Section 1027.6	
Amend	Exceptions	
Adopt	Item (5)	(5.) Exterior stairs or ramps which serve no more than one story above the level of exit discharge and constructed with non-combustible materials or constructed with fire retardant treated lumber, shall be allowed when the fire separation distance is between 5 and 10 feet measured from the exterior edge of the stairway or ramp.
Amend	Section 1031.2	
Amend	Exception	
Amend	Item (6)	(6.) In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
Adopt	Section 1101, General	
Adopt	Section 1102, Compliance	
Amend	Section 1102.1, Design	
Adopt	Exception	Until such time the 2024 edition of this code is adopted for use, commercial buildings shall be permitted to comply with the requirements of the 2010 ADA Standards for Accessible Design as adopted by the United States Department of Justice.
Repeal	Section 1103, Scoping Requirements	
Repeal	Section 1104, Accessible Route	
Repeal	Section 1105, Accessible Entrances	
Repeal	Section 1106, Parking and Passenger Loading Facilities	
Repeal	Section 1107, Motor-Vehicle-Related Facilities	
Repeal	Section 1108, Dwelling Units and Sleeping Units	
Repeal	Section 1109, Special Occupancies	
Repeal	Section 1110, Other Features and Facilities	
Repeal	Section 1111, Recreational Facilities	
Repeal	Section 1112, Signage	
Repeal	Section 1207, Enhanced Classroom Acoustics.	

Amend	Section 1603.1.5, Earthquake Design Data.	The following information related to seismic loads shall be shown, regardless of whether seismic loads govern the design of the lateral-force-resisting system of the building:
		a. seismic importance factor, I, and occupancy category;
		b. mapped spectral response accelerations, SS and S1;
		c. site class;
		d. spectral response coefficients, SDS and SD1;
		e. seismic design category;
		f. basic seismic-force-resisting system(s);
		g. design base shear;
		h. seismic response coefficient(s), CS;
		i. response modification factor(s), R;
		j. analysis procedure used;

Adopt	Exceptions	
Adopt	Item (1.)	(1.) Construction documents that are not required to be prepared by a registered design professional;
Adopt	Item (2.)	(2.) Construction documents for structures that are assigned to Seismic Design Category A.

Amend	Section 1609.2, Protection of Openings.	In wind-borne debris regions, glazing in buildings shall be impact resistant or protected with an impact-resistant covering meeting the requirements of an approved impact-resistant standard or ASTM E 1996 and ASTM E 1886 referenced herein as follows: Glazed openings located within 30 feet (9144 mm) of grade shall meet the requirements of the large missile test of ASTM E 1996. Glazed openings located more than 30 feet (9144 mm) above grade shall meet the provisions of the small missile test of ASTM E 1996.
Amend	Exceptions	
Amend	Item (1.)	(1.) Wood structural panels with a minimum thickness of 7/16 inch (11.1 mm) and maximum panel span of 8 feet (2438 mm) shall be permitted for opening protection in one- and two-story buildings classified as Risk Category 2. Panels shall be precut so that they shall be attached to the framing surrounding the opening containing the product with the glazed opening. Panels shall be predrilled as required for the anchorage method and shall be secured with the attachment hardware provided. Attachments shall be designed to resist the components and cladding loads determined in accordance with the provisions of ASCE 7, with corrosion-resistant attachment hardware provided and anchors permanently installed on the building. Attachment in accordance with Table 1609.1.2 with corrosion- resistant attachment hardware provided and anchors permanently installed on the building is permitted for buildings with a mean roof height of 45 feet (13 716 mm) or less where Vasd determined in accordance with Section 1609.3.1 does not exceed 140 mph (63 m/s).
Amend	Item (2.)	(2.) Glazing in Risk Category I buildings as defined in Section 1604.5, including greenhouses that are occupied for growing plants on a production or research basis, without public access shall be permitted to be unprotected.
Amend	Item (3.)	(3.) Glazing in Risk Category II, III or IV buildings located over 60 feet (18 288 mm) above the ground and over 30 feet (9144 mm) above aggregate surface roofs located within 1,500 feet (458 m) of the building shall be permitted to be unprotected.
Amend	Section 1612.2, Design and Construction.	The design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and coastal A zones, shall be in accordance with Chapter 5 of ASCE 7 and ASCE 24-14. The local jurisdictions, utilizing flood plain manager, shall have the authority to adopt higher freeboard amounts as needed (CRS, etc.) but shall not have the authority to adopt freeboard amounts less than those required in ASCE-24-14.
Amend	Section 1613.1, Scope.	Every structure, and portion thereof, including nonstructural components that are permanently attached to structures and their supports and attachments, shall be designed and constructed to resist the effects of earthquake motions in accordance with ASCE 7, excluding Chapter 14 and Appendix 11A. The seismic design category for a structure is permitted to be determined in accordance with Section 1613 or ASCE 7-10. Figure 1613.5(1) shall be replaced with ASCE 7-10 Figure 22-1. Figure 1613.5(2) shall be replaced with ASCE 7-10 Figure 22-2.
Amend	Item (3.)	(3.) Glazing in Risk Category II, III or IV buildings located over 60 feet (18 288 mm) above the ground and over 30 feet (9144 mm) above aggregate surface roofs located within 1,500 feet (458 m) of the building shall be permitted to be unprotected.
Amend	Chapter 29	
Adopt	Chapter 29	All plumbing provisions located in this Chapter shall reference 2021 IPC with Louisiana Amendments.
Repeal	Section 3001.2, Emergency Elevator Communication Systems.	
Amend	Section 3113, Relocatable Buildings	Relocatable Buildings constructed on or after January 1, 2007 Shall conform to the Louisiana Industrialized Building Act. Relocatable Buildings constructed prior to January 1, 2007 shall meet the requirements of Section 3113.3.
Amend	Section 3313.2, Supplemental Information.	Supplemental information specific to a relocatable building shall be submitted to the authority having jurisdiction. It shall, as a minimum, include the following:
Adopt	Item (1)	Each relocatable module constructed after January 1, 2007 shall conform with the Louisiana Industrialized Buildings Act and shall have a data plate that is permanently attached on or adjacent to the electrical panel, and shall include the following information: Occupancy group. Manufacturer's name and address. Date of manufacture. Serial number of module. Design wind speed. Special limitations if any.
Adopt	Exception:	Buildings without Data Plate shall meet requirements of Section 3113.3 and remaining requirements of this section.
Adopt	Item (2)	Foundation Design Documents.
Adopt	Item (3)	Site-built structure or appurtenance attached to the relocatable building.
Amend	3113.3, Buildings Built prior to January 1, 2007.	Relocatable buildings without a data plate shall be inspected and certified by one of the following methods:
Adopt	Item (1)	Inspection and acceptance by Local Building Official to meet the code requirements in place at time of construction.
Adopt	Item (2)	Inspection and acceptance by a third party inspector registered with LSUCCC to meet the code requirements in place at time of construction.
Adopt	Item (3)	Recertification and acceptance to current code and requirements of the Louisiana Industrialized Building Act.
Repeal	Section 3314, Fire Watch During Construction	
Adopt	Appendix G	
Amend	User Notes	
Repeal		
Amend	Section G102 Definitions	
Repeal	Manufactured Home	

Repeal	Manufactured Home Park or Subdivision	
Repeal	Recreational Vehicle	
Amend	Section G103.1General	
Repeal	Item 1	
Repeal	Item 2	
Repeal	Item 3	
Repeal	Item 4	
Repeal	Item 7	
Amend	Section G104 Power and Duties	
Repeal	Section G104.5.1 Floodway revisions	
Repeal	Section G104.6 Watercourse alteration	
Repeal	Section G104.6.1 Engineering analysis	
Repeal	Section G104.7Alterations in coastal area	
Amend	Section G105 Permits	
Repeal	Section G105.2 Application for permit	
Repeal	Item 1	
Repeal	Item 2	
Repeal	Item 3	
Repeal	Item 4	
Repeal	Item 5	
Repeal	Item 6	
Repeal	Item 7	
Repeal	Item 8	
Amend	Section G106 Variances	
Amend	Section G106.7 Conditions for issuance	
Repeal	Item 5	
Repeal	Section G107 Subdivisions	
Repeal	Section G107.1 General	
Repeal	Item 1	
Repeal	Item 2	
Repeal	Item 3	
Repeal	Section G 107.2 Subdivision requirements	
Repeal	Item 1	
Repeal	Item 2	
Repeal	Item 3	
Repeal	Item 4	
Amend	Section G108 Site Improvement	
Repeal	Section G108.3 Sewer Facilities	
Repeal	Section G108.4 Water Facilities	
Repeal	Section G108.5 Storm drainage	
Repeal	Section G108.6 Streets and sidewalks	
Repeal	Section G109 Manufactured Homes	
Repeal	Section G109.1 Elevation	
Repeal	Section G109.2 Foundations	
Repeal	Section G109.3 Anchoring	
Repeal	Section G109.4 Protection of mechanical equipment and outside appliances	
Repeal	Exception	
Repeal	Section G109.5 Enclosures	
Repeal	Section G 110 Recreational Vehicles	
Repeal	Section G110.1 Placement prohibited	
Repeal	Section G110.2 Temporary placement	
Repeal	Section G110.3 Permanent Placement	
Repeal	Section G111 Tanks	
Repeal	Section G111.1 Tanks	
Amend	Section 112 Other Building Work	
Repeal	Section G112.2 Fences	

Repeal	Section G112.3 Oil derricks	
Repeal	Section G112.4 Retaining walls, sidewalks and driveways	
Repeal	Section G112.5 Swimming pools	
Repeal	Section G112.6 Decks, porches, and patios	
Repeal	Section G112.7 Nonstructural concrete slabs in coastal high-hazard areas and coastal A zones	
Repeal	Section G112.8 Roads and watercourse crossings in regulated floodways	
Amend	Section G114 Utility and Miscellaneous Group U	
Amend	Section G114.1 Utility and Miscellaneous Group U	Utility and miscellaneous Group U includes buildings that are accessory in character and miscellaneous structures not classified in any specific occupancy in this code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, grain silos (accessory to a residential occupancy), greenhouses, livestock shelters, private garages, sheds, and stables.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 41:2380 (November 2015), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, Uniform Construction Code Council, LR 44:75 (January 2018), repromulgated LR 45:912 (July 2019), amended LR 45:1786 (December 2019), LR 48:2578 (October 2022, LR 49:1141 (June 2023), effective August 1, 2023, repromulgated LR 49:1448 (August 2023), LR 50:398 (March 2024), LR 50:403 (March 2024), amended by the Office of the Governor, Uniform Construction Code Council LR 52:

§105. International Existing Building Code (Formerly LAC 55:VI.301.A.2)

International Existing Building Code (IEBC), 2021 Edition, not including Chapter 1, Administration. The applicable standards referenced in that code are included for regulation of construction within this state.

Repeal			Section 502.6, Enhanced Classroom Acoustics
Repeal			Section 503.16, Enhanced Classroom Acoustics
Repeal			Section 506.6, Enhanced Classroom Acoustics
Repeal			Section 903.4 Enhanced Classroom Acoustics
Repeal			Section 1011.4 Enhanced Classroom Acoustics
Repeal			Section 1101.4 Enhanced Classroom Acoustics
Amend	Chapter 2 Definitions		
Adopt	Section 201.5 General	201.5 Reference Standards	The applicable standards referenced in this code are included for regulation of construction within this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 41: 2383 (November 2015), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, Uniform Construction Code Council, LR 44:79 (January 2018), repromulgated LR 45:916 (July 2019), amended LR 48:2582 (October 2022), LR 50:404 (March 2024), amended by the Office of the Governor, Uniform Construction Code Council 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 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 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 are invited to submit written comments or hearing request on the proposed Rule. Such comments or request should be sent to Tarah Revette, Administrative Director, Uniform Construction Code

Council, 600 North Street, Baton Rouge, LA 70802 or tsrevette@lsuccc.la. All comments must be submitted no later than the end of business day, central time zone, March 10, 2026.

Brad Hassert
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: International Building Code and International Existing Building Code Changes

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 Louisiana State Uniform Construction Code Council (LSUCCC) proposes amendments to Sections 103 and 105 of Chapter 1 (Adoption of the Louisiana State Uniform Construction Code) within Part I of Title 17 (Construction) of the Louisiana Administrative Code. The proposed rule updates regulations of construction within the state to align with International Building Code (IBC) and International Existing Building Code (IEBC). Specifically, this proposed rule:

- Adopts Sections 1101 (General) and 1102 (Compliance) of the IBC and Sections 201.5 (General) of the IEBC.
- Adopts an exception allowing commercial buildings to comply with the 2010 ADA Standards for Accessible Design, as adopted by the U.S. Department of Justice, until the 2024 edition of the IBC code is adopted for use.
- Amends Sections 1102.1 (Design) of the IBC and Chapter 2 (Definitions) of the IEBC.
- Repeals Sections 1103 (Scoping Requirements), 1104 (Accessible Route), 1105 (Accessible Entrances), 1106 (Parking and Passenger Loading Facilities), 1107 (Motor-Vehicle-Related Facilities), 1108 (Dwelling Units and Sleeping Units), 1109 (Special Occupancies), 1110 (Other Features and Facilities), 1111 (Recreational), and 1112 (Signage) of the IBC.

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 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.

Bradley Hassert	Patrice Thomas
Executive Director	Deputy Fiscal Officer
2602#036	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Board of Dentistry

Continuing Education Requirements
(LAC 46:XXXIII.1611 and 1613)

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Dental Practice Act, R.S. 37:751, et seq., and particularly R.S. 37:760 (8), notice is hereby given that the Department of Health, Board of Dentistry intends to amend LAC 46:XXXIII.1611 and 1613.

The Board of Dentistry is amending LAC 46:XXXIII.1611 to allow dentists to receive 3.5 hours of personally attended clinical continuing education for serving on a Medical Review Panel but not to exceed 7 hours annually.

The Board of Dentistry is amending LAC 46:XXXIII.1613 to allow dental hygienists to receive 3.5 hours of personally attended clinical continuing education for serving on a Medical Review Panel but not to exceed 7 hours annually.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XXXIII. Dental Health Profession
Chapter 16. Continuing Education Requirements

§1611. Continuing Education Requirements for Relicensure of Dentists

A. - C.2. …

3. Dentists are allowed to receive 3.5 hours of personally attended clinical continuing dental education for service on a Medical Review Panel established pursuant to La. R.S. 40:1231.8 or La. R.S. 40:1237.2. No more than 7 hours of continuing dental education may be credited for service on a Medical Review Panel annually.

D. - J. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8) and (13).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 20:661 (June 1994), amended LR 21:569 (June 1995), LR 22:24 (January 1996), LR 22:1216 (December 1996), LR 23:1526 (November 1997), LR 24:1117 (June 1998), LR 25:510 (March 1999), LR 26:489 (March 2000), LR 30:2307 (October 2004), LR 32:244 (February 2006), LR 35:1237 (July 2009), LR 36:2038 (September 2010), LR 37:2151 (July 2011), LR 37:3515 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:817 (March 2012), LR 38:1959 (August 2012), LR 39:1282 (May 2013), amended by the Department of Health, Board of Dentistry, LR 43:956 (May 2017), amended by the Department of Health, Board of Dentistry, LR 44:47 (January 2018), LR 50:210 (February 2024), LR 51:787 (June 2025), LR 52:

§1613. Continuing Education Requirements for Relicensure of Dental Hygienists

A. - D.2. …

3. Hygienists are allowed to receive 3.5 hours of personally attended clinical continuing dental education for service on a Medical Review Panel established pursuant to La. R.S. 40:1231.8 or La. R.S. 40:1237.2. No more than 7 hours of continuing dental education may be credited for service on a Medical Review Panel annually.

E. - J. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8) and (13).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 20:661 (June 1994), amended LR 21:570 (June 1995), LR 22:24 (January 1996), LR 22:1217 (December 1996), LR 23:1526 (November 1997), LR 24:1118 (June 1998), LR 25:510 (March 1999), LR 26:489 (March 2000), LR 30:2307 (October 2004), LR 32:245 (February 2006), LR 35:1237 (July 2009), LR 36:2039 (September 2010), LR 39:86 (January 2013), amended by the Department of Health, Board of Dentistry, LR 44:47 (January 2018), LR 51:788 (June 2025), LR 52:

Family Impact Statement

There will be no family impact in regard to issues set forth in R.S. 49:972.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973. 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

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses, as described in R.S. 49:965.2 et seq.

Provider Impact Statement

The proposed rulemaking should not have any know 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 of 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 on these proposed rule changes to Arthur Hickham, Jr., Executive Director, Louisiana State Board of Dentistry, P.O. Box 5256, Baton Rouge, Louisiana, 70821. Written comments must be submitted to and received by the Board by 4:30 p.m. on March 10, 2026. A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be made in writing and received by the Board by 4:30 p.m. on March 10, 2026.

Arthur Hickham, Jr.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Continuing Education Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change may require a minimal increase in workload due to the administrative tracking, including updating continuing education (CE) documents and renewal instructions and verifying Medical Review Panel (MRP) participation when auditing CEs. The Louisiana State Board of Dentistry expects to incur a one-time cost of approximately $500 in FY 2026 for notice and publication of the rule in the *Louisiana Register*. The Legislative Fiscal Office anticipates the minimal workload increase and one-time payment for publication will be absorbed with existing resources.

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 OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes provide an economic benefit by encouraging qualified dentists and dental hygienists to participate in Medical Review Panels. Incentivizing the professionals with continuing education credit may improve panel availability and reduce delays in medical malpractice reviews.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.

Arthur Hickham, Jr.	Alan M. Boxberger
Executive Director	Legislative Fiscal Officer
2602#010	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Bureau of Health Services Financing

Medicaid Program Integrity
Fraud, Waste and Abuse Recovery
(LAC 50:I.Chapters 41-46)

The Department of Health, Bureau of Health Services Financing proposes to repeal the current LAC 50:I.Subpart 5 in the Medical Assistance Program and promulgate a new Subpart and Chapter as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing proposes to repeal the existing language relating to Provider Fraud and Recovery and to codify current practices. This is being done in accordance with Act 192 of the 2024 Regular Legislative Session and EXO JML 25-38, which require the department to review rules to ensure they are consistent with departmental guidelines and use plain language.

The proposed Rule text below has been drafted utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part I. Administration
Subpart 5. Medicaid Program Integrity
Chapter 41. Fraud, Waste and Abuse Recovery
Subchapter A. General Provisions
§4101. Definitions

A. In addition to the definitions provided for in R.S. 46:437.3, and unless otherwise provided, the following terms shall mean:

Affiliate—any person who has a direct or indirect relationship or association with a provider. A person is a presumed *affiliate* if the person:

a. directly or indirectly influences or controls a provider or has the power to do so;

b. has a direct or indirect ownership interest in a provider; or

c. shares in the proceeds or has the right to share in the proceeds of a provider.

Bureau of Health Services Financing (BHSF)—the division within the Department of Health responsible for administering the Louisiana Medicaid program.

Contractor—any person with whom the provider has an agreement to perform a service for the provider. A *contractor* is presumed to be an agent of the provider.

Conviction—shall have the same meaning as provided in 42 U.S.C. 1320a-7(i).

Corrective Action Plan—a mutual, written agreement between the department and provider to remedy a provider's aberrant or prohibited practices.

Credible Allegation of Fraud—has the same meaning as provided in 42 CFR §405.370.

Department—the Department of Health inclusive of the BHSF director and the program integrity unit section chief.

Discover—the date a reasonably prudent person should have obtained knowledge or become aware of the facts in question.

Division of Administrative Law (DAL)—the division of government referenced in R.S. 49:991 et seq.

Final Sanction—a sanction for which the time to exercise appeal rights has expired; or, if appealed, upon the imposition of a final order in the matter.

Health Oversight Agency—shall have the same meaning as provided in 45 CFR §164.501.

Indirect Ownership—an ownership interest, in whole or in part, through some other entity.

Managed Care Provider—any provider participating in the Medicaid program through enrollment with one or more of the State's Managed Care Organizations. For the purposes of this Chapter, the terms provider, provider-in-fact, agent, billing agent, and contractor also applies to the managed care providers.

Medicaid—any medical assistance program instituted under Title XIX, section 1900 et seq. of the Social Security Act.

Medicaid Fraud Control Unit (MFCU)—the entity of state government established pursuant to 42 U.S.C 1396b(q).

Notice of Action—a written notification of an action taken or to be taken by the department.

Overpayment—an amount a provider received in excess of amounts properly payable for the services provided.

Per Member per Month (PMPM)—the payment made to a Medicaid Managed Care Organization (MCO) or Managed Care Entity (MCE) for a Medicaid recipient enrolled with a MCO or MCE.

Person—any natural person or juridical entity. This includes any company, corporation, partnership, firm, association, group, or other legal entity provided for by law.

Program—any program authorized under the Medicaid Program.

Program Integrity Unit (PIU)—the PIU within the department, its predecessor and successor.

Provider—for the purposes of this Chapter, when the term "Provider" is used it is inclusive of provider, provider-in-fact, a provider's agent(s), contractors and affiliates, managed care providers, or other persons potentially liable under this chapter or the Medical Assistance Programs Integrity Law, R.S. 46:437.1 et seq.

Publicly Funded Healthcare Program—any healthcare program funded in whole or in part with federal or state government funds.

Service—when the term "service" is used, it includes all goods, services, or supplies purportedly provided to a recipient.

Statistically Valid Random Sample (SVRS)—a clearly defined universe of claims where each sampling unit has a known, non-zero probability of selection.

Sub—regulatory Guidance—any policy, procedure, or rules LDH issues and the provider is required to comply with pursuant to his or her Medicaid enrollment or participation agreement.

Violation—any conduct, practice, or activity not in accordance with the requirements established by law, regulation, or sub-regulatory guidance, including the provisions of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4103. Applicability of Statutes, Regulations, Policies

A. No person may waive or alter a requirement or condition established by statute.

B. Unless provided for in the regulation, any requirements or conditions imposed by a regulation may only be waived or modified through formal promulgation of a new or amended regulation.

C. Only the secretary may waive or modify any sub-regulatory guidance.

1. To be effective, the waiver or modification shall be in writing.

2. No provider may rely on or use an unwritten waiver or modification of any program's sub-regulatory guidance as a defense in any action brought pursuant to this Chapter.

D. In any instance where the secretary or the BHSF director is required to make a decision, the secretary or the BHSF director may delegate that authority in writing to a designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4105. Medicaid Payment Review

A. The department or other health oversight agency may review any payments the Medicaid program makes to providers. This is inclusive of any payments the managed care organizations make to any managed care providers. The PIU will administer the review process within the department pursuant to this chapter.

B. Any claim not supported by documentation demonstrating the medical necessity and the actual provision of the services claimed, is subject to recovery and other sanctions pursuant to this chapter.

C. Payment of a claim does not constitute acceptance that the claim is a valid claim.

D. No person has a property interest in any Medicaid program's reimbursements or payments determined to be an overpayment or subject to payment review.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4107. Material

A. Incorrect claim submissions are "material" when the incorrect submissions are five percent or more of the universe of claims under review.

B. Either party may use statistical sampling to determine materiality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4109. Statistically Valid Random Sample (SVRS), Extrapolation

A. A SVRS may be used to extrapolate the number of violations and/or the amount of an overpayment.

B. If the department chooses to extrapolate, the department's notice of action shall describe:

1. the sampled claims universe; and
2. the extrapolation method used to derive the number of violations and/or the overpayment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

Subchapter B. Reviews and Investigations

§4201. Investigations, Claims, and Compliance Review

A. Investigations, pre-payment, post-payment, and compliance reviews are conducted at the discretion of the department or other health oversight agency. They may be initiated without cause and require no justification.

B. Unless consent is obtained from the investigating agency, no information regarding an active criminal or outside government investigation shall be disclosed to the provider.

C. The DAL shall not require information related to an active criminal or outside governmental investigation be disclosed as part of any appeal. The DAL shall not use the non-disclosure as grounds to overturn any department assessed sanction.

D. If a provider has been assessed a non-monetary sanction, including suspension or exclusion due to an active criminal or outside governmental investigation, certification from the investigating agency that the investigation is still active is sufficient cause to maintain the sanction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4203. Claims Review

A. The department may require a provider's claims be subject to a pre-payment or post-payment review.

B. The decision to implement a pre-payment or post-payment review is not a sanction, cannot be appealed, and is not subject to an informal hearing.

C. Pre-payment and post-payment review may be limited to specific items or procedures. It may also include all billings or claims a provider submits.

D. The duration a provider is on pre-payment or post-payment review shall be at the discretion of the BHSF director or the PIU section chief.

E. A department assessed sanction resulting from a post-payment review is appealable and subject to an informal hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4205. Compliance Review

A. The department or a health oversight agency may conduct a compliance investigation. A compliance review ensures the provider conducts its business in conformity with the Medicaid program's laws, rules, regulations, and sub-regulatory guidance.

B. A compliance review may be initiated as its own matter or as part of an investigation, pre-payment or post-payment review.

C. A sanction the department assesses as part of a compliance investigation is appealable and subject to an informal hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4207. Mandatory Self Audits

A. The department may require a provider to conduct a self-audit of its claims submissions and supporting documentation. The self-audit shall be conducted in the manner the department instructs.

B. A direction to conduct a mandatory self-audit is not a sanction and is not subject to an informal hearing or appeal.

C. A direction to conduct a mandatory self-audit is done at the absolute discretion of the PIU section chief.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

Subchapter C. Provider Obligations and Prohibited Conduct

§4209. Provider Obligations

A. The provider shall maintain all records necessary to demonstrate the services were provided in the quantity and quality claimed.

B. The provider bears the burden to prove its submitted claims were for services:

1. provided to a recipient in the quantity and quality claimed;

2. were medically necessary;

3. authorized by a qualified individual;

4. provided by an individual qualified to provide the service; and

5. in the case of a claim based on a cost report, prove each entry is complete, accurate, and supported by the necessary documentation.

C. Supporting documentation for services provided shall be accessible, legible, and comprehensible.

D. All records requiring signatures must be signed and dated at the time the services were provided.

E. Providers shall initial all rubber stamp signatures.

1. Paid claims not accompanied by timely signatures and/or documentation will be recovered. Late signatures without proper justification will not be accepted.

2. An error made in the record may be corrected by drawing a single line through the incorrect information. The word "error" shall be written by the strike-through, initialed, and dated. The original erroneous information shall remain visible and legible. Correction fluid or correction tape shall not be used to correct a record.

3. An explanation describing the necessity of the correction must accompany any corrected record. Supporting documentation for the correction shall be included with the explanation.

E. Records shall be maintained for the period required by law, regulation, and sub-regulatory guidance. Providers who fail to comply with the documentation standards are subject to any sanction allowed by this chapter.

F. Providers shall review their claims prior to submission to ensure:

1. the claims to be submitted are accurate;

2. they are supported by documentation showing the services were medically necessary;

3. they were provided by a person qualified to provide the service; and

4. they were provided in the quantity and quality being claimed.

G. Providers shall notify the department of any overpayment it discovers within 60 days of discovery. For the purposes of this subsection, identifying the final overpayment is not required if it is an unknown amount at the time of notification.

H. Providers shall repay any overpayment the department identifies within:

1. 60 days of a final overpayment decision; or

2. if the department has consented to a longer repayment schedule, according to the agreed upon payment schedule.

I. The provider must maintain and make available for inspection all documents required to demonstrate a claim is valid.

1. The documentation must be maintained for the period required by law, regulation, or sub-regulatory guidance.

2. Claims lacking supporting documentation the law, rule, or sub-regulatory guidance requires are not Medicaid reimbursable and shall be recovered.

3. Any sanction provided for in this Chapter may be imposed on a provider submitting claims for undocumented services.

J. Providers and recipients shall obey and follow all laws, rules, regulations, and sub-regulatory guidance.

K. Providers shall provide accurate contact information to receive correspondence. The provider shall inform BHSF, the fiscal intermediary, and the MCOs of any changes in its address prior to actual change of address.

L. Providers are presumed to know the applicable program's laws, rules, and sub-regulatory guidance. Ignorance of the applicable laws, rules, or sub-regulatory guidance is not a defense to any administrative action. Knowledge of any amendments to the laws, rules, and sub-regulatory guidance will be presumed if:

1. notice of the changes was mailed to the address on the provider's enrollment form;

2. the changes were posted to the department's or the fiscal intermediary's website, or

3. the changes were published in the State or Federal Register, the *Louisiana Administrative Code*, the Code of Federal Regulations, or State or Federal Statute.

M. Providers shall conduct all employee screening requirements that state or federal law, regulation, or sub-regulatory guidance requires. This includes:

1. criminal background searches,

2. federal and state exclusion searches, and

3. adverse action checks.

N. All employee screening shall be done in the frequency the law or regulation requires.

1. The background and exclusion searches shall include prospective and current employees.

2. The provider shall ensure criminal background and exclusion checks are performed on any non-employee performing any function or work for the provider.

O. If a provider discovers they have employed or otherwise affiliated with an excluded or disqualified person, the provider shall immediately terminate the relationship.

1. Within 10 business days of the discovery, the provider shall inform BHSF in writing of:

a. the person's identifying information;

b. the date range of the prohibited affiliation;

c. the claims that the provider submitted for services the person provided; and

d. the amount paid for the claims attributable to the excluded or disqualified person.

O. The provider shall inform BHSF in writing of all changes in ownership, control, or managing employee of the provider.

P. The provider shall inform BHSF of the following within 10 business days of discovery of:

1. any federal, state or territorial administrative sanctions imposed on the provider;

2. any criminal charges and convictions filed against the provider; and

3. any civil judgments, fines, or penalties entered against the provider.

Q. When a license or certification is required, the provider shall be properly licensed, certified, or otherwise qualified to provide the services claimed.

1. The provider is responsible for ensuring any person working on the provider's behalf possesses necessary licenses or qualifications.

2. Any claims submitted for services provided by a person lacking required credentials will be recovered.

R. The provider shall cooperate with any investigation or claims review the department or other health oversight agency institutes. When requested, the provider shall:

1. make all records requested available for review or copying. This includes the provider's financial or other business records and/or any and all records related to the recipients;

2. make the providers, contractors, agents, employees, and other affiliates available for interviews. This may be done at the provider's ordinary place of business or any other mutually agreeable location;

3. allow the department or any other health oversight agency to take statements from the provider; and

4. allow the department or any other health oversight agency to take statements from any recipients the provider has claimed to have provided services.

S. The provider shall comply with all employment laws and regulations, including proper classification of employees and payment of all employer taxes or other assessments the law or regulations obligate an employer to pay.

T. The provider shall maintain all insurance policies the law or regulations require.

U. Services shall be provided in compliance with the law and a licensing or certification entity's regulations, rules, policies, or procedures governing the services provided.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4203. Prohibited Conduct

A. A provider shall not:

1. fail to comply with any federal and/or state laws, regulations, policy, or sub-regulatory guidance of the Medicaid program;

2. fail to comply with the terms or conditions contained in the provider's enrollment agreement. This includes any enrollment agreement executed with a MCO and any other document executed by or on behalf of the provider setting forth the terms and conditions for participation in the Medicaid program;

3. fail to notify BHSF, within 10 business days of discovery, of employment or affiliation with an excluded person. If it is determined the failure to disclose this information was intentional, the provider's enrollment may be voided back to the date of the concealment;

3. fail to inform BHSF within 10 business days of discovery of any:

a. administrative sanction;

b. criminal charge(s);

c. criminal conviction(s);

d. civil judgement;

e. civil fines; or

f. monetary penalties imposed on the provider;

4. if it is determined a failure to disclose required information was intentional, the provider's enrollment may be voided back to the effective date of the adverse action.

5. make a false, fictitious, untrue, or misleading statement, or conceal information, during the application process;

6. fail to fully disclose all information requested on any form the department or its contractors require for enrollment in the Medicaid program. This includes, but is not limited to, the information required under R.S.46:437.11-437.14;

7. engage in conduct in violation of an official sanction applied by a licensing authority, professional peer group, or peer review board or organization. The provider shall not continue such conduct following notification by the licensing or reviewing body that said conduct should cease;

8. employ, contract, or affiliate with any person who has been convicted of a crime related to the provision of services or submission of claims involving the expenditure of public funds. This prohibition includes convictions for an attempt or conspiracy to commit such a crime;

9. hire, contract with, or affiliate with any person who:

a. has been excluded by the federal government, or any state or territorial government, from a publicly funded healthcare program;

b. has a disqualifying conviction that would prohibit that person or entity from being hired under federal or state law; or

c. has had an adverse action taken against them by a professional licensing or certification entity or board of this or another state that would disqualify the person from providing services a license requires;

10. have been convicted of a crime of violence or misappropriation of property through fraudulent or exploitive means;

a. this includes any attempt or conspiracy to commit the crime;

b. this prohibition includes, but is not limited to, the following criminal conduct:

i. bribery or extortion;

ii. sale, distribution, or importation of a substance or item prohibited by law;

iii. tax evasion or fraud;

iv. money laundering;

v. securities or exchange fraud;

vi. wire or mail fraud;

vii. violence against a person;

viii. act against the aged, juveniles or infirmed;

ix. any crime involving public funds;

x. identify theft, or

xi. other criminal conduct involving deceit, fraud, or a crime of violence;

11. violate any settlement agreement with a health oversight agency. This includes any settlement executed pursuant to the Medical Assistance Programs Integrity Law, R.S. 46:437.1 et seq, the Federal False Claims Act, 31 USC 3729 et seq., or any other statutes pertaining to the submissions of false claims to a publicly funded healthcare program;

12. fail to correct deficiencies listed in a notice of action;

13. fail to comply with the provisions of a corrective action plan;

14. engage in any practice prohibited by R.S. 46:438.2, 438.3, 438.4, or the Federal False Claims act 31 U.S.C. 3729 et seq;

15. engage in any practice prohibited by any anti-referral statute or regulation similar to the conduct described in 42 USC 1395nn;

16. fail to repay, or arrange to repay, an overpayment or other erroneous payment within 60 business days of discovery;

17. fail to pay any administrative or court ordered restitution, damages, criminal or civil fines, monetary penalties, costs of investigation or prosecution, and expenses;

18. fail to pay any assessed provider fee or payment;

19. fail to maintain or make available for inspection, audit, or copying records for services provided to Medicaid program recipients for the period under review;

20. fail to allow BHSF, its contractors or any other health oversight agency to inspect, audit, or copy those records;

21. fail to produce to BHSF, its contractors or other health oversight agencies, information or documents requested within five business days from receipt of the request unless an extension is granted;

22. fail to cooperate with BHSF, its contractors, or any other health oversight agency during a claims review or investigative process, including any informal hearing, administrative appeal, or other legal process;

a. the exercising of a constitutional or statutory right is not a failure to cooperate;

b. requests for scheduling changes or asking questions are not grounds for failure to cooperate;

23. make, or cause to be made, a false or misleading statement in connection with a claims review or investigation. This includes any informal hearing, administrative appeal, or other legal process;

24. knowingly make, or cause to be made, a false, fictitious or misleading statement of material fact in connection with the administration of the Medicaid program. This includes, but is not limited to, the following:

a. claiming costs for non-covered or non-chargeable services disguised as covered items;

b. billing for services provided to person(s) who are ineligible to receive the services;

c. misrepresenting dates, descriptions, or the identity of the person(s) who rendered the services;

d. submitting duplicate claims for services for which the provider has already received payment;

e. up-coding services provided;

f. misrepresenting a recipient's need or eligibility to receive services;

g. unbundling services for billing purposes;

h. misrepresenting the quality or quantity of services claimed;

i. knowingly submitting claims for services provided to persons not eligible to receive the service when the service was provided;

j. furnishing or causing to be furnished medically unnecessary, grossly inadequate, or unauthorized services;

k. providing services in a manner or form not within the normal scope and range of the standards used in the applicable profession; or

l. billing for services in a manner inconsistent with the standards established in relevant billing codes or practices;

25. fail to provide all medically necessary services needed by a recipient and to which the recipient is entitled when operating as a managed care provider or under a voucher;

26. submit claims to the Medicaid program on behalf of an excluded person;

27. submit claims to the Medicaid program for services an excluded person provided, either in whole or in part;

28. engage in a systematic abusive or fraudulent billing practice that maximize costs to the Medicaid program;

29. engage in any physical abuse, neglect, or exploitation of any recipient receiving services from the provider; and

30. fail to meet the terms of an agreement entered into under this state's Medical Assistance Program Integrity Law or this regulation.

B. Any provider who engages in conduct this section prohibits shall be subject to any of the sanctions allowed by law and this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

Subchapter D. Administrative Sanctions and Appeals

§4401. Extension/Imputation of Violations and Sanctions

A. Attributing, imputing, extending, or imposing violations shall be done at the discretion of the BHSF director or PIU section chief. Violations of a provider's obligations or prohibited conduct may be imputed in the following manner.

1. The conduct of a provider-in-fact or a managing employee is always attributable to the provider.

2. The conduct of a provider's agent, billing agent, or affiliates may be imputed to the provider or provider-in-fact if the conduct:

a. was performed within the course of his duties for the provider; or

b. was effectuated by or with the knowledge or approval of the provider.

3. The conduct of any person or entity operating on behalf of a provider may be imputed to the provider.

4. The provider is responsible for the conduct of his officers, employees, contractors, agents, or affiliates. The conduct of these persons may be imputed to the provider.

5. A violation or sanction under one provider number or NPI may be extended to all provider numbers or NPIs the provider possesses or obtains.

6. On fee-for-service claims, recoveries may be obtained by offsetting remittances due to the provider from any provider number or NPI the provider holds or obtains. On managed care claims, if provided for in the contract between the MCO and LDH, recoveries may be obtained through PMPM offsets, and the MCO may recover those offsets from the provider.

7. All sanctions imposed on a provider remain in effect until the sanctions have been satisfied.

8. Any person who purchases, merges, or otherwise consolidates with a sanctioned provider assumes liability for those sanctions.

9. Any person who employs or affiliates with a sanctioned provider assumes liability for those sanctions to the extent that person receives payment for services the sanctioned employee or affiliate provides.

10. A referring provider may be held responsible for overpayments the referral causes if the referring provider knew that such overpayments were likely to occur.

11. Providers which are legal entities may be held solidarily liable for monetary sanctions assessed on any person within that legal entity if the entity received any economic benefit related to the overpayment.

12. Payment withholdings on a provider may be extended to all provider and/or NPI numbers the provider holds or obtains.

13. A monetary sanction owed to the department can be imputed to a group or entity to which the provider is linked.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4403. Final Sanctions

A. Any provider who fails to comply with any obligation this Chapter requires or engages in any conduct this Chapter prohibits is subject to one or more of the following sanctions:

1. require the provider receive prior authorization for any or all services provided under the Medicaid program;

2. require some or all of the provider's claims be subject to manual review;

3. require the provider post a bond or other security as a condition of continued enrollment;

4. require the provider terminate its association with a provider-in-fact, employee, agent, contractor, or affiliate as a condition of continued enrollment;

5. prohibit the provider from associating, employing, or contracting with a specific person or entity as a condition of continued participation in the Medicaid program;

6. prohibit the provider from performing specified tasks, providing services at designated locations, or providing services to designated recipients or classes or types of recipients;

7. prohibit the provider from referring recipients to another designated person or purchasing services from designated persons;

8. recovery;

9. exclusion from the Medicaid program;

10. suspension from the Medicaid program;

11. require the forfeiture of a bond or other security;

12. imposition of monetary penalties up to $10,000 per violation; or

13. imposition of an administrative fine up to three times the overpayment.

B. Unless stated otherwise in this Chapter, the sanction(s) imposed is within the discretion of the PIU section chief with the concurrence of the BHSF director.

C. When a sanction is imposed pursuant to this Section, the provider shall be responsible for reasonable costs of investigation the department incurred. This includes costs for the department's time and expenses its employees, agents, or contractors incurred. The department may waive recovery of costs and expenses when resolving a matter.

D. Providers shall be assessed judicial interest on any outstanding recovery at the maximum rate provided by R.S. 13:4202. The department may waive or agree to reduce the amount of any interest assessed.

E. The department may obtain payment on any monetary sanction by offsetting any remittance due to a provider on a fee-for-service payment. If provided for in the contract between the MCO and LDH, the department may obtain payment on any monetary sanction due from a managed care provider by offsetting PMPMs due to the MCO.

1. The amount and duration of any offset is within the discretion of the PIU section chief or the BHSF director.

2. The amount and duration of an offset is not a separate sanction and it is not subject to an informal hearing or appeal.

F. In determining the sanction, the PIU section chief and/or the BHSF director may consider the totality of circumstances, including but not limited to:

1. seriousness of the violation(s);

2. extent of the violation(s);

3. history of prior violation(s);

4. prior imposition of sanction(s);

5. prior provision of education;

6. willingness to obey program rules;

7. actions taken or recommended by peer review groups or licensing boards;

8. adverse actions an MCO has assessed on a provider;

9. cooperation with departmental or other healthcare oversight agency reviews or investigations;

10. willingness to repay the identified overpayment; and

11. ability to repay identified overpayments.

G. Unless stated otherwise in this Chapter, the sanction imposed is within the discretion of the PIU section chief with the concurrence of the BHSF director.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4405. Exclusion; Effect

A. Exclusion precludes a person from providing any services paid through a publicly funded health program. This prohibition includes:

1. services provided directly to a Medicaid recipient;

2. any service for which the Medicaid program pays any part of the reimbursement; and

3. administrative and managerial activities or functions associated with delivering services for which the Medicaid program reimburses.

B. Any person receiving any payments this section prohibits shall immediately repay them to the Medicaid program. AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4407. Imposition of Sanction(s)

A. The imposition of non-mandatory sanction(s) shall be at the discretion of the PIU section chief with the concurrence of the BHSF director. The imposition of one sanction does not preclude the imposition of another sanction for the same or different violations.

B. At the discretion of the BHSF director and the PIU section chief:

1. one or more sanctions may be assessed on each violation;

2. multiple violations may be combined into a single violation; or

3. any combination of the above may be imposed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4409. Mandatory Exclusion

A. The BHSF director and the PIU section chief shall exclude any provider from the Medicaid program if the provider has:

1. been charged or convicted in court of a criminal offense related to the individual's participation in any publicly funded healthcare program;

2. been excluded from any publicly funded healthcare program;

3. been charged with or convicted of a criminal offense related to neglect or abuse of patients in connection with the delivery of a health care item or service;

4. agreed to be excluded as part of a resolution of a matter pursued by any health oversight agency; or

5. failed to meet the terms and conditions of an agreement or judgment related to participation in a publicly funded healthcare program requiring the payment of money to the government.

B. No informal hearing or appeal is available when law or regulation requires an exclusion, except to contest the identity of the persons to whom the sanction applies.

C. No informal hearing or appeal is available when the excluded party consented to the exclusion in a written agreement.

D. An exclusion under this section is automatic. It may be longer, but not shorter in time, than:

1. in the case of a conviction, the criminal sentence imposed;

2. the exclusion for the federal or other state publicly funded healthcare program;

3. the length of time allowed for repayment; or

4. in the case of an agreed to exclusion, the length of time in the written agreement.

E. The exclusion is retroactive to the date of the event for which the exclusion is required. Proof of the charging, conviction, plea, exclusion, default of a repayment, settlement agreement, or judgment related to the Medicaid program can be made through provision of the documents evidencing the above or via affidavit.

F. Upon written request from an excluded individual, a mandatory exclusion shall be removed if the criminal matter upon which an exclusion is based is dismissed, overturned, set aside, or reversed on appeal.

1. The excluded individual shall submit supporting documentation that the criminal matter was dismissed, overturned, set aside, or reversed on appeal.

2. A dismissal based on Louisiana Code of Criminal Procedure article 893 or 894, or any other federal or state deferred adjudication provision, is not subject to this provision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4411. Permissive Exclusion

A. In addition to the authorities provided in this Chapter, the department may permissively exclude a provider for any reason listed in 42 U.S.C 1320a-7(b).

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4413. Mandatory Payment Suspension

A. A provider who knowingly fails to comply with an information request from the department or any other health oversight agency shall be suspended from the program until the provider supplies the information requested.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4415. Effective Date of a Sanction

A. Except as provided in this Section, all sanctions subject to an appeal are effective upon the mailing of the results of the informal hearing.

1. The timely filing of an administrative appeal does not suspend the imposition of a sanction(s).

2. A sanction becomes a final administrative adjudication if:

a. an administrative appeal has been filed and a final order has been entered; or

b. the time for filing an administrative appeal has expired and an appeal was not filed.

B. An exclusion not related to a conviction related to the provision of a healthcare service is effective when:

1. a final order has been issued as part of an administrative adjudication, or

2. upon expiration of the time to file an appeal, and an appeal has not been filed.

C. In the case of a timely filed appeal, a sanction becomes a final administrative adjudication upon the secretary's signing of the order on appeal. An appeal is timely filed if it was filed within the time LAC 50:I.4423 requires.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4417. Withholding of Payments

A. A provider's remittance may be withheld or the department may instruct an MCO to withhold payments to a provider if:

1. an overpayment to the provider may have occurred;

2. the department has reason to believe an overpayment to the provider may occur;

3. a provider has failed to cooperate in an investigation or claims review;

4. a provider attempted to delay or obstruct an investigation or claims review; or

5. the department has reason to believe the provider used fraudulent or abusive practices.

B. Payments to the provider shall be withheld if a prosecuting authority informs the department, in writing, that the provider is under investigation for potential criminal activities relating to a publicly funded healthcare program.

1. The department may find good cause exists to continue payments to the provider.

2. The "good cause" determination is within the BHSF director's and PIU section chief's discretion. This determination is not subject to an informal hearing or appeal, and the DAL shall not overturn the department's determination.

3. "Good cause" reasons to continue payments to a provider include but are not limited to:

a. law enforcement officials request a payment suspension not be imposed because the payment suspension may compromise or jeopardize an investigation;

b. other available remedies more effectively or quickly protect Medicaid funds;

c. the BHSF director and PIU section chief determine, based upon the submission of written evidence by the provider subject to the payment withhold, the withhold should be removed; or

d. recipient access to items or services would be jeopardized by a payment suspension because of any of the following:

i. a provider is the sole community physician or the sole source of essential specialized services in a community;

ii. a provider serves a large number of recipients within a Health Resources and Services Administration(HRSA)designated medically underserved area;

iii. law enforcement declines to certify that a matter continues to be under investigation; or

iv. the BHSF director and PIU section chief determine the withhold is not in the best interest of the Medicaid program.

C. Withholding of payments may occur prior to notifying the provider. Withholding due to a credible allegation of fraud shall follow the notice requirements in 42 C.F.R. 455.23(b). For all other payment withholds, the provider shall be notified within five business days of the first withheld payment. The notice shall:

1. be in writing;

2. state that payments are being withheld;

3. state the general allegation or reason forming the basis for the withholding;

4. state that the withholding is for a temporary period;

5. cite the circumstances upon which the withholding will be terminated;

6. inform the provider of their rights to submit written evidence for the department's consideration; and

7. inform the provider of their appeal rights.

D. Specific information regarding any ongoing investigation or the source of the allegations is not required. If the withholding is based on a criminal investigation, certification from the investigating agency that the investigation is on-going is sufficient to support and maintain the withholding.

E. Failure to provide timely notice to the provider may be grounds for overturning the withholding until the deficiency is corrected. This shall not apply if the withholding was at the request of a law enforcement agency.

F. All withholdings of payment under this Chapter will be temporary and shall not continue after:

1. the PIU section chief has determined insufficient information exists to warrant the withholding;

2. the provider has posted a bond or other security deemed adequate to cover all past and future projected overpayments; or

3. in the case of a final order of monetary sanction, a sufficient amount has been offset to satisfy the full amount of each monetary sanction.

G. In the case of a withholding based on written notification of a criminal investigation or prosecution, the withholding may continue for as long as the criminal investigation or prosecution is active and ongoing.

H. The BHSF director and the PIU section chief shall determine the amount of the withholding.

1. The amount to be withheld may be increased or decreased at any time once a decision to withhold has been made.

2. The department may consider the provider's viability to continue operations when determining the amount to withhold.

I. In the event a recipient cannot receive needed services from another source, arrangements shall be made to ensure the recipient can receive any medically necessary services. The provider has the burden to demonstrate they are the sole source who can provide services to their recipient(s). This showing shall be made at the informal hearing.

J. The provider shall be notified of the amount withheld every 90 calendar days.

K. Denial or refusals to pay individual claims as a result of the edit or audit system are not withholdings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4419. Effect of Withholding on the Status of a Provider or with the Medicaid Program

A. Unless excluded or suspended, a provider may continue to provide and submit claims for services during a withholding period.

B. Withheld amounts, bonds, or other security posted may be used to satisfy any monetary sanction imposed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4421. Requirements for Suspension of Payments for a Credible Allegation of Fraud

A. The BHSF director and PIU section chief shall suspend all Medicaid payments to a provider under investigation upon a determination there is a credible allegation of fraud. The Department may waive the requirement to suspend payments if it determines there is good cause not to do so.

B. The requirements for the issuance of a withholding pursuant to LAC 50:I.4149 shall be applicable to a suspension of payments for a credible allegation of fraud, except:

1. At the written request of a law enforcement agency, notice of the suspension of payments may be delayed by 30 calendar days. The law enforcement agency may renew a 30-day delay request twice.

2. In no event may a delay of notice exceed 90 calendar days from the date of the initial payment suspension.

3. The notice must include a statement indicating payments are being suspended in accordance with 42 CFR 455.23.

C. In addition to the reasons provided in LAC 50:I.4417(B)(3), the BHSF director and the PIU section chief may rely on any of the good cause exceptions in 42 C.F.R. 405.371(b) to decide not to suspend payments. They may also adjust the scope of the payment suspension by either reducing a full suspension to a partial one or increasing partial suspension up to a full suspension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4423. Informal Hearing

A. A provider who has received a notice of sanction may request an informal hearing.

1. The informal hearing is not intended to be a contradictory or adversarial hearing, and the rules of evidence do not apply.

2. The request for an informal hearing shall be submitted in writing and as directed in the notice.

B. A request for an informal hearing shall be within 15 calendar days of receipt of a notice of action, unless an extension is granted. Prior to or at the informal hearing the provider may:

1. present a rebuttal to the matters raised in the notice of action;

2. be afforded the opportunity to talk with the department's personnel involved in the investigation;

3. review pertinent documents on which the alleged violations are based; and

4. ask questions and seek clarification on the notice of action.

C. A provider may be represented by counsel or other person at the informal hearing.

D. Following the informal hearing, the department shall inform the provider of the results of the informal hearing.

1. Any modification of the notice resulting from the informal hearing shall be in writing and signed by the BHSF director and PIU section chief.

2. If a finding is dropped from the notice, no additional time will be granted to the provider to prepare for the informal hearing.

E. At any time prior to the issuance of the informal hearing results, the original notice may be modified.

1. If additional reasons or sanctions are added, the provider shall have an additional 10 business days to respond to the new reasons or sanctions.

2. The provider may waive the 10-day period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4425. Administrative Appeal

A. The provider may seek an appeal from the imposition of any sanction. The appeal shall be filed with the DAL. For an appeal to be timely, it must be filed:

1. if an informal hearing was requested, 30 calendar days from the mailing of the results of the informal hearing, or

2. if an informal hearing was not requested, 30 calendar days from the mailing of the notice of action.

B. To be considered adequate, each appeal must specify the basis for the appeal and the actions being challenged. Each challenged finding and the basis for the challenge must be separately stated in the appeal.

C. Except for a permissive exclusion, the lodging of a timely and adequate request for an administrative appeal does not affect the imposition of a sanction.

1. All sanctions imposed are effective upon the mailing of the informal hearing results.

2. If an informal hearing is not requested, the sanctions are effective upon the expiration of time to request in informal hearing.

D. In the case of an exclusion, the BHSF director and the PIU section chief may suspend the provider during the pendency of the appeal if:

1. it is determined that allowing the provider to participate during the pendency of the appeal threatens the Medicaid program's fiscal or programmatic integrity; or

2. the continued participation of the provider poses a threat to the health, welfare, or safety of any recipient.

E. If the exclusion is mandatory, a threat to the Medicaid program or recipients is presumed.

1. The "threat" determination shall be made following the informal hearing.

2. If no informal hearing is requested, the determination shall be made after the delay for requesting an informal hearing has passed.

F. Failure to lodge a timely and adequate request for an administrative appeal results in the imposition of all sanctions noticed in the informal hearing results. If an informal hearing was not requested, all sanctions in the original notice of action are effective upon the expiration of time to file an appeal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

Subchapter E. Actions Not Considered Sanctions

§4501. Corrective Actions Plans

A. The BHSF director and the PIU section chief may issue a notice of corrective action to a provider. This notice will outline specific issues that may constitute violations of law, regulations or sub-regulatory guidance.

B. A corrective action plan must be in writing and contain a description of the violations and the corrective actions the provider must implement.

C. Corrective action plans may:

1. impose any restrictions the BHSF director and PIU section chief deem appropriate;

2. include one or more sanctions allowed by this Chapter; and

3. include any other provision mutually agreed to between the provider and the department.

D. Within 10 business days of receipt the provider must notify the department, in writing, of whether it agrees with the corrective action plan.

1. Failure to respond within 10 business days will be deemed a rejection of the corrective action plan.

2. The provider may propose an alternate corrective plan for the department's consideration. The department shall respond to any counter proposal within 10 business days of receipt.

E. If the parties are unable to agree on a corrective action plan, the department may issue any sanction allowed by this Chapter.

F. The inability to come to an agreement on a corrective action plan shall not be considered a failure to cooperate with the department.

G. The issuance of a notice of corrective action plan is not a sanction. It may not be appealed and there is no right to an informal hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4503. Education and Warning Letters

A. At the department's discretion, it may issue a warning or education notice to a provider whose conduct potentially violates any of the Medicaid program's laws, rules, or sub-regulatory guidance.

B. Education or warning notices are not sanctions and are not subject to an informal hearing or appeal.

C. Education or warning notices may be used to show evidence of knowledge for future violations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4505. Initial Findings Report (IFR)

A. In any investigation or claims review, the department may issue an IFR to the provider. This report is intended to:

1. notify the provider of the department's preliminary findings; and

2. provide an opportunity for the provider to address the findings prior to the issuance of a sanction.

B. If an IFR is issued, the provider shall have 15 calendar days to submit a written rebuttal. The department may consider the rebuttal in its assessment of whether to impose any sanctions on the provider. As part of the rebuttal, the provider shall provide any additional documentation that supports the rebuttal.

C. The issuance of an IFR is not a sanction and is not subject to an informal hearing or appeal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4507. Other Actions not Subject to Administrative Appeal and Review

A. The following actions are not sanctions nor subject to an informal hearing or appeal:

1. referral to a state, federal, or professional licensing authority;

2. referral to the MFCU or any other law enforcement or prosecutorial authority;

3. referral to governing boards, peer review groups, or similar entities;

4. requirements the provider receives education and training in laws, rules, policies, and procedures, including billing;

5. prepayment review;

6. placement on manual claims review prior to payment being made;

7. require the provider to receive prior authorization prior to providing any services;

8. remove or restrict the provider's use of electronic billing;

9. an increase of any required bond or other security already posted as a condition of continued enrollment; and

10. any restrictions, terms, or conditions a provider agrees to.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

Subchapter F. Miscellaneous

§4601. Repayment

A. Final overpayments and other monetary sanctions must be made within 60 calendar days of the date the sanction becomes final unless an extended payment term is agreed to.

B. The PIU section chief may agree to a longer repayment term, not to exceed six months.

C. The BHSF director or the secretary must approve any payment plan exceeding six months.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4603. Extended Payment Term

A. Any extended payment term allowed by LAC 50.I.4155.B and C of this Chapter shall be in writing and contain at the minimum:

1. the amount to be repaid;

2. the person(s) responsible for making the repayments;

3. a specific time table for making the repayment; and

4. if installment payments are involved, the date upon which each installment payment is to be made and the amount of the installment payment.

B. The PIU section chief must approve, in writing, any modification to an arrangement to repay.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4605. Tip Rewards

A. The secretary may approve a reward of up to $2,000 to a person who submits information to the secretary resulting in a recovery under this Chapter or the Medical Assistance Programs Integrity Law.

B. Any award shall be granted from monies appropriated for this purpose from the Medical Assistance Programs Fraud Detection Fund for that purpose.

C. The approval of a reward is solely at the discretion of the secretary.

D. When determining a reward, the secretary shall consider the extent to which the information contributed to the investigation and recovery of monies.

E. The person providing the information need not have requested a reward to be considered for an award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4607. Persons not Eligible for Rewards

A. No reward shall be made to any person if:

1. the information was previously known to the department or criminal investigators;

2. the person planned or participated in the action resulting in the investigation;

3. the person is, or was at the time of the tip, excluded from the Medicaid program,

4. the person was subject to a recovery under this Chapter or the Medical Assistance Programs Integrity Law; or

5. the person is or was a public employee or public official:

a. acting on behalf of the state; and

b. who has or had a duty or obligation to report, investigate, or pursue allegations of wrongdoing or misconduct by health care providers or Medicaid recipients.

c. if the person has not had such duties and obligations for two years prior to providing the information, that person is not excluded from a reward.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4609. Mailing

A. Mailing refers to the sending of correspondence or other documents via any means. This includes but is not limited to "mailing" through:

1. the U.S Post Office;
2. commercial carrier;
3. facsimile;
4. hand delivery; or
5. to the provider's email address.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4611. Confidentiality

A. All contents of investigations and reviews conducted pursuant to this Chapter shall remain confidential until entry of the final sanction. The only persons that may review the contents of an investigatory file are:

1. the parties to a matter or their authorized agents and representatives;
2. persons authorized by law or regulation to access those files;
3. authorized health oversight agencies;
4. law enforcement or other government investigatory agencies; or
5. specific individuals within the department the BHSF director or PIU section chief authorize to have access to such information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4613. Severability Clause

A. If any provision of this Chapter is declared invalid or unenforceable for any reason by any court of proper venue and jurisdiction, the provision shall not affect the validity of the entire regulation or other provisions thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

§4615. Effect of Promulgation

A. This Chapter, when promulgated, shall supersede all other departmental regulations which conflict with the provisions of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 46:437.1-46:440.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, 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 will have no impact on small businesses.

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 will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Tangela Womack, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Ms. Womack is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is March 23, 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 March 12, 2026. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on April 1, 2026, in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after March 20, 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.

Bruce D. Greenstein
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Medicaid Program Integrity Fraud, Waste and Abuse Recovery

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 other than the cost of promulgation for FY 25-26. It is anticipated that $8,165 ($4,083 SGF and $4,082 FED) will be expended in FY 25-26 for the state's administrative expense for promulgation of this proposed rule and the final rule.

This proposed rule repeals the current language in LAC 50:I.Subpart 5, Provider Fraud and Recovery, and codifies current practices. This is being done in accordance with Executive Order JML 25-38 and Act 192 of the 2024 Regular Legislative Session requirements to review rules to ensure they are consistent with departmental guidelines and use plain language. It will have no fiscal impact since it is only updating language and not changing existing practices.

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 effect on revenue collections other than the federal share of the promulgation costs for FY 25-26. It is anticipated that $4,082 will be collected in FY 25-26 for the federal share of the expense for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed rule repeals the current language in LAC 50:I.Subpart 5, Provider Fraud and Recovery, and codifies current practices. This is being done in accordance with Executive Order JML 25-38 and Act 192 of the 2024 Regular Legislative Session requirements to review rules to ensure they are consistent with departmental guidelines and use plain language. Since this is only updating language and not changing existing practices, this rule is not anticipated to result in a fiscal impact to affected persons, small businesses, or non-governmental groups in FY 25-26, FY 26-27, or FY 27-28.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule has no known effect on competition and employment.

Seth Gold	Alan M. Boxberger
Medicaid Executive Director	Legislative Fiscal Officer
2602#026	Legislative Fiscal Office

NOTICE OF INTENT

Louisiana Economic Development
Office of Economic Development
and
Louisiana Economic Development Corporation

Collateral Support Program (LAC 19:VII.Chapter 91)

Louisiana Economic Development, Office of Economic Development, and Louisiana Economic Development Corporation authorized by and pursuant to the provision of the Administrative Procedure Act, R.S. 49:950 et seq., R.S. 36:104, 36:108, and 51:2312 hereby gives notice of their intent to amend certain rules for the administration of the Collateral Support Program (CSP).

In accordance with the Office of Governor Executive Order No. JML 25-038, LED reviewed and evaluated the CSP Program Rules and proposes amendment to better align regulations with the U.S. Treasury guidelines and the agency's mission.

Title 19
CORPORATION AND BUSINESS
Part VII. Louisiana Economic Development Corporation
Subpart 13. Collateral Support Program
Chapter 91. SSBCI Collateral Support Program ARPA 2021

§9101. Purpose

A. …

B. Through The American Rescue Plan Act of 2021, which reauthorized the State Small Business Credit Initiative (SSBCI), the U.S. Congress has appropriated funds to be allocated and disbursed to the states that have created programs to increase the amount of capital made available by private lenders to small businesses, and the State of Louisiana has been approved to receive and disburse SSBCI funds within the SSBCI Program. Louisiana Economic Development (LED), which will be working with and through the LEDC, has been designated to provide services for the SSBCI, including the collateral support program (CSP), which by LEDC collateral deposit agreement between LEDC and the lender, will provide for the LEDC to place a cash deposit with the lender to make additional capital available for a portion of the loan, and to serve as cash collateral for a portion of the loan. The Louisiana Economic Development Corporation (LEDC), working with LED, will utilize SSBCI funds to increase access to credit and capital funding to further assist small businesses statewide, to expand loan capabilities to a broader range of businesses statewide, to direct a greater concentration on those small businesses, and to reach, identify and promote small business growth in low and moderate income communities, in minority communities, in other underserved communities, and to small businesses owned by socially and economically disadvantaged individuals across our state.

C. The CSP establishes pledged cash collateral accounts with lenders to enhance loan collateral for qualified small business borrowers exhibiting a shortfall in collateral and who would not otherwise be able to obtain financing on acceptable terms and conditions. Collateral deposits are established on an individual loan basis and are available to cover loan losses in the event of default by the borrower. Upon loan maturity and repayment, deposits are returned to LEDC for recycling to other qualified small business borrowers.

D. Interested small businesses will be referred to lenders for loan and collateral support deposit qualification purposes. Lenders will apply to LEDC for collateral support deposits on behalf of their qualified small business borrowers. Lenders are responsible for their own credit underwriting decisions and originating the loans. LEDC's responsibilities are: to ensure compliance with CSP requirements; to establish and manage collateral support accounts; to promote and market the CSP through outreach activities to inform lenders, small businesses and trade associations of the Program; to generate increased small business activity, awareness and access to additional sources of capital to start and expand existing business opportunities, as well as participation in the Program; and to report to the U.S. Treasury.

E. In considering approval or acceptance of the loans presented to LEDC through lenders in the Collateral Support Program (CSP), the corporation will consider sound business

purpose loans and lines of credit, so long as SSBCI resources permit. The board of directors of the corporation recognizes that collateralizing loans and lines of credit carries certain risks and is willing to undertake reasonable exposure.

F. LEDC will monitor the program, including the repayment progress of borrowers, as well as the servicing performance of lenders, in order to ensure successful outcomes in the form of program utilization and eventual securing of funds for these groups.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1460 (June 2022, LR 48:1905 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§9103. Definitions

A. - B. …

* * *

Collateral Deposit Agreement—the loan and deposit agreement ("deposit agreement"), to be executed by LEDC and the lender, for the deposit of cash collateral by LEDC with the lender, as security for a portion of the loan accepted under this program.

* * *

Double-Dipping Fees—occurs when a lender issues new credit to refinance prior credit without forgiving a portion of the fee already paid resulting in the borrower paying a fee on top of a fee.

* * *

Financial Institution—also referred to herein as a *Bank*, *Financial Lending Institution*, *Lending Institution*, *Commercial Lending Entity*, or Lender—includes any insured depository institution, insured depository credit union, or depository community development financial institution, as those terms are defined in section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702).

LED—Louisiana Economic Development, formerly Louisiana Department of Economic Development.

* * *

LEDC CSP Loan and Deposit Agreement—Repealed.

Lender—an insured depository institution, insured depository credit union, or depository community development financial institution, as those terms are each defined in section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702) which is experienced in the making of loans to businesses of the type provided for under the CSP, has an office and business operations in the State of Louisiana, and is regulated by the Office of the Comptroller of the Currency (including by merger, the Office of Thrift Supervision), the Federal Reserve Board, the Louisiana Department of Finance or similar regulatory agency. All lenders must execute a lender collateral deposit agreement with LEDC; and is the entity that will make or originate the accepted eligible loan with the eligible borrower under this program.

* * *

Loan—any temporary advance or provision of money to an eligible borrower by the lender for a business purpose, usually for a limited term and requiring the payment of interest along with the repayment of the loaned funds under the CSP, that is evidenced by a promissory note that obligates the borrower to repay the advance. When used herein, the word loan includes a line of credit loan.

* * *

Master Lender CSP Participation Agreement—Repealed.

* * *

Participating Lender—Repealed.

Prepayment Fees—also referred to as Prepayment penalty, fee imposed upon the borrower when all or part of a loan is paid before the scheduled loan term ends.

* * *

Small and Emerging Business—Repealed.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1480 (June 2022), LR 48:1921 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§9105. Application Process

A. Any applicant/borrower(s) applying for either a loan or a line of credit will be required first to contact a CSP financial lending entity that is willing to entertain, originate, process and service such a loan or line of credit with the prospect of an LEDC cash collateral deposit, and the lender will then contact LEDC for qualification and shall submit a complete application to LEDC for its review, approval and acceptance. The financial lender shall also submit to LEDC the lender's assurances, certifications, representations and warranties, and shall be responsible for obtaining and submitting to LEDC assurances of eligibility, including certifications, representations and warranties from each borrower, all as required by the American Rescue Plan Act of 2021 and the SSBCI.

B. - C. …

1. The lender is expected to use its best efforts to provide small Louisiana businesses, SEDI, with the maximum practicable opportunity to participate in the CSP.

2. The borrower's completed Louisiana Economic Development Corporation CSP loan packet must be submitted by the lender to LEDC to include:

a. A borrowers completed CSP application and related information and materials.

b. A small business concerns, including very small businesses.

c. Businesses applying for consideration as a SEDI owned business will have to self-certify under conditions in Subparagraph a-c as noted above in §9103 under SEDI-owned business definition.

d. The lender shall submit to LEDC its complete analysis and evaluation, proposed loan structure, and commitment letter to the borrower. LEDC staff may do its

own review and evaluation of the application packet. The lender shall submit to LEDC the same pertinent data that it submitted to the lending institution's loan committee, whatever pertinent data the lending institution can legally supply.

e. The lender's and borrower's signed assurances and certifications as required by the U.S. Treasury.

3. LEDC staff will review the application and analysis, and then approve and accept or disapprove and reject the application, if the dollar amount of the loan is within the staff's board approved authority, or make recommendations to the board committees and to the board for approval and acceptance or disapproval and rejection.

4. The LEDC's board of directors, or the board's designated committee, will review only the completed applications and related materials submitted by LEDC staff and may approve and accept or disapprove and reject applications for approval or acceptance or the designated board committee may simply make recommendations to the LEDC board for its decision.

5. The applicant/borrower(s) or their designated representative(s), and the loan officer or a representative of the lender shall be required to attend the LEDC's board of directors meeting wherein the application will be considered by the board; but shall not be required to attend meetings of the LEDC Staff or the designated board committee, unless the LEDC requests their presence.

6. LEDC's board of directors, or the board's designated committee that has considered the application has the final approval and acceptance or disapproval and rejection authority for such applications; except for those loans which shall be within the staff's authority to approve or disapprove, as established by the LEDC board, the staff shall have the final approval and acceptance or disapproval and rejection authority, unless the board overrules the staff's decision.

7. The lender will be notified by e-mail of the outcome of the application process.

8. Funds approved for each CSP application will have a reservation period of 90 calendar days from the approval date.

a. If an approved CSP loan does not close within 90 calendar days from the final LEDC approval date, the reservation period will expire and funds will be released to the general program fund to be used for other CSP requests, unless an extension has been approved by LEDC board or its designated committee, or LEDC staff.

b. Once a reservation period has expired, a lender will need to re-apply and start the application and review process over with a new or up-dated application.

D. …

1. Lender shall notify LEDC of its loan closing and provide draft loan closing documents for review at least five business days prior to the closing date.

2. LEDC will open and pledge an interest bearing collateral deposit account (a certificate of deposit) with the lender in LEDC's name, as follows:

a. 100 percent of the approved cash collateral deposit to the Lender will be funded once the CSP agreement, deposit account agreement, signature cards, and any other applicable deposit account documents have been executed.

3. At the loan closing, lender will execute the LEDC collateral deposit agreement, and will return the signed original to LEDC with the loan documents.

4. Immediately following the loan closing the lender will furnish to LEDC copies of all fully executed loan documents.

E. Loan Purpose Requirements and Prohibitions. In addition to the application process provisions provided above, and in connection with each and any loan (including a line of credit loan) that the lender requests be approved and accepted by LEDC to be enrolled under this program, the lender shall also be responsible for obtaining and providing LEDC with the lender's application assurances and certifications as well as application assurances and certifications from each applicant/borrower stating that the loan proceeds shall not be used for any impermissible purpose under the SSBCI program, and the loan proceeds shall be used for an eligible business purpose, as that term is defined in §9107. A hereinafter; and additionally:

E.1. - F.4. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1487 (June 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§9107. Eligibility/Ineligibility for Participation in this Program

A. - D.1.…

2. very small businesses that maintain an office in Louisiana;

3. - 4.o.…

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1465 (June 2022, LR 48:1910 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§9109. General Lender Provisions

A. - A.1.…

2. The corporation shall not knowingly approve any loan (or line of credit loan) if the applicant/borrower has presently pending or outstanding any claim or liability relating to failure or inability to pay promissory notes or other evidence of indebtedness, state or federal taxes, or a bankruptcy proceeding. The corporation may review and determine, on a case-by-case basis, whether the nature, status, or materiality of such indebtedness or liabilities warrants eligibility under the program. Such determination by the corporation shall be final.

3. The corporation shall not knowingly approve any loan (or line of credit loan) if the applicant/borrower has presently pending, at the federal, state, or local level, any proceeding concerning denial or revocation of a necessary license or permit or any legal proceeding involving a criminal violation other than misdemeanor traffic violations. The corporation may review and determine, on a case-by-case

basis, whether the nature, status, or materiality of such indebtedness or liabilities warrants eligibility under the program. Such determination by the corporation shall be final.

4. Further, the corporation shall not approve any loan if the applicant/borrower or his/her/its principle management has a criminal record showing convictions for any criminal violations other than misdemeanor traffic violations in which the applicant/borrower or his/her/its principle management has not been reinstated into society.

5. The terms or conditions imposed and made part of any loan (or line of credit) authorized by vote of the corporation's board, or its designated board committee, or LEDC staff shall not be amended or altered by any member of the board or employee of the LEDC or Louisiana Economic Development except by subsequent vote of approval by the board, or designated board committee at the next meeting of the board or committee in open session with full explanation for such action.

6. Each lender shall be required to have a meaningful amount of its own capital resources at risk in each small business loan included in this program. Such lenders shall bear at least 20 percent or more of the loss from a small business loan default. The LEDC accepted loan (including line of credit loan) enrolled into this program shall not be sold, assigned to, or participated with other lenders (within lender's 20 percent risk interest, as described above), or otherwise transferred by lender without the prior written consent of the LEDC board.

7. The corporation shall not subordinate its position to other creditors.

B. Interest Rates. On all loans (or lines of credit), throughout its duration, including default rates, the interest rate is to be negotiated between the borrower and the lender, but shall not exceed the National Credit Union Administration's (NCUA) interest rate ceiling for loans made by federal credit unions as described in 12 U.S.C. § 1757(5)(A)(vi)(I) and set by the NCUA board. Further, on all loans and lines of credit, the interest rate shall not exceed the lesser interest rate of either: the National Credit Union Administration (NCUA) interest rate ceiling, that established by the Federal Credit Union Act (FCUA), that established by the Office of the Comptroller of the Currency (OCC), or applicable state legislation that may be enacted.

C. - F.1. …

a. for equipment term loans, collateral support term periods may extend for up to and not exceed five years.

b. for Revolving Lines of Credit (RLOC - revolving and non-revolving), collateral support term periods may extend for up to and not exceed three years.

c. for Non-Revolving Lines of Credit (NRLOC), term periods may extend for up to and not exceed three years.

d. for business real estate term loans, collateral support term periods may extend for up to and shall not exceed five years.

G. …

1. LEDC may charge an application fee of up to $150, unless the board of directors, the board's designated committee, or LEDC staff waives the application fee.

2. LEDC will waive the application fee for SEDI and VSB business type.

H. Lender Fees

1. Lender fees shall be limited to that allowed under the U.S. Treasury's SSBCI capital program guidance. Lender fees shall be capped at $500 for loans less than $25,000 or may charge a program fee up to 2 percent for loans greater than $25,000.

2. Lender fees shall not include prepayment penalties nor double dipping fees.

I. Use of Loan Funds (including Line of Credit Funds)

1. Loan funds shall be used for business purposes, including but not limited to the purchase of fixed assets, including buildings that will be owner occupied to the extent of at least 51 percent by the borrower for its own business purposes.

2. Loan funds may be used for the purchase of business equipment, machinery, or inventory.

3. Loan funds may be used for a line of credit for business accounts receivable or inventory.

4. Loan funds may not be used to buy out stockholders or equity holders of any kind, by any other stockholder or equity holder.

5. Loan funds may not be used to purchase any speculative investment or for real estate development.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1466 (June 2022), LR 48:1911 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§9111. General Agreement Provisions

A. Collateral Deposit Agreement

1. - 3. …

4. The lender shall rely solely on the funds deposited with the lender by LEDC in the cash collateral deposit account (the principal amount, but not the accrued interest on the deposit which is not included as a portion of the security for the unpaid principal due on the loan) provided as security for the repayment of the agreed percentage of the principal amount of the unpaid principal balance due on the loan made and accepted under this program. The lender shall indemnify and hold harmless the LEDC, the state of Louisiana, including any commissioners, directors, participants, officers, agents, employees and contractors (collectively, the "Indemnified Person(s)") who shall not be liable to the lender for any reason arising out of or related in any way to the loan or the loan documents, against all claims, costs and expenses. This Section shall survive the payment in full of the loan, any return or draw upon the cash collateral deposit for the loan, or any termination of the applicable deposit agreement or other loan documents.

5. …

6. Loan delinquency will be defined according to the lender's normal lending policy. Notification of delinquency will be made to the corporation in writing by lender submitting a completed, signed and dated CSP banker loan status monthly report within ten days after the end of each month as stated in the collateral deposit agreement.

7. If default by borrower continues for more than 90 calendar days in making payment, when due, of any installment of principal or interest on any note, the lender may

demand in writing to LEDC to release the funds in the deposit account by submitting a completed, signed and dated claim form notifying LEDC of the default reasonably describing the circumstances of the default. Once the release is requested, the lender may begin their standard collection and liquidation process.

8. - 9. …

B. LEDC Collateral Deposit Agreement

1. The LEDC collateral deposit agreement shall provide for the pledge by LEDC of cash collateral to the lender under this collateral support program (CSP). On or about the closing of the loan documents, LEDC shall deposit with the lender cash collateral in an amount not to exceed 50 percent of the principal amount of the loan, and not to exceed a maximum of $250,000, on loan amounts no greater than $500,000; or LEDC shall deposit with the lender cash collateral in an amount not to exceed 25 percent of the principal amount of the loan, and not to exceed a maximum of $250,000, on loan amounts greater than $500,000 but less than $1,000,000, accepted by LEDC under this program to be placed in an interest bearing account or certificate of deposit (the LEDC CSP loan and deposit account or deposit account) in the name of LEDC to be maintained with the lender until the loan has been repaid, or the deposited funds are applied to the payment of not to exceed 25 percent or 50 percent (depending on the principal amount of the loan) or $250,000 of the outstanding unpaid principal balance (but not the interest, lender fees or costs of collection) due on the loan; and thereafter, should any funds remain in the deposit account after the application of such funds, the remaining amount shall be returned by lender to LEDC, plus all interest accrued on the deposit account which is not included as a portion of the collateral securing the loan.

2. - 3. …

4. The LEDC's cash collateral deposit will secure and cover up to no more than 25 percent or 50 percent (depending on the principal amount of the Loan) on the unpaid balance on the principal amount owed only.

B.5. - C.1. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1467 (June 2022), LR 48:1912 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§9117. Guidelines

A. The Louisiana Economic Development Corporation (LEDC), or Louisiana Economic Development (LED), as the administrators of this program, may make, create, or issue from time to time Guidelines interpreting, construing, explaining and/or supplementing these Rules; and may revise, supplement, or otherwise change or modify the guidelines at any time with or without notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1469 (June 2022), LR 48:1914 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

Family Impact Statement

The proposed amendment of the 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 amendment of the Rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed amendment of the Rule is not anticipate to have a significant adverse impact on small businesses as described in R.S. 49:974.5.

Provider Impact Statement

The proposed amendment of the Rule is not anticipated to have an impact on providers of services as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons should submit written comments on the proposed Rules to Shamelda Pete, Louisiana Economic Development, 100 North Street, 7th Floor, Baton Rouge, LA 70802 or via email to Shamelda.Pete@LA.GOV. All comments must be received no later than close of business day, March 31, 2026.

Public Hearing

A meeting for the purpose of receiving the presentation of oral comments on the Notice of Intent will be held at 1:30 p.m. on April 2, 2026, in the LaBelle Conference Room at the LaSalle Building, 617 North 3rd Street, Baton Rouge, LA 70802. Individuals with disabilities who require special services should contact Dawn Thibodeaux at least two working days in advance of the hearing. For assistance, call 225.342.3740 (voice and TDD) or email dawn.thibodeaux@la.gov.

Anne G. Villa
Deputy Secretary/CFO

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Collateral Support Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any direct material effect on governmental expenditures or savings to state or local governmental units. To the extent the proposed rules entice additional lenders to participate in the program, this may increase utilization of existing federal budget authority within Louisiana Economic Development (LED), as additional federal State Small Business Credit Initiative (SSBCI) funds from ARPA 2021 may be deployed to support small businesses through the Collateral Support Program. However, any administrative duties brought about by the proposed rule changes will be carried out utilizing the existing staff and resources of LED. LED indicates the program has historically waived the application fees for program participants. However, should application fees be collected in the future, those fees would be utilized to assist with funding the program.

The proposed rule change amends the Collateral Support Program in an effort to entice additional lenders to participate in the program. The proposed amendments align regulations with U.S. Treasury guidelines, the agency's mission, and further align with the Office of the Governor Executive Order No. 25-038.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed amendments are not anticipated to materially affect revenue collections for state or local governmental units. While the proposed rules increase the application fee for the program from a flat $100 fee to a potential fee of up to $150, a two percent program fee is eliminated. The application fee is capable of being waived for the program and is required to be waived for socially and economically disadvantaged individual (SEDI) owned businesses and very small businesses (VSB) applications. LED indicates the program has historically waived application fees for program participants. However, the ability to collect application fees for certain applicants remains in the proposed rules.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Applicants/borrowers, small businesses, and lenders participating in the program will be affected by the proposed rules. The proposed amendment to the rule removed and changed regulations and procedures for lending institutions and the use of funds for applicants/borrowers. Affected program participants may receive additional benefits as these amendments are anticipated to entice additional lenders to participate in the program and may result in additional collateral support for participating small businesses. Additionally, the proposed rules increase the maximum amount of an application fee that may be charged to applicants and eliminate the two percent program fee. However, the proposed rules continue to allow the fee to be waived and mandate that the fee be waived for SEDI owned businesses and VSB applications.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Small businesses benefiting from the program are anticipated to gain a competitive advantage over other businesses that do not receive the program's benefits.

Anne G. Villa, CFO	Alan M. Boxberger
Deputy Secretary	Legislative Fiscal Officer
2602#050	Legislative Fiscal Office

NOTICE OF INTENT

Louisiana Economic Development
Office of Economic Development
and
Louisiana Economic Development Corporation

Louisiana Seed Capital Program (LAC19:VII Chapter 89)

Louisiana Economic Development, Office of Economic Development, and Louisiana Economic Development Corporation authorized by and pursuant to the provision of the Administrative Procedure Act, R.S. 49:950 et seq., R.S. 36:104, 36:108, and 51:2312 hereby gives notice of their intent to amend certain rules for the administration of the Louisiana Seed Capital Program (LSCP).

In accordance with the Office of Governor Executive Order No. JML 25-038, LED reviewed and evaluated the LSCP Program Rules and proposes amendment to better align regulations with the U.S. Treasury guidelines and the agency's mission.

Title 19
CORPORATION AND BUSINESS
Part VII. Louisiana Economic Development Corporation
Subpart 11. Louisiana Seed Capital Program (LSCP)
Chapter 89. SSBCI Seed Capital ARPA 2021
§8903. Definitions

A. - B. …

* * *

Co-investment or Coinvesting—a multiple SSBCI supported venture capital investment from different venture capital funds and other equity/venture capital invest in the same round. The SSBCI capital may not count as private capital.

* * *

Contract Monitor—LEDC designee, authorized to act as a representative and a liaison between LEDC and the General Partner to perform various duties of this contract and monitor its terms, as agreed upon.

Corporation—Louisiana Economic Development Corporation (LEDC).

Direct Investment—an investment in which financial investors take part with each other and act jointly by uniting or combining together to invest directly into individual companies or businesses.

Early-Stage Qualifying Investment or Early-stage Equity Investment or Early-stage Investing—funding intended for companies in the development phase, including convertible debt funding. This stage of financing varies from small funds for companies cultivating ideas or concepts to larger sums for companies looking to grow their products and services.

* * *

LED—Louisiana Economic Development, formerly Louisiana Department of Economic Development.

* * *

Risk Investment—an investment that may provide equity through the purchase of common stock, preferred stocks, partnership rights or any other equity investment. Additionally it may mean debt positions, which may act as equity or have equity features such as subordinated debt, debentures or other such instruments used in conjunction with features intended to yield significant capital appreciation.

* * *

Valuation of Investment Fund—the value of any monies invested or otherwise used as risk capital in businesses plus the unexpended monies available for investment or used as risk capital.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1480 (June 2022), LR 48:1921 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§8905. Eligibility for Seed Capital Fund to Participate in This Program

A. - F.2. …

3. such individual business investments shall not be extended to businesses with more than 750 employees; and

4. any investment transaction or investment round extended through this program shall not exceed the amount of $ 20,000,000.

G. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1487 (June 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§8907. Application Requirements for Investment

A. - A.3. …

B. After its receipt and review by the LEDC staff, the completed application for the prospective fund participant will then be submitted to the next scheduled LEDC board meeting for its consideration of final approval.

C. - E.11.c. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1488 (June 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§8909. Application Process

A. - A.1.b. …

2. All applications received by LEDC will be reviewed by the LEDC staff; and the staff may request additional information beyond that which has been provided. After their receipt and review by the LEDC staff, the completed applications for prospective fund participants shall then be submitted to the next scheduled LEDC board meeting for its consideration of final approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1489 (June 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§8911. Investments

A. A qualified or eligible fund may receive an investment equal to $1 of LEDC funds for each $1 of funds privately raised by the applicant fund.

B. - F. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1489 (June 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§8913. Reporting

A. Upon closing of each investment, each venture capital fund that is the recipient of LEDC funds shall provide to LEDC the following information, including any other information required in accordance with U.S. Treasury program guidance:

A.1. - C. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1490 (June 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

Family Impact Statement

The proposed amendment of the 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 amendment of the Rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed amendment of the Rule is not anticipate to have a significant adverse impact on small businesses as described in R.S. 49:974.5.

Provider Impact Statement

The proposed amendment of the Rule is not anticipated to have an impact on providers of services as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons should submit written comments on the proposed Rules to Kelly Raney, Louisiana Economic Development, 100 North Street, 7th Floor, Baton Rouge, LA 70802 or via email to Kelly.Raney@la.gov. All comments must be received no later than close of business day, March 31, 2026.

Public Hearing

A meeting for the purpose of receiving the presentation of oral comments on the Notice of Intent will be held at 1:30 p.m. on April 2, 2026, in the LaBelle Conference Room at the LaSalle Building, 617 North 3rd Street, Baton Rouge, LA 70802. Individuals with disabilities who require special services should contact Dawn Thibodeaux at least two working days in advance of the hearing. For assistance, call 225.342.3740 (voice and TDD) or email dawn.thibodeaux@la.gov.

Anne G. Villa
Deputy Secretary/CFO

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Louisiana Seed Capital Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any direct material effect on governmental expenditures or savings to state or local governmental units. To the extent the removal of the $5 M investment cap in the proposed rules results in additional funds disbursed to small businesses, this may increase utilization of existing federal budget authority within Louisiana Economic Development (LED), as additional federal State Small Business Credit Initiative (SSBCI) funds from ARPA 2021 may be deployed to support small businesses through the Louisiana Seed Capital Program. However, any administrative duties

brought about by the proposed rule changes will be carried out utilizing existing staff and resources of LED.

The proposed rule change amends the Louisiana Seed Capital Program in an effort to increase the amount of investment capital deployed to small businesses. The proposed amendments align regulations with U.S. Treasury guidelines, the agency's mission, and further align with the Office of the Governor Executive Order No. 25-038.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed amendments are not anticipated to materially affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Venture capital organizations, start-ups, and early-stage businesses participating in the program may be affected by the proposed action. The proposed amendment to the rule removed and clarified regulations for participation in the investment program. Program participants are expected to benefit as the proposed rule changes are anticipated to increase the amount of investment capital deployed to small businesses as seed capital.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Start-ups and early-stage businesses benefiting from the program are anticipated to gain a competitive advantage over other businesses that do not receive investment from this program.

Anne G. Villa, CFO	Alan M. Boxberger
Deputy Secretary	Legislative Fiscal Officer
2602#049	Legislative Fiscal Office

NOTICE OF INTENT

Louisiana Economic Development
Office of Economic Development
and
Louisiana Economic Development Corporation

Micro Loan Program (LAC 19:VII.Chapter 76)

Louisiana Economic Development, Office of Economic Development, and Louisiana Economic Development Corporation authorized by and pursuant to the provision of the Administrative Procedure Act, R.S. 49:950 et seq., LA R.S. 36:104, 36:108, and 51:2312 hereby gives notice of their intent to amend certain rules for the administration of the Micro Lending Program (MLP).

In accordance with the Office of Governor Executive Order No. JML 25-038, LED reviewed and evaluated the MLP Program Rules and proposes amendment to better align regulations with the U.S. Treasury guidelines and the agency's mission.

Title 19
CORPORATION AND BUSINESS
Part VII. Louisiana Economic Development Corporation
Subpart 9. Micro Loan Program
Chapter 76. SSCBI Micro Lending Program ARPA 2021

§7601. Purpose

A. …

B. Through the American Rescue Plan Act of 2021, which reauthorized the State Small Business Initiative (SSBCI), the U.S. Congress has appropriated funds to be allocated and disbursed to the states that have created programs to increase the amount of capital made available by private lenders to small businesses, and the State of Louisiana has been approved to receive and disburse SSBCI funds within the SSBCI Program. Louisiana Economic Development (LED), which will be working with and through LEDC, has been designated to provide services for the SSBCI, including the Micro Lending Program (MLP), which by a Program Participation Agreement previously entered into, between LEDC and a participating Lender makes additional capital available for eligible loans.

C. The LEDC will utilize SSBCI funds to increase access to credit and capital funding to further assist small businesses statewide, to expand loan capabilities to a broader range of businesses statewide, to direct a greater concentration to those small businesses, and to reach, identify and promote small business growth in low and moderate income communities, in minority communities, in other underserved communities, and to small businesses owned by socially and economically disadvantaged individuals across our state.

D. By partnering with Louisiana CDFIs and other qualifying lenders who share a similar mission driven focus consistent with the purpose of this program, LEDC will provide funding to participating CDFIs, and other qualifying lenders having been approved as a participating lender, for the purpose of making direct loans to small businesses meeting the SSBCI criteria as outlined in the Micro Lending Program's Participation Agreement.

E. Interested small businesses will be referred to participating Lenders for loan qualification purposes. Participating Lenders will apply to LEDC for acceptance to enroll a loan or line of credit under the Program on behalf of their qualified small business borrowers. Participating Lenders are responsible for their own credit underwriting decisions and originating the loans. LEDC's responsibility is: to ensure compliance with the Micro Lending Program requirements; ensure compliance with the SSBCI requirements as directed by Treasury, as well as participation in the program; and to report to the U.S. Treasury.

F. In considering acceptance of the loans presented to LEDC through Lenders having agreed to participate in the Micro Lending Program, the Corporation will consider sound business purpose loans and lines of credit, so long as SSBCI resources permit. The board of directors of the corporation recognizes that loan participations carry certain risks and are willing to undertake reasonable exposure.

G. LEDC will monitor the program, including the repayment progress of borrowers, as well as the servicing performance of participating lenders, in order to ensure successful outcomes in the form of program utilization and eventual securing of funds for these groups.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1479 (June 2022), LR 48:1920 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§7603. Definitions

A. - B. …

* * *

Confessions of Judgment—a clause with a contract between a lender and borrow, permitting a lender to enforce a debt and obtain a court judgment without a trial.

Double-dipping fees—occurs when a lender issues new credit to refinance prior credit without forgiving a portion of the fee already paid resulting in the borrower paying a fee on top of a fee.

Eligible Loan—a loan or line of credit commitment made by the lender to the borrower which meets the established SSBCI criteria and complies with the Micro Lending Program requirements and U.S. Treasury requirements.

* * *

LED—Louisiana Economic Development, formerly Department of Economic Development.

* * *

Micro Lending Participation Agreement—also referred to herein as the Program Participation Agreement*;* the executed agreement between LEDC and a participating Lender specifying participation terms, loan parameters and other conditions for program compliance.

Micro Lending Program (MLP)—an Other Credit Support OSCP Program (OCSP) approved by U.S. Treasury which is the subject of this Chapter.

Micro Loans—short-term, low-interest rate loans originated under the Micro Lending Program. Loan limits are determined by LEDC and stated in the program participation agreement.

* * *

Prepayment fees—also referred to as Prepayment penalty, fee imposed upon the borrower when all or part of a loan is paid before the scheduled loan term ends.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1480 (June 2022), LR 48:1921 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§7605. Application Process

A. - C.2. …

3. submit executed lender and borrower assurances, certifications and information reasonably required by the corporation and related to the loan to be enrolled. The loan shall be deemed enrolled in the SSBCI Micro Lending Program at such time as the program enrollment application is accepted, in writing, by LEDC.

D. The following micro lending program submission and review policies shall be followed.

1. A completed Louisiana Economic Development Corporation Micro Lending Program enrollment application form along with information identified by LEDC as appropriate must be submitted to LEDC prior to any loan closing.

2. The participating lender is expected to use its best efforts to provide small Louisiana businesses and SEDI with maximum practicable opportunity to participate in the micro lending program.

3. The borrower's completed micro lending program enrollment application packet must be submitted by the Lender to LEDC and include:

4. Borrower's completed LED micro lending program enrollment application and related information and materials.

5. The participating lender shall submit to LEDC its complete analysis and evaluation, proposed loan structure, and commitment letter to the borrower. LEDC staff may do its own review and evaluation of the enrollment application packet. The participating lender shall submit to LEDC the same pertinent data that it submitted to the lending institution's loan committee, whatever pertinent data the lending institution can legally supply.

6. Businesses applying for consideration as a SEDI owned business will have to self-certify under conditions in Paragraphs a - c as noted above in §7603 under SEDI-owned business definition.

7. Lender and borrower signed assurances and certifications as required by Treasury at the time of application for enrollment.

8. LEDC staff will review the enrollment application for completeness and compliance requirements as required by U.S. Treasury under the SSBCI program and then approve and accept as an enrolled loan or disapprove and reject the enrollment application, if the dollar amount of the loan is within its board approved authority, or make recommendations to the board committees and to the board for approval and acceptance as an enrolled loan or disapproval and rejection under the micro lending program.

9. The LEDC's board screening committee, the board's other designated committee, or the board itself, may review only the completed enrollment applications and related materials submitted by LEDC staff and may approve and accept as an enrolled loan or disapprove and deny applications for enrollment under the program within the committee's authority as established by the LEDC board, or board committees will make recommendation to the LEDC board for its decision.

10. The applicant/borrower or their designated representative(s), and the loan officer or a representative of the lender may be required to attend the LEDC's board of directors meeting wherein the program enrollment application will be considered by the board.

11. LEDC's board of directors, the board screening committee, or the board's other designated committee that has considered the enrollment application within its authority may approve or deny such enrollment applications, except for those loans which shall be within the staff's authority to approve and accept for enrollment or disapprove, as established by the LEDC board; the staff shall have the final approval of acceptance as an enrolled loan under the program or disapproval and denial authority, unless the board overrules the staff's decision.

12. The LEDC staff will report to the board monthly those loans accepted for enrollment under the program.

13. Loans originated by participating community development financial institutions (CDFIs), or other participating lenders, under the micro lending program must qualify under the SSBCI treasury guidance. Lenders interested in participating under the program must first gain

approval by LEDC. CDFIs, and other participating lenders, will reference their internal credit policies to underwrite the loan for acceptable terms and structure. The lender is responsible for all loan closing documentation.

14. LEDC staff will email the Lender written notice that the enrollment application has been approved and accepted as an enrolled loan under the micro lending program.

E. Loan Purpose Requirements and Prohibitions. In addition to the application process provisions provided in the Section mentioned in the above subparagraph A, in connection with each loan to be enrolled under this Chapter the lender shall also be responsible for obtaining and providing to LEDC with the lender's enrollment application an assurance from each borrower stating that the loan proceeds shall not be used for any impermissible purpose under the SSBCI Program. And additionally, each lender must also obtain and provide to LEDC with its enrollment application under this Chapter an assurance from the borrower affirming:

1. The loan proceeds must be used for an eligible business purpose. An eligible business purpose includes, but is not limited to, start-up costs, working capital, business procurement, franchise fees, equipment, inventory, as well as the purchase, construction renovation or tenant improvements of an eligible place of business that is not for passive real estate investment purposes. The definition of business purpose excludes activities that relate to acquiring or holding passive investments such as commercial real estate ownership, the purchase of securities; and lobbying activities as defined in Section 3 (7) of the Lobbying Disclosure Act of 1995, P.L. 104-65, as amended.

2. The loan proceeds will not be used to:

a. repay a delinquent federal or state income taxes unless the borrower has a payment plan in place with the relevant taxing authority; or

b. repay taxes held in trust or escrow, e.g. payroll or sales taxes; or

c. reimburse funds owed to any owner, including any equity injection or injection of capital for the business' continuance; or

d. purchase any portion of the ownership interest of any owner of the business.

3. The borrower is not:

a. an executive officer, director, or principal shareholder of the financial institution lender; or

b. a member of the immediate family of an executive officer, director, or principal shareholder of the financial institution lenders; or

c. a related interest of such executive officer, director, principal shareholder, or member of the immediate family.

NOTE: For the purposes of these three borrower restrictions, the terms *executive officer, director, principal shareholder, immediate family,* and *related interest* refer to the same relationship to a financial institution lender as the relationship described in part 215 of title 12 of the Code of Federal Regulations, or any successor to such part.)

4. The borrower is not:

a. a business engaged in speculative activities that develop profits from fluctuations in price rather than through normal course of trade, such as wildcatting for oil, investments in stock market and dealing in commodities futures, unless those activities are incidental to the regular activities of the business and part of a legitimate risk management strategy to guard against price fluctuations related to the regular activities of the business; or

NOTE: (Note: Permissible borrowers include state-designated charitable, religious, or other non-profit or eleemosynary institutions, government-owned corporations, consumer and marketing cooperatives, and faith-based organizations provided the loan is for a *business purpose* as defined above.)

b. a business that earns more than half of its annual net revenue from lending activities; unless the business is a non-bank or non-bank holding company certified as a community development financial institution; or

c. a business engaged in pyramid sales, where a participant's primary incentive is based on the sales made by an ever-increasing number of participants; or

d. a business engaged in activities that are prohibited by federal law or applicable law in the jurisdiction where the business is located or conducted. (Included in these activities is the production, servicing, or distribution of otherwise legal products that are to be used in connection with an illegal activity, such as selling drug paraphernalia or operating a motel that knowingly permits illegal prostitution); this category of business includes direct and indirect marijuana businesses, as defined in SBA Standard Operating Procedures 50 10 6; or

e. a business engaged in gambling enterprises, unless the business earns less than 33 percent of its annual net revenue from lottery sales.

f. The corporation shall not knowingly accept any enrollment applications under the Micro Lending Program if the applicant/borrower has presently pending, at the federal, state, or local level, any proceeding concerning denial or revocation of a necessary license or permit or any legal proceeding involving a criminal violation other than misdemeanor traffic violations. Nor should they accept any enrollment applications under the micro lending program if the applicant/borrower or his/her/its principal management has a criminal record showing convictions for any criminal violations other than misdemeanor traffic violations in which the applicant has not been reinstated into society.

5. No principal of the borrowing entity has been convicted of a sex offense against a minor (as such terms are defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911)). For the purposes of this certification, "principal" is defined as "if a sole proprietorship, the proprietor; if a partnership, each managing partner and each partner who is a natural person and holds a 20 percent or more ownership interest in the partnership; and if a corporation, limited liability company, association or a development company, each director, each of the five most highly compensated executives or officers of the entity, and each natural person who is a direct or indirect holder of 20 percent or more of the ownership stock or stock equivalent of the entity."

F. The lender must also provide to LEDC with its enrollment application, in connection with each loan to be enrolled under this Chapter, an assurance affirming:

1. The loan has not been made in order to place under the protection of the approved state Capital Access Program (CAP) prior debt that is not covered under the approved state CAP and that is or was owed by the borrower to the lender or to an affiliate of the lender.

2. The loan is not a refinancing or a loan previously made to that borrower by the lender or an affiliate of the lender.

3. No principal of the lender has been convicted of a sex offense against a minor (as such terms are defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911)). For the purposes of this certification, *principal* is defined as if a sole proprietorship, the proprietor; if a partnership, each partner; if a corporation, limited liability company, association or a development company, each director, each of the five most highly compensated executives, officers, or employees of the entity, and each direct or indirect holder of 20 percent or more of the ownership stock or stock equivalent of the entity.

4. The corporation shall not knowingly accept any enrollment applications under the Micro Lending Program if the applicant/borrower has presently pending, at the federal, state, or local level, any proceeding concerning denial or revocation of a necessary license or permit or any legal proceeding involving a criminal violation other than misdemeanor traffic violations. Nor should they accept enrollment applications under the Micro Lending Program if the applicant/borrower or his/her/its principal management has a criminal record showing convictions for any criminal violations other than misdemeanor traffic violations in which the applicant has not been reinstated into society.

5. The borrower business structure is a for-profit corporation, partnership, limited liability company, limited liability partnership, joint venture, cooperative, non-profit entity with an eligible business purpose as defined above or other entity which is registered and authorized to conduct business in the state of Louisiana that maintain an office in Louisiana. The borrower business structure is a sole proprietor qualified to do business in Louisiana that maintains an office in Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1481 (June 2022), LR 48:1922 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§7607. Eligibility/ Ineligibility for Participation in This Program

A. This Program is for loans (including lines of credit) for an eligible business purpose to eligible borrowers doing business in Louisiana having 100 employees or less at the time the loan is enrolled in this program. An *eligible business purpose* includes but is not limited to: start-up costs; working capital; business procurement; franchise fees; and acquisition of equipment, inventory, or services used in the production, manufacturing, or delivery of a business's goods or services, or the purchase, construction, renovation, or tenant improvements of an eligible place of business that is not for passive real estate investment purposes. The definition of *eligible business purpose* excludes activities that relate to acquiring or holding passive investments such as commercial real estate ownership for investment or leasing; the purchase of securities; and lobbying activities as defined in Section 3 (7) of the Lobbying Disclosure Act of 1995, P.L. 104-65, as amended.

B. - D.2. …

3. small businesses owned by socially and economically disadvantaged individuals (SEDI) that meet the SEDI definition above;

4. small business concerns as defined above for size purposes.

E. - F.16. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1483 (June 2022), LR 48:1923 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§7609. General Loan Provisions

A. …

1. The lender shall not knowingly approve any loan if the applicant has any presently pending or outstanding claim or liability relating to the failure or inability to pay promissory notes or other evidence of indebtedness, including state or federal taxes, or bankruptcy proceeding. However, Louisiana Economic Development Corporation (LEDC) may review and determine, on a case-by-case basis, whether the nature, status, or materiality of such indebtedness or liabilities warrants eligibility under this program. Such determinations by LEDC shall be final.

2. The lender shall not approve any loan if the applicant has presently pending, at the federal, state, or local level, any proceeding concerning the denial or revocation of a necessary license or permit. However, Louisiana Economic Development Corporation (LEDC) may review and determine, on a case-by-case basis, that the pending action does not materially affect the applicant's eligibility or the soundness of the loan. Such determinations by LEDC shall be final.

3. The terms or conditions imposed and made part of any enrolled loan authorized by vote of the corporation board shall not be amended or altered by any member of the board or employee of Louisiana Economic Development except by subsequent vote of approval to accept the changes of said enrolled loan by the board, its board screening committee or other designated committees at the next meeting of the board or committee in open session with full explanation for such action.

B. Loan amounts under this program are intended to be smaller in size and shall be listed in the Micro Lending Agreement.

C. …

1. On all loans or lines of credits under this chapter, at the time obligation and throughout the duration of the loan, including default rates, the interest rate is to be negotiated between the lender and borrower, but shall not exceed the National Credit Union Administration's (NCUA) interest rate ceiling for loans made by federal credit unions as described in 12 U.S.C. §1757(A)(vi)(I) and set by the NCUA board. Further, on all loans or lines of credits, the interest rate shall not exceed the lesser interest rate of either; the National Credit Union Administration (NCUA) interest rate ceiling, that

established by the Federal Credit Union Act (FCUA), that established by the Office of the Comptroller of the Currency (OCC), or applicable state legislation that may be enacted.

D. - G. …

1. LEDC may charge an application fee of up to $150, unless the board of directors, the board's designated committee, or LEDC staff waives the application fee.

2. …

3. Repealed.

H. Lender Fees

1. Lender fees shall be capped at $500 for loans less than $25,000 or may charge a program fee up to 2 percent for loans greater than $25,000.

2. Lender fees shall not include prepayment penalties nor double dipping fees.

I. Use of Funds

1. Purchase of fixed assets, including buildings that will be occupied by the applicant to the extent of at least 51 percent.

2. Purchase of equipment, machinery, or inventory.

3. Line of credit for accounts receivable or inventory.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1484 (June 2022), LR 48:1925 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§7611. General Agreement Provisions

A. - A.3. …

4. The lender shall not include within loan documents and/or exercise any rights or privileges of confessions of judgment, through executory process or otherwise; and shall further waive and relinquish any rights or procedural advantages related to a confession of judgment.

A.5. - B.1. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1485 (June 2022), LR 48:1925 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§7615. Conflict of Interest

A. No member of the corporation, employee thereof, or employee of Louisiana Economic Development, members of their immediate families shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the corporation for any matter, cause, or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such corporation. If any contract or agreement shall be made in violation of the provisions of this Section the same shall be null and void and no action shall be maintained thereon against the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1485 (June 2022), LR 48:1926 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§7617. Guidelines

A. The Louisiana Economic Development Corporation (LEDC), or Louisiana Economic Development (LED), as the administrator of this program for LEDC, may make, create, or issue from time to time guidelines interpreting, construing, explaining and/or supplementing these rules; and may revise, supplement, or otherwise change or modify the guidelines at any time with or without notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1485 (June 2022), LR 48:1926 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

Family Impact Statement

The proposed amendment of the 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 amendment of the Rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed amendment of the Rule is not anticipate to have a significant adverse impact on small businesses as described in R.S. 49:974.5.

Provider Impact Statement

The proposed amendment of the Rule is not anticipated to have an impact on providers of services as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons should submit written comments on the proposed Rules to Shamelda Pete, Louisiana Economic Development, 100 North Street, 7th Floor, Baton Rouge, LA 70802 or via email to Shamelda.Pete@LA.GOV. All comments must be received no later than close of business day, March 31, 2026.

Public Hearing

A meeting for the purpose of receiving the presentation of oral comments on the Notice of Intent will be held at 1:30 p.m. on April 2, 2026, in the LaBelle Conference Room at the LaSalle Building, 617 North 3rd Street, Baton Rouge, LA 70802. Individuals with disabilities who require special services should contact Dawn Thibodeaux at least two working days in advance of the hearing. For assistance, call 225.342.3740 (voice and TDD) or email dawn.thibodeaux@la.gov.

Anne G. Villa
Deputy Secretary/CFO

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Micro Loan Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any direct material effect on governmental expenditures or savings to state or local governmental units. To the extent the removal of the $100,000 lending cap in the proposed rules results in

additional funds lent to small businesses, this may increase utilization of existing federal budget authority within Louisiana Economic Development (LED), as additional federal State Small Business Credit Initiative (SSBCI) funds from ARPA 2021 may be deployed to support small businesses through the Micro Loan Program. However, any administrative duties brought about by the proposed rule changes will be carried out utilizing the existing staff and resources of LED. LED indicates the program has historically waived the application fees for program participants. However, should application fees be collected in the future, those fees would be utilized to assist with funding the program.

The proposed rule change amends the Micro Loan Program in an effort increase the size of micro loans issued to small businesses. The proposed amendments align regulations with U.S. Treasury guidelines, the agency's mission, and further align with the Office of the Governor Executive Order No. 25-038.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed amendments are not anticipated to materially affect revenue collections for state or local governmental units. While the proposed rules increase the application fee for the program from a flat $100 fee to a potential fee of up to $150, a program fee of $500 for loans less than $25,000 or 2% for loans greater than $25,000 is eliminated. The application fee is capable of being waived for the program and continues to be mandatorily waived for socially and economically disadvantaged individual (SEDI) owned businesses and very small businesses (VSB) applications. LED indicates the program has historically waived application fees and program fees for participants. However, the ability to collect application fees for certain applicants remains in the proposed rules.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Applicants/borrowers, small businesses, and lenders participating in the program will be affected by the proposed rules. The proposed amendment to the rules removed and changed regulations for lending institutions and the use of funds for applicants/borrowers. To the extent these amendments increase the size of micro loans issued to small businesses, program participants may receive additional benefits. Additionally, the proposed rules increase the maximum amount of an application fee that may be charged to applicants and eliminate the $500 program fee for loans under $25,000 or 2% fee for loans over $25,000. However, the proposed rules continue to allow the fee to be waived and mandate that the fee be waived for SEDI owned businesses and VSB applications.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Small businesses benefiting from the program are anticipated to gain a competitive advantage over other businesses that do not receive the program's benefits.

Anne G. Villa	Alan M. Boxberger
Deputy Secretary/CFO	Legislative Fiscal Officer
2602#048	Legislative Fiscal Office

NOTICE OF INTENT

Louisiana Economic Development
Office of Economic Development
and
Louisiana Economic Development Corporation

Small Business Loan Guaranty Program
(LAC19:VII.Chapter 5)

Louisiana Economic Development, Office of Economic Development, and Louisiana Economic Development Corporation authorized by and pursuant to the provision of the Administrative Procedure Act, R.S. 49:950 et seq., R.S. 36:104, 36:108, and 51:2312 hereby gives notice of their intent to amend certain rules for the administration of the Small Business Loan and Guaranty Program (SBLGP).

In accordance with the Office of Governor Executive Order No. JML 25-038, LED reviewed and evaluated the SBLGP Program Rules and proposes amendment to better align regulations with the U.S. Treasury guidelines and the agency's mission.

Title 19
CORPORATION AND BUSINESS
Part VII. Louisiana Economic Development Corporation
Subpart 1. Small Business Loan Guaranty Program (SBLGP)
Chapter 5. SSCBI Loan Guaranty ARPA 2021

§501. Purpose

A. - B. …

C. - D. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1472 (June 2022), LR 48:1926 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§503. Definitions

A. - B. …

* * *

Double-Dipping Fees—occurs when a lender issues new credit to refinance prior credit without forgiving a portion of the fee already paid resulting in the borrower paying a fee on top of a fee.

* * *

LED—Louisiana Economic Development, formerly Louisiana Department of Economic Development.

* * *

Loan—the temporary provision of money or funds for a business purpose, usually for a limited term and requiring the payment of interest along with the repayment of the loaned funds. As used herein, the word loan includes a line of credit loan guarantee, and term loan guarantee.

* * *

Loan Guaranty Agreement—the executed agreement between LEDC and a participating Lender specifying participation terms, loan parameters and other conditions for program compliance.

Loan Participation—Repealed.

* * *

Prepayment Fees—also referred to as Prepayment penalty, fee imposed upon the borrower when all or part of a loan is paid before the scheduled loan term ends.

Small and Emerging Business—a Louisiana business certified as a Small and Emerging Business (SEB) by Louisiana Economic Development's Small Business Services.

* * *

Socially and Economically Disadvantaged Individual (SEDI) Owned Business—(for the purposes of this program).

a. business enterprises that certify that they are owned and controlled by individuals who have had their access to credit on reasonable terms diminished as compared to others in comparable economic circumstances, due to their:

a.i. - c. …

d. business enterprises that are located in CDFI Investment Areas, as defined in prevailing federal guidelines issued by the U.S. Treasury.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1473 (June 2022), LR 48:1927 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§505. Application Process

A. Any applicant/borrower(s) applying for either a line of credit guarantee or loan guaranty will be required first to contact a financial lending institution (a bank or other commercial lending entity) that is willing to entertain, originate, process and service such a loan or line of credit with the prospect of a guaranty, and the lender will then contact LEDC for qualification and shall submit a complete application to LEDC for review and approval. The financial institution shall also be responsible for obtaining assurances of eligibility from each borrower.

B. …

C. Loan Purpose Requirements and Prohibitions. In addition to the application process provisions provided in the Section mentioned in the above Subsection A, in connection with each loan to be enrolled under this Chapter 5 program the financial institution lender shall also be responsible for obtaining and providing to LEDC with the lender's application an assurance from each borrower stating that the loan proceeds shall not be used for any impermissible purpose under the SSBCI program. And additionally, each financial institution lender must also obtain and provide to LEDC with its application under this Chapter 5 program an assurance from the borrower affirming:

1. The loan proceeds must be used for an eligible business purpose. An eligible business purpose includes, but is not limited to, start-up costs, working capital, business procurement, franchise fees, equipment, inventory, as well as the purchase, construction renovation or tenant improvements of an eligible place of business that is not for passive real estate investment purposes. The definition of business purpose excludes activities that relate to acquiring or holding passive investments such as commercial real estate ownership, the purchase of securities; and lobbying activities as defined in Section 3 (7) of the Lobbying Disclosure Act of 1995, P.L. 104-65, as amended.

C.2. - D.1. …

2. the loan is not a refinancing of a loan previously made to that borrower by the financial institution lender or an affiliate of the financial institution lender; and

D.3. - E.10. …

11. the applicant/borrower or the lending institution will be notified by mail or email of the outcome of the application process; and

12. an LEDC commitment letter, including LEDC's terms, and any stipulations or requirements, will be mailed or e-mailed by LEDC staff to the lending institution by the LEDC Board or its committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1474 (June 2022), LR 48:1928 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§507. Eligibility/Ineligibility for Participation in This Program

A. - A.1.b. …

c. disabled person's business enterprises authorized to do and doing business in Louisiana, that maintain an office in Louisiana; and

d. in connection with the business purpose for the requested loan, for loans less than $100,000, small business shall create or retain at least one full-time job; and, for loans greater than $100,000, small business shall create or retain at least two full-time jobs, as directed and approved by LEDC.

A.2. - B.1. …

2. Any loan supported in this Program shall not exceed a principal amount of $5,000,000;

3. Any credit extended through this Program shall not exceed a principal amount of $ 20,000,000; and

4. Small Business Administration (SBA) guaranteed loans shall not be purchased through this program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1476 (June 2022), LR 48:1930 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§509. General Loan Guaranty and Loan Participation Provisions

A. The Louisiana Economic Development Corporation will be guided by the following general principles in approving loan guaranties or line of credit guaranties.

1. …

2. The corporation shall not knowingly approve any loan guarantee or line of credit guarantee if the applicant/borrower has presently pending or outstanding any claim or liability relating to failure or inability to pay promissory notes or other evidence of indebtedness, state or

federal taxes, or a bankruptcy proceeding. Louisiana Economic Development Corporation (LEDC) may review and determine, on a case-by-case basis, whether the nature, status, or materiality of such indebtedness or liabilities warrants eligibility under this program. Such determinations by LEDC shall be final.

3. The corporation shall not approve any loan, line of credit, or loan guarantee if the applicant/borrower has presently pending, at the federal, state, or local level, any proceeding concerning denial or revocation of a necessary license or permit, unless LEDC determines, on a case-by-case basis, that the pending action does not materially affect the applicant's eligibility or the soundness of the loan.

4. The corporation shall not approve any loan, line of credit, or loan guarantee if the applicant/borrower has presently pending any legal proceeding involving a criminal violation other than misdemeanor traffic violations. Further, the corporation shall not approve any loan guarantee or line of credit guarantee if the applicant/ borrower or his/her/its principal management has a criminal record showing convictions for any criminal violations other than misdemeanor traffic violations, in which the applicant/borrower or his/hers/its principal management has not been reinstated into society

5. The terms or conditions imposed and made part of any loan guarantee or line of credit guarantee authorized by vote of the corporation board, its board screening committee or its other designated committee shall not be amended or altered by any member of the board or employee of Louisiana Economic Development except by subsequent vote of approval by the board, its board screening committee or other designated committee at the next meeting of the board or committee in open session with full explanation for such action.

6. Each financial institution lender shall be required to have a meaningful amount of its own capital resources at risk in each small business loan included in this program. Such lenders shall bear at least 20 percent or more of the loss from a small business loan default.

7. The corporation shall not subordinate its position to other creditors.

B. …

1. On all loans or lines of credit guarantees, the interest rate is for each individual loan, may not exceed the National Credit Union Administration's (NCUA) interest rate ceiling for loans made by federal credit unions as described in 12 U.S.C. § 1757(A)(vi)(I) and set by the NCUA board. Further, on all loan or line of credit guarantees, the interest rate is to be negotiated between the borrower and the lender, but shall not exceed the lesser interest rate of either; the National Credit Union Administration's (NCUA) interest rate ceiling, that established by the Federal Credit Union Act (FCUA), that established by the Office of Comptroller of the Currency (OCC), or applicable State legislation that may be enacted.

C. - C. 1. …

2. Types of *Equity*:

a. cash;

b. paid-in capital;

c. paid-in surplus and retained earnings; or

d. partnership capital and retained earnings.

3. No research, development expense nor intangibles of any kind will be considered equity.

D. Collateral

1. The value of the collateral shall be no less than the guaranteed portion of the loan.

2. The value of the collateral required for certified small and emerging businesses loans may be up to 80 percent.

3. The collateral position may be negotiated, but it shall be no less than a sole second position.

4. Collateral Value Determination

a. The appraiser must be certified by a recognized organization in the area of the collateral.

b. The appraisal cannot be more than 90 days old, except for real estate loans, which cannot not be more than 6 months old.

5. Acceptable collateral may include, but shall not be limited to, the following:

a. fixed assets—business real estate, buildings, fixtures;

b. equipment, machinery, inventory;

c. accounts receivable with supporting aging schedule; but not to exceed 80 percent of receivable value (to be used with personal guarantee only).

6. Unacceptable collateral may include, but shall not be limited to the following:

a. stock in applicant/borrower company and/or related companies;

b. personal items or borrower's primary residence; and

c. intangibles; to include but not limited to, digital currency such as cryptocurrency and non-fungible tokens (NFTs).

7. Personal guarantees may be offered but will not count towards the value of the collateral; if to be used, a signed and dated personal financial statements of the guarantors must also be submitted to LEDC.

E. Limit on the Amount of LEDC's Guarantee

1. The corporation's loan guarantee shall be no greater than 80 percent of a loan not to exceed a guaranty amount of $1,500,000.

F. Terms

1. Maturity, collateral, and other loan terms shall be negotiated between the borrower and the applicant/lending institution, and the LEDC shall have an opportunity to approve the terms of such loans prior to the closing; but guaranty term periods with regard to various types of loan guaranties shall be limited as follows:

a. for revolving lines of credit (RLOC) guarantee term periods may extend for up to and not exceed 3 years.

b. for equipment term loans guarantee term periods may extend for up to and not exceed 5 years.

c. for real estate term loans guarantee term periods may extend for up to and shall not exceed 7 years.

G. LEDC Program Fees

1. LEDC may charge a guaranty fee not to exceed a maximum amount of 2 percent of the guaranteed loan amount, except that:

a. the guaranty program fee will be automatically waived for SEDI and SEB small business types; or

b. unless the board, the board screening committee or other designated committee waives the guaranty program fee.

2. LEDC may charge an application fee of up to $150, unless the board of directors, the board's designated committee, or LEDC staff waives the application fee.

H. Lender Fees

1. Lender fees shall be limited to that allowed under the United States Treasury SSBCI Capital Program Guidance. Lender fees shall be capped at $500 for loans less than $25,000 or may charge a program fee up to 2 percent for loans greater than $25,000.

2. Lender fees shall not include prepayment penalties nor double dipping fees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1477 (June 2022), LR 48:1931 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§511. General Guaranty Agreement Provisions

A. - A.3. …

4. The guarantee will cover the unpaid principal amount owed only.

5. Delinquency will be defined according to the lender's normal lending policy and all remedies will be outlined in the guarantee agreement. Notification of delinquency will be made to the corporation in writing by submitting a completed, signed and dated SBLGP banker loan status monthly report within ten business days after the end of each month as stated in the guaranty agreement.

B. General Loan Provisions

1. …

2. Should liquidation through foreclosure occur, the lender will sell the collateral and handle the legal proceedings and absorb all expenses associated with these activities.

3. The lender is able to set its rate according to risk, and may blend its rate with the LEDC rate to yield a lower overall rate to a project.

4. Delinquency will be defined according to the lender's normal lending policy and all remedies will be outlined in the guaranty agreement. Notification of delinquency will be made to the corporation in writing by submitting a completed, signed and dated SBLGP banker loan status monthly report within ten business days after the end of the month/reporting period.

C. - C.2. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1478 (June 2022), LR 48:1931 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§515. Conflict of Interest

A. No member of the corporation, employee thereof, or employee of Louisiana Economic Development, or members of their immediate families shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the corporation for any matter, cause, or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such corporation. If any contract or agreement shall be made in violation of the provisions of this Section, the same shall be null and void, and no action shall be maintained thereon against the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1478 (June 2022), LR 48:1932 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

§517. Guidelines

A. The Louisiana Economic Development Corporation (LEDC), or Louisiana Economic Development, as the administrator of this program for LEDC, may make, create, or issue from time to time guidelines interpreting, construing, explaining and/or supplementing these rules; and may revise, supplement, or otherwise change or modify the guidelines at any time with or without notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, 36:108 and 51:2312

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development and the Louisiana Economic Development Corporation, LR 48:1479 (June 2022), LR 48:1932 (July 2022), amended by Louisiana Economic Development, Office of Economic Development and the Louisiana Economic Development Corporation, LR 52:

Family Impact Statement

The proposed amendment of the 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 amendment of the Rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed amendment of the Rule is not anticipate to have a significant adverse impact on small businesses as described in R.S. 49:974.5.

Provider Impact Statement

The proposed amendment of the Rule is not anticipated to have an impact on providers of services as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons should submit written comments on the proposed Rules to Shamelda Pete, Louisiana Economic Development, 100 North Street, 7th Floor, Baton Rouge, LA 70802 or via email to Shamelda.Pete@LA.GOV. All comments must be received no later than close of business day, March 31, 2026.

Public Hearing

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Anne G. Villa
Deputy Secretary/CFO

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Small Business Loan Guaranty Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any direct material effect on governmental expenditures or savings to state or local governmental units. To the extent the removal of the 750 job limit for credit support in the proposed rules results in additional credit extended to small businesses, this may increase utilization of existing federal budget authority within Louisiana Economic Development (LED), as additional federal State Small Business Credit Initiative (SSBCI) funds from ARPA 2021 may be deployed to support small businesses through the SSBCI Loan Guaranty Program. However, any administrative duties brought about by the proposed rule changes will be carried out utilizing the existing staff and resources of LA Economic Development (LED).

The proposed rule change amends the Small Business Loan Guaranty Program in an effort to extend additional credit to small businesses. The proposed amendments align the regulations with U.S. Treasury guidelines, the agency's mission, and further align with Title 19, Part VII, as required by the Office of the Governor Executive Order No. 25-038.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed amendments are not anticipated to materially affect revenue collections for state or local governmental units. While the proposed rules introduce an application fee for the program of up to $150, certain provisions of the amendments relax restrictions related to the 2 percent program fee collected. The guaranty fee and the application fee are capable of being waived for the program, and the guaranty fee continues to be mandatorily waived for socially and economically disadvantaged individual (SEDI) owned businesses and very small businesses (VSB).

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Applicants/borrowers, small businesses, and lenders participating in the program will be affected by the proposed action. The proposed amendment to the rule removed and changed certain regulations for lending institutions and the use of funds for applicants/borrowers. To the extent these amendments extend additional credit to small businesses, program participants may receive additional benefits. Additionally, the proposed rules introduce an optional application fee for the program of up to $150, and certain provisions of the amendments relax restrictions related to the 2 percent program fee collected. However, the proposed rules continue to allow the guaranty fee to be waived and mandate that the fee be waived for SEDI owned businesses and VSBs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Small businesses benefiting from the program are anticipated to gain a competitive advantage over other businesses that do not receive the program's benefits.

Anne G. Villa, CFO
Deputy Secretary
2602#047

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Louisiana Economic Development
Office of Economic Development

Motion Picture Production Tax Credit Program
(LAC 61:I.Chapter 61)

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 44 of the 2025 Regular Legislative Session, hereby provide notice of their intent to promulgate rules to be used by LED in administration of the Motion Picture Production Tax Credit Program.

Title 61
REVENUE AND TAXATION
Part I. Taxes Collected and Administered by the Secretary of Revenue
Chapter 61. Motion Picture Production Tax Credit Program
Subchapter A. Program Rules for Projects with Applications Received on or After July 1, 2017 and prior to July 1, 2025

§6103. General Description

A. For application received on or after July 1, 2017 and prior to July 1, 2025, state-certified productions may be eligible for up to a 40 percent tax credit on total qualified in-state expenditures, including resident and non-labor as follows:

A.1. - 3. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1125.1., R.S. 47:6007

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development and the Office of the Governor, Division of Administration, LR 36:53 (January 2010), repromulgated by the Department of Economic Development, Office of Business Development, LR 45:868 (July 2019), amended LR 48:1494 (June 2022), LR 48:1915 (July 2022, amended by Louisiana Economic Development, Office of Economic Development, LR 52:

§6105. Definitions

A. - B. …

* * *

Office—means the Office of Entertainment Industry Development until July 1, 2025, and thereafter means the office of economic development in Louisiana Economic Development.

* * *

Program Issuance Cap—for applications submitted on or after July 1, 2017 and prior to July 1, 2023, the office may issue no more than $150,000,000 in tax credits ("total cap") in any fiscal year, with $7,500,000 reserved for qualified entertainment companies ("QEC cap"), $7,500,000 reserved for Louisiana screenplay productions ("LA screenplay cap"), $15,000,000 reserved for independent film productions ("independent film cap"), with the remaining $120,000,000 available for general allocation to any state certified production ("general cap"); for applications received on or after July 1, 2023 but prior to July 1, 2025, the office may issue no more than $150,000,000 in tax credits in any fiscal year.

* * *

Secretary—Secretary of Louisiana Economic Development.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6007.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development and the Office of the Governor, Division of Administration, LR 36:53 (January 2010), amended by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development, LR 43:300 (February 2017), LR 43:2102 (November 2017), repromulgated by the Department of Economic Development, Office of Business Development, LR 45:869 (July 2019), amended by the Department of Economic Development, Office of Entertainment Industry Development, LR 46:179 (February 2020), LR 48:1495 (June 2022), LR 48:1915 (July 2022), LR 49:2089 (December 2023), amended by Louisiana Economic Development, Office of Economic Development, LR 52:

§6107. Certification Procedures

A. - C.1.b.ii. …

c. Project-Based Production Tax Credit—for Applications Submitted on or after July 1, 2023 but prior to July 1, 2025.

C.1.c.i. - C.5.c.i. …

6. Duration of Effect—for Applications Submitted on or after July 1, 2023 but prior to July 1, 2025

C.6.a. - D.3.b.iii. …

c. Project-Based Production Credit—for Applications Submitted on or after July 1, 2023 but prior to July 1, 2025.

D.3.c.i. - D.4.f.iii. …

iv. If the total amount of released credits available for re-issuance is less than the total amount of requested credits, the department shall issue credits to all qualified applicants on a first come, first served basis, as determined by the completion notification date, except that legacy credit projects with tax credit reservations that have expired or been released in accordance with the provisions of §6107 ("late requests"), shall receive priority funding over legacy credit projects seeking tax credits in an earlier fiscal year than their reservation ("early requests"). Any requests that cannot be paid in full will remain eligible for payment at a later date, subject to availability of released credits.

E. - E.2.e. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6007 and R.S. 36:104.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development and the Office of the Governor, Division of Administration, LR 36:55 (January 2010), amended by the Department of Economic Development, Office of the Secretary, Office of Business Development and the Louisiana Economic Development Corporation, LR 37:514 (February 2011), amended by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development, LR 42:39 (January 2016), amended by the Department of Economic Development, Office of Entertainment Industry Development, LR 43:2102 (November 2017), repromulgated LR 43:2473 (December 2017), repromulgated by the Department of Economic Development, Office of Business Development, LR 45:871 (July 2019), amended by the Department of Economic Development, Office of Entertainment Industry Development, LR 46:179 (February 2020), LR 48:1496 (June 2022), LR 48:1916 (July 2022), LR 49:2089 (December 2023), amended by Louisiana Economic Development, Office of Economic Development, LR 52:

§6109. Additional Program Provisions

A. The following additional provisions shall apply to applications received on or after July 1, 2017 but prior to July 1, 2025:

1. LED program issuance cap.

a. For applications for state-certified productions and qualified entertainment companies submitted on or after July 1, 2017, but prior to July 1, 2023, the total amount of all tax credits granted in a final certification letter by the department in any fiscal year shall not exceed one hundred fifty million dollars. Twenty percent of the annual program cap shall be reserved as follows: five percent for qualified entertainment companies, five percent for Louisiana screenplay productions, and ten percent for independent film productions. If the total amount of credits applied for in any particular year exceeds the aggregate amount of tax credits allowed for that year, the excess shall be treated as having been applied for on the first day of the subsequent year.

b. For applications for state-certified productions and qualified entertainment companies submitted on or after July 1, 2023, but prior to July 1, 2025, the total amount of all tax credits granted in a final certification letter by the department in any fiscal year shall not exceed one hundred fifty million dollars. If the total amount of credits applied for in any particular year exceeds the aggregate amount of tax credits allowed for that year, the excess shall be treated as having been applied for on the first day of the subsequent year.

2. LED individual project issuance cap. The maximum amount of credits certified by LED for a single state-certified production shall be $20,000,000, which may be structured over two or more years in the initial certification letter;

a. Except for state-certified productions for scripted episodic content that may be granted up to $25,000,000 in credits per season.

3. LED individual salary cap. The maximum amount of qualifying payroll expenditures per individual shall be $3,000,000. Payroll payments in excess of $3,000,000 made directly or indirectly to an individual or loan-out shall be excluded.

B. LDR Taxpayer Claims Cap.

1. Beginning July 1, 2017 through June 30, 2025, tax credit claims and transfers to the Department of Revenue ("state buy-back") shall be limited to an aggregate total of $180,000,000 each fiscal year.

2. Beginning July 1, 2025, tax credit claims and transfers to the Department of Revenue ("state buy-back") shall be limited to an aggregate total of $125,000,000 each fiscal year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1125.1., 47:6007

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development and the Office of the Governor, Division of Administration, LR 36:56 (January 2010), repromulgated by the Department of Economic Development, Office of Business Development, LR 45:874 (July 2019), amended LR 48:1496 (June 2022), amended by Louisiana Economic Development, Office of Economic Development, LR 52:

§6113. Application of the Tax Credit

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6007.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development and the Office of the Governor, Division of Administration, LR 36:57 (January 2010), amended by the Department of Economic Development, Office of the Secretary, Office of Business Development, and the Louisiana Economic Development Corporation, LR 37:515 (February 2011), repromulgated by the Department of Economic Development, Office of Business Development, LR 45:876 (July 2019), repealed by Louisiana Economic Development, Office of Economic Development, LR 52:

§6119. Louisiana Promotional Graphic

A. - A.3. …

B. For applications for state-certified productions received on or after July 1, 2023 but prior to July 1, 2025 at time of request for final certification, state certified productions shall be required to acknowledge the financial assistance of the state of Louisiana as follows:

B.1. - B.3. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6007

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development, LR 42:1656 (October 2016), repromulgated by the Department of Economic Development, Office of Business Development, LR 45:878 (July 2019), LR 48:1497 (June 2022), amended LR 48:1917 (July 2022), LR 49:2091 (December 2023), amended by Louisiana Economic Development, Office of Economic Development, LR 52:

Subchapter B. Program Rules for Projects with applications received on or after July 1, 2025

§6121. Purpose

A. The purpose of this Sub-Chapter is to implement the Motion Picture Production Tax Credit Program, in accordance with R.S. 47:6007, as amended by Act 44 of the 2025 Regular Legislative Session.

B. This Sub-Chapter shall be administered to achieve the following purposes:

1. To support the state's commitment to the motion picture production industry; and

2. To support industry sectors and goals identified in Louisiana Economic Development's strategic plan, as may be amended from time to time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6123. General Description

A. For applications for state-certified productions or Qualified Entertainment Companies approved by the office on or after July 1, 2025, there is hereby authorized a tax credit of up to 40 percent for approved projects.

B. The program provisions outlined in Subchapter A shall apply to projects with applications received on or after July 1, 2025, but before the effective date of the provisions outlined in this Subchapter B, except that:

1. the total amount of all tax credits granted in a final certification letter by Louisiana Economic Development in any fiscal year shall not exceed $125,000,000;

2. beginning July 1, 2025, tax credit claims and transfers to the Department of Revenue ("state buy-back") shall be limited to an aggregate total of $125,000,000 each fiscal year; and

3. in exceptional circumstances, for good cause shown, LED may enter into long term agreements that support motion picture production industry initiatives determined by the secretary to be in the best interest of the state.

C. The program provisions outlined in this Subchapter B shall apply to projects with applications received after their effective date, which is contingent upon final rule promulgation and approval of the rules by the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6125. Definitions.

A. Terms not otherwise defined in this Chapter shall have the same meaning given to them in R.S. 47:6007, 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.

Base Investment—cash or cash equivalent investment made and used for production expenditures in the state for a state-certified production.

Cost Report of Production Expenditures—a report of production expenditures formatted in accordance with LED accounting guidelines, which may be issued with initial certification, posted on LED's website or otherwise communicated by LED to applicant in writing.

Expenditure—actual payment of cash or cash equivalent, paid by or on behalf of a state certified production exchanged for goods or services, as evidenced by an invoice, receipt or other such document.

LDR—Louisiana Department of Revenue

LED—Louisiana Economic Development

Office—the Office of Economic Development in Louisiana Economic Development.

Procurement Company—any person or entity that purchases, leases or otherwise obtains goods or services from sources outside of the state, for the ultimate use, benefit or enjoyment of a state-certified production company.

Resident or Resident of Louisiana—a natural person who is required to file a Louisiana resident individual income tax return.

Secretary—Secretary of Louisiana Economic Development.

State-Certified Production—a production approved by the office which is produced by a motion picture production company domiciled and headquartered in Louisiana and which has a viable multi-market commercial distribution plan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6127. General Principles

A. The following general principles will direct the administration of the program.

1. Awards are not 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 program, and in all such circumstances, the exercise of that discretion shall be deemed to be a final determination of the applicant's program 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 program shall not also receive rebates provided for under the Quality Jobs Program as provided for in R.S. 51:2451 through 2461.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6129. General Program Description

A. For applications received on or after July 1, 2025, state certified productions with a base investment equal to or greater than $150,000 may be eligible for a tax credit, in a varying percentage amount up to 40 percent.

B. At the invitation of the secretary, Qualified Entertainment Companies may be eligible for an award of tax credits, on terms and conditions as negotiated and approved by the secretary.

C. Applicants shall be required to acknowledge the financial assistance of the state of Louisiana through the inclusion of a Louisiana promotional graphic, in a form, manner and placement as approved by LED.

D. To ensure fair and transparent use of tax credits allocated for this program, sole proprietorships shall be considered ineligible for QEC program participation, and small companies seeking to hire individuals closely connected to the business owner may be subject to heightened scrutiny.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6131. Application Procedure

A. 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. For film productions:

a. working title of the production. Should the title change, the state-certified production needs to inform the office as soon as that change is made;

b. name of the requesting production company;

c. name, telephone number, e-mail address and attesting signature of the requesting production company's contact person;

d. approximate beginning and ending date of production in Louisiana;

e. Louisiana office address;

f. telephone number of requesting company's Louisiana office address;

g. estimated total production-related costs of production;

h. estimated total amount of production- related costs to be expended in Louisiana;

i. estimated total payroll to be paid by the requesting production company to Louisiana residents employed by the requesting production company in connection with the production;

j. a preliminary budget including the estimated Louisiana payroll and estimated in-state investment

k. a copy of script (including synopsis) will be made available to LED;

l. list of principal creative elements such as principal cast, producer, and director; and

m. facts sufficient for the office to determine that the requesting production company:

(i) is a motion picture production company as defined in R.S. 47:6007(B)(6);

(ii) is domiciled and headquartered in Louisiana; and

(iii) has either a viable multi market distribution plan or a signed distribution agreement with either a major theatrical exhibitor, television network or cable television programmer for distribution of the production.

2. For QEC's, at the invitation of the secretary:

a. business name;

b. contact person and their title;

c. business physical address;

d. business phone number and email address;

e. brief description of the nature of the business;

f. number of existing employees;

g. number of proposed new jobs;

h. Secretary of State registration;

i. 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.

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. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6133. Selection Criteria

A. It is the intent of the Louisiana Legislature that the benefits provided in this program should be used primarily to support the state's commitment to the motion picture production industry.

B. LED shall consider various discretionary factors when determining which applications will be approved, and at what applicable credit percentage. Among the factors which may be taken into consideration are the following;

1. use of Louisiana soundstages;
2. the extent and duration of in-state production activity;
3. employment of Louisiana resident in key creative roles;
4. prominent placement of a Louisiana logo, with placement and logo details as approved by LED;
5. workforce development, career training, or educational initiatives;
6. product placement of Louisiana based products;
7. other marketing opportunities as negotiated and agreed to by LED;
8. disbursing of funding statewide;
9. availability of funding; and
10. best interests of the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6135. LED Action—Approval, Denial and Appeal Provisions

A. In the event LED determines that an applicant is eligible, funding is available and approval would be appropriate, the estimated total tax credit amount, the credit percentage and any applicable terms and conditions will be issued by LED as follows:

1. An approved state certified film production will be issued an initial certification letter.
2. An approved qualified entertainment company (QEC) will be issued a contract.

B. In the event an application is denied, in whole or part, LED shall issue a written denial, specifying the basis for denial.

C. Appeal Process. In the event that a request for initial or final certification or a request for tax credits is denied:

1. LED shall promptly provide written notice of such denial to the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means;
2. The applicant may appeal as follows:
   a. an applicant may appeal within 30 days from receipt of a denial. Receipt will be conclusively presumed from the sending of the denial by electronic mail to an address provided by the applicant or by a return receipt evidencing delivery by U.S. Postal Service or private carrier;
   b. the appeal is made by delivery of a written objection, with supporting documentation to the secretary;
   c. within 30 days of receipt of a timely appeal, the secretary (or their designee) will review the appeal, and issue a written determination. The secretary may extend the time for the determination for an additional 30 days. In the event the secretary fails to issue a determination within the required time, the appeal is deemed denied;
   d. the written determination shall be the final agency decision of LED;
   e. the applicant may appeal an adverse decision to the Nineteenth Judicial District Court, which shall be limited to a review of the administrative record.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6137. Production Expenditures

A. Eligible expenditures are limited to the costs directly and immediately related to the physical production of the motion picture within the state, as verified by a Louisiana CPA and documented in an expenditure verification report.

B. Unless otherwise approved by the Secretary, the following categories of expenditures shall be deemed ineligible for inclusion in calculating the base investment eligible for tax credits:

1. expenditures for marketing and distribution;
2. non-production related overhead;
3. related party transactions;
4. insurance premiums and any associated administrative or processing costs;
5. payments made to procurement companies or similar intermediary entities;
6. airfare;
7. finance fees;
8. real estate purchases;
9. payments made to parties that share in profit participation;
10. state and local taxes;
11. fees submitted in connection with participation in the program;

C. Nothing in this section shall preclude the secretary from issuing additional guidance or interpretations with respect to eligible or ineligible production expenditures or applying further criteria as may be appropriate for compliance and oversight.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6139. Request for Tax Credits

A. An approved state certified production with an executed initial certification letter, or a qualified entertainment 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, and submit any additional information as may be requested, including but not limited to evidence of public acknowledgement for the financial assistance of the state of Louisiana.
2. For state certified productions, requests shall be submitted no later than six months after the expiration of the approved initial certification period, as set forth in the initial certification letter, or as otherwise approved by the secretary;
3. For qualified entertainment companies, requests may be submitted after at least twelve months of qualifying payroll activity, but no later than six months after the expiration of the contract term, in accordance with the contract terms and conditions.
4. Upon completion, independent CPA shall submit the expenditure verification report to LED and the applicant, and a final invoice for accounting services rendered.

5. Company shall be refunded any amount in excess of its advance deposit or notified of any final amount due for accounting services.

6. 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 issue tax credits to the company in the form of a Final Tax Credit Certification Letter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6141. Irrevocable Designee: Non-transferable; Exception for transfer to LDR

A. State certified productions may elect to name a bank or other lender as an irrevocable designee, in the initial certification letter or other document approved by LED and submitted to LED prior to tax credit issuance. The potential irrevocable designee must be listed as a source of funding in the expenditure verification report.

B. LED shall issue tax credits to only one named taxpayer, the approved state certified production company, the approved Qualified Entertainment Company, or its singular approved irrevocable designee on file with LED at the time of tax credit issuance.

1. Any revision, reissuance or exception request to be submitted in writing.

2. LED's determination granting or denying the request shall be issued in writing.

C. Motion picture tax credits may not be transferred or sold to another taxpayer, except as provided for in Subparagraph D of this Section.

D. Motion picture tax credits may be transferred to the Department of Revenue (LDR), otherwise known informally as the state buy-back option, at an amount recognized and in accordance with the requirements of La. R.S. 47:6007, or as otherwise directed by LDR.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR 52:

§6143. Delinquent tax filing clearance requirement

A. No motion picture production tax credit may be earned, certified, issued to, transferred by, or used to reduce a Louisiana tax liability if there exists a delinquent federal, state or local tax obligation.

B. Compliance with this requirement shall now be certified by the motion picture production company, irrevocable designee, taxpayer, or claimant before any credit may be certified, transferred, or sold.

C. The prohibition in this Section shall not apply to any tax liability which has been properly protested or appealed by the motion picture production company, pursuant to La. R.S. 47:1561 et. seq.

D. The prohibition in this Section shall remain in effect until all delinquent returns have been filed and delinquent taxes have been paid and until a Notice of Cancellation or equivalent form is properly filed and recorded to cancel all federal, state, or local tax obligations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, LR.

§6145. Non-performance, Return of Benefits, Disallowance and Recapture of Credits

A. If a taxpayer receives a tax credit pursuant to this Motion Picture Production Tax Credit Program and it is subsequently determined that it did not qualify for the benefit then: (i) future payments shall be reduced by the amount wrongfully received by the taxpayer; or, (ii) If there are no future payments due from which to deduct the amount owed, the secretary of the Department of Revenue may recover any monies wrongfully obtained, pursuant to the provisions of La. R.S. 47:6007 (E) or any other collection remedy authorized by law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 47:6007.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Office of Economic Development, 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 described in R.S. 49:973.

Small Business Analysis

The proposed Rule is 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 the proposed rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons should submit written comments on the proposed Rules to Amanda Hafford through the close of business on Tuesday, March 31, 2026 at Louisiana Economic Development, 100 North Street, 9th Floor, Baton Rouge, LA 70802 or via email to Amanda.Hafford@la.gov.

Public Hearing

A meeting for the purpose of receiving the presentation of oral comments will be held at 10 a.m. on Wednesday, April 1, 2026 in the Griffon Conference Room at the LaSalle Building, 617 North 3rd Street, Baton Rouge, LA 70802.

Anne G. Villa
Deputy Secretary/CFO

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Motion Picture Production Tax Credit Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any direct material effect on governmental expenditures or savings for state or local governmental units. The proposed amendments

better align the rules with current statutory provisions as required by Act 44 of the 2025 Regular Session. Any administrative duties brought about by the proposed rule change will be carried out utilizing existing staff and resources at the Louisiana Economic Development (LED).

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Because the rule revisions occur under the auspices of the statutory credit issuance and claims caps, aggregate revenue for the state is not anticipated to be materially affected. The proposed rule change updates provisions for program applicants on or after July 1, 2025. Consistent with Act 44 of the 2025 Regular Session, LED will award credits by applying discretionary factors when considering which applications to approve and the amount and percentage rate of credits. However, issuance activity continues to operate under a cap of $125 M each fiscal year. Furthermore, film tax credit claims with the Louisiana Department of Revenue (LDR) are capped at $125 M each fiscal year.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rules for the program are anticipated to directly benefit applicants that prioritize employment of Louisiana residents, utilization of local production infrastructure, and generation of in-state spending. These businesses will be subject to compliance requirements, but these requirements should not be significant and should be outweighed by the benefits received. Applicants that do not prioritize in-state spending may receive an indeterminable decrease in expected tax credits. Firms that are eligible for film tax credits may realize a reduction in tax liabilities to the extent they qualify for the credit.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Companies receiving benefits under this program will gain competitively over companies that do not receive the program's benefits.

Anne G. Villa	Alan M. Boxberger
Deputy Secretary/CFO	Legislative Fiscal Officer
2602#046	Legislative Fiscal Office

NOTICE OF INTENT

Department of Revenue
Tax Policy and Planning Division

Election of Pass-Through Entities (LAC 61:I.1001)

Under the authority of R.S. 47:1511, 287.732.2, 300.6, and 300.7, 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.1001. The amendment changes the requirement that an individual or fiduciary income taxpayer with an ownership interest in an entity making the pass-through entity election submit a pro forma Federal Form 1040, 1041 or NPR Worksheet of the Louisiana Form IT-540B. Under the proposed Rule, these forms would only be required upon the department's request.

The purpose of this proposed Rule is to simplify and streamline the pass-through election procedure for shareholders of S corporations, and partners and members of other entities taxed as partnerships for federal income tax purposes, by clarifying and reducing documentation requirements related to calculating the amount a taxpayer may exclude from taxable income based upon their ownership interest in an electing entity.

Title 61
REVENUE AND TAXATION
Part I. Taxes Collected and Administered by the Secretary of Revenue
Chapter 10. Income: Pass-Through Entities
§1001. Election of Pass-Through Entities

A. Louisiana Revised Statute 47:287.732.2, allows S corporations, and other entities taxed as partnerships for federal income tax purposes, to make an election to be taxed in the same manner as if the entity was required to file a tax return with the Internal Revenue Service as a C corporation.

1. - 2.c. Repealed.

B. - B.2. …

a. a resolution signed by the secretary of the corporation or equivalent officer or manager verifying that more than one-half of the ownership interest in the entity based upon capital account balances approved the election, or

B.2.b. - B.3.a.i. …

ii. federal returns for the entity for the preceding three taxable years if applicable, including federal Schedules K-1 and pass-through or disregarded entity forms such as Schedules C, E, and F;

iii. - iv. …

4. Any entity that files a composite partnership return pursuant to R.S. 47:201.1 is prohibited from making the election.

5. …

a. Repealed.

B.5.b. - C. …

1. Each entity making the election shall file Louisiana Form CIT-620, *Corporation Income Return,* for the applicable taxable year for which the election was made and all taxable years thereafter unless the election is terminated.

2. Each entity making the election and filing the Louisiana Form CIT-620 with all supporting documentation as required by the Department shall be required to file the return electronically in accordance with LAC 61:III.1505. Failure to comply with the electronic filing requirement of this section will result in the assessment of a penalty as provided for in R.S. 47:1520(B).

3. The following documents shall be attached to the Louisiana Form CIT-620 when filed:

a. Federal Schedules K-1 as actually issued to the owners of the entity for the taxable year as well as Louisiana Form R-6981, *Statement of Owner's Share of Entity Level Tax Items*, reflecting any income that remains taxable to the entity's owners in Louisiana after the election such as dividends and interest; and

C.3.b. - 4. …

a. Taxpayers with an ownership interest in an entity making the election shall make a modification to exclude the net income subject to tax or net loss used to compute the entity's corporate income tax liability, as reported on the corporation income tax return filed by the entity, as follows:

i. - ii. …

b. The modification shall be made for all income or loss of the entity that was included by the individual or fiduciary owners in the calculation of federal adjusted gross income or federal taxable income, respectively, but which is being taxed at the entity level for Louisiana income tax

purposes after the election is made. In no event shall the total income subject to Louisiana income tax be any less or more than the income that would have been subject to Louisiana income tax if the election had not been made.

c. …

d. For calculation purposes, individual or fiduciary income taxpayers with an ownership interest in an entity making the election shall submit a copy of Form R-6981, Louisiana Statement of Owner's Share of Entity Level Tax Items. Except as provided in Subparagraph e of this Paragraph, the exclusion amount shall be equal to the total of the "Amounts Taxed at the Entity Level," as reported on Form R-6981.

e. If it is determined that Form R-6981 does not result in an accurate account of income taxable in Louisiana, the Department may request a pro forma Federal Form 1040 or 1041, or in the case of a nonresident, a pro forma NPR Worksheet of the Louisiana Form IT-540B that excludes any income, deductions or other tax items that were included in the calculation of Louisiana net income on the entity's Louisiana Form CIT-620.

f. 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).

C.5. - D.3.b. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.732.2, 300.6, 300.7, and 1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 46:43 (January 2020), amended by the Department of Revenue, Policy Services Division, LR 48:2991 (December 2022), amended by the Department of Revenue, Tax Policy and Planning Division, LR:50:407 (March 2024), amended LR 50:1859 (December 2024), 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, by email to morgan.newton@la.gov. All comments must be received no later than 4 p.m., Tuesday, March, 24, 2026.

Public Hearing

Interested persons may submit a written request for a public hearing no later than March 10, 2026, at 4:30 p.m. Requests may be submitted via email to morgan.newton@la.gov and reference Election of Pass-Through Entities. 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 Wednesday, March 25, 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 or by phone at (225) 219-2780.

Jarrod Coniglio
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Election of Pass-Through Entities

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 to other state or local governmental units.

The proposed rule change is intended to simplify and streamline the pass-through entity (PTE) election procedure for shareholders of S corporations, and partners and members of other entities taxed as partnerships for federal income tax purposes, by clarifying and reducing the information and documentation required to be provided by taxpayers claiming the pass-through entity exclusion. The proposed rules reserve LDR the option, under particular circumstances, to request certain documentation that is no longer required.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to materially impact revenue collections of the state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

No material costs or economic benefits to directly affected persons, small businesses, or nongovernmental groups are anticipated due to this proposed rule change. No material impact on receipts and/or income of affected persons is anticipated due to this proposal. This proposed rule change will impact entities that make the pass-through entity election pursuant to LA R.S. 47:287.732.2. While the proposed rules reduce the required documentation necessary for certain taxpayers making the election, the documentation may be requested by LDR under certain circumstances.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Brandea Averett
Deputy Secretary
2602#034

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Revenue
Tax Policy and Planning Division

Income Tax Withholding Tables
(LAC 61:I.1501)

Under the authority of R.S. 47:32, 112, 295, 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, hereby proposes to amend LAC 61:I.1501 relative to individual income tax withholding tables and formulas. The primary purpose of this proposed amendment is to update the withholding tables and formulas to reflect the annual inflation adjustment to the standard deduction, as required by R.S. 47:294(B). For purposes of the 2026 withholding tables and formulas, the Department used a standard deduction of $12,875 for single and married-filing-separate taxpayers, and $25,750 for married-filing-jointly, qualifying surviving spouse, and head-of-household taxpayers. These amounts are based on the Consumer Price Index for All Urban Consumers (CPI-U) data available as of December 1, 2025. The final standard deduction amounts allowed on 2026 income tax returns may differ slightly based on CPI-U data released in January 2026.

This proposed amendment will allow the Secretary to effectively administer the updated withholding tables and formulas for tax year 2026.

Title 61
REVENUE AND TAXATION
Part I. Taxes Collected and Administered by the Secretary of Revenue
Chapter 15. Income: Withholding Tax
§1501. Income Tax Withholding Tables

A. - C.1. ….

a. Filers utilizing a filing status of Single Individual or Married-Separate are allowed a standard deduction in the amount of $12,875.00;

b. ….

2. Withholding Tables-Effective on or after January 1, 2026:

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	10.00	0.15	0.00	0.00
10.01	12.00	0.34	0.00	0.00
12.01	14.00	0.40	0.00	0.00
14.01	16.00	0.46	0.00	0.00
16.01	18.00	0.53	0.00	0.00
18.01	20.00	0.59	0.00	0.00
20.01	22.00	0.65	0.00	0.00
22.01	24.00	0.71	0.00	0.00
24.01	26.00	0.77	0.00	0.00
26.01	28.00	0.83	0.00	0.00
28.01	30.00	0.90	0.00	0.00
30.01	32.00	0.96	0.00	0.00
32.01	34.00	1.02	0.00	0.00
34.01	36.00	1.08	0.00	0.00
36.01	38.00	1.14	0.00	0.00
38.01	40.00	1.21	0.00	0.00
40.01	42.00	1.27	0.00	0.00
42.01	44.00	1.33	0.00	0.00
44.01	46.00	1.39	0.00	0.00
46.01	48.00	1.45	0.00	0.00
48.01	50.00	1.51	0.00	0.00
50.01	52.00	1.58	0.05	0.00
52.01	54.00	1.64	0.11	0.00
54.01	56.00	1.70	0.17	0.00
56.01	58.00	1.76	0.23	0.00
58.01	60.00	1.82	0.29	0.00
60.01	62.00	1.88	0.35	0.00
62.01	64.00	1.95	0.42	0.00
64.01	66.00	2.01	0.48	0.00
66.01	68.00	2.07	0.54	0.00
68.01	70.00	2.13	0.60	0.00
70.01	72.00	2.19	0.66	0.00
72.01	74.00	2.26	0.73	0.00
74.01	76.00	2.32	0.79	0.00
76.01	78.00	2.38	0.85	0.00
78.01	80.00	2.44	0.91	0.00
80.01	82.00	2.50	0.97	0.00
82.01	84.00	2.56	1.03	0.00
84.01	86.00	2.63	1.10	0.00
86.01	88.00	2.69	1.16	0.00
88.01	90.00	2.75	1.22	0.00
90.01	92.00	2.81	1.28	0.00
92.01	94.00	2.87	1.34	0.00

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
94.01	96.00	2.94	1.41	0.00
96.01	98.00	3.00	1.47	0.00
98.01	100.00	3.06	1.53	0.00
100.01	102.00	3.12	1.59	0.06
102.01	104.00	3.18	1.65	0.12
104.01	106.00	3.24	1.71	0.18
106.01	108.00	3.31	1.78	0.25
108.01	110.00	3.37	1.84	0.31
110.01	112.00	3.43	1.90	0.37
112.01	114.00	3.49	1.96	0.43
114.01	116.00	3.55	2.02	0.49
116.01	118.00	3.62	2.09	0.56
118.01	120.00	3.68	2.15	0.62
120.01	122.00	3.74	2.21	0.68
122.01	124.00	3.80	2.27	0.74
124.01	126.00	3.86	2.33	0.80
126.01	128.00	3.92	2.39	0.86
128.01	130.00	3.99	2.46	0.93
130.01	132.00	4.05	2.52	0.99
132.01	134.00	4.11	2.58	1.05
134.01	136.00	4.17	2.64	1.11
136.01	138.00	4.23	2.70	1.17
138.01	140.00	4.30	2.76	1.23
140.01	142.00	4.36	2.83	1.30
142.01	144.00	4.42	2.89	1.36
144.01	146.00	4.48	2.95	1.42
146.01	148.00	4.54	3.01	1.48
148.01	150.00	4.60	3.07	1.54
150.01	152.00	4.67	3.14	1.61
152.01	154.00	4.73	3.20	1.67
154.01	156.00	4.79	3.26	1.73
156.01	158.00	4.85	3.32	1.79
158.01	160.00	4.91	3.38	1.85
160.01	162.00	4.97	3.44	1.91
162.01	164.00	5.04	3.51	1.98
164.01	166.00	5.10	3.57	2.04
166.01	168.00	5.16	3.63	2.10
168.01	170.00	5.22	3.69	2.16
170.01	172.00	5.28	3.75	2.22
172.01	174.00	5.35	3.82	2.29
174.01	176.00	5.41	3.88	2.35
176.01	178.00	5.47	3.94	2.41
178.01	180.00	5.53	4.00	2.47
180.01	182.00	5.59	4.06	2.53
182.01	184.00	5.65	4.12	2.59
184.01	186.00	5.72	4.19	2.66
186.01	188.00	5.78	4.25	2.72
188.01	190.00	5.84	4.31	2.78
190.01	192.00	5.90	4.37	2.84

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
192.01	194.00	5.96	4.43	2.90
194.01	196.00	6.03	4.50	2.97
196.01	198.00	6.09	4.56	3.03
198.01	200.00	6.15	4.62	3.09
200.01	202.00	6.21	4.68	3.15
202.01	204.00	6.27	4.74	3.21
204.01	206.00	6.33	4.80	3.27
206.01	208.00	6.40	4.87	3.34
208.01	210.00	6.46	4.93	3.40
210.01	212.00	6.52	4.99	3.46
212.01	214.00	6.58	5.05	3.52
214.01	216.00	6.64	5.11	3.58
216.01	218.00	6.71	5.18	3.65
218.01	220.00	6.77	5.24	3.71
220.01	222.00	6.83	5.30	3.77
222.01	224.00	6.89	5.36	3.83
224.01	226.00	6.95	5.42	3.89
226.01	228.00	7.01	5.48	3.95
228.01	230.00	7.08	5.55	4.02
230.01	232.00	7.14	5.61	4.08
232.01	234.00	7.20	5.67	4.14
234.01	236.00	7.26	5.73	4.20
236.01	238.00	7.32	5.79	4.26
238.01	240.00	7.39	5.85	4.32
240.01	242.00	7.45	5.92	4.39
242.01	244.00	7.51	5.98	4.45
244.01	246.00	7.57	6.04	4.51
246.01	248.00	7.63	6.10	4.57
248.01	250.00	7.69	6.16	4.63
250.01	252.00	7.76	6.23	4.70
252.01	254.00	7.82	6.29	4.76
254.01	256.00	7.88	6.35	4.82
256.01	258.00	7.94	6.41	4.88
258.01	260.00	8.00	6.47	4.94
260.01	262.00	8.06	6.53	5.00
262.01	264.00	8.13	6.60	5.07
264.01	266.00	8.19	6.66	5.13
266.01	268.00	8.25	6.72	5.19
268.01	270.00	8.31	6.78	5.25
270.01	272.00	8.37	6.84	5.31
272.01	274.00	8.44	6.91	5.38
274.01	276.00	8.50	6.97	5.44
276.01	278.00	8.56	7.03	5.50
278.01	280.00	8.62	7.09	5.56
280.01	282.00	8.68	7.15	5.62
282.01	284.00	8.74	7.21	5.68
284.01	286.00	8.81	7.28	5.75
286.01	288.00	8.87	7.34	5.81
288.01	290.00	8.93	7.40	5.87

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
290.01	292.00	8.99	7.46	5.93
292.01	294.00	9.05	7.52	5.99
294.01	296.00	9.12	7.59	6.06
296.01	298.00	9.18	7.65	6.12
298.01	300.00	9.24	7.71	6.18
300.01	302.00	9.30	7.77	6.24
302.01	304.00	9.36	7.83	6.30
304.01	306.00	9.42	7.89	6.36
306.01	308.00	9.49	7.96	6.43
308.01	310.00	9.55	8.02	6.49
310.01	312.00	9.61	8.08	6.55
312.01	314.00	9.67	8.14	6.61
314.01	316.00	9.73	8.20	6.67
316.01	318.00	9.80	8.27	6.74
318.01	320.00	9.86	8.33	6.80
320.01	322.00	9.92	8.39	6.86
322.01	324.00	9.98	8.45	6.92
324.01	326.00	10.04	8.51	6.98
326.01	328.00	10.10	8.57	7.04
328.01	330.00	10.17	8.64	7.11
330.01	332.00	10.23	8.70	7.17
332.01	334.00	10.29	8.76	7.23
334.01	336.00	10.35	8.82	7.29
336.01	338.00	10.41	8.88	7.35
338.01	340.00	10.48	8.94	7.41
340.01	342.00	10.54	9.01	7.48
342.01	344.00	10.60	9.07	7.54
344.01	346.00	10.66	9.13	7.60
346.01	348.00	10.72	9.19	7.66
348.01	350.00	10.78	9.25	7.72
350.01	352.00	10.85	9.32	7.79
352.01	354.00	10.91	9.38	7.85
354.01	356.00	10.97	9.44	7.91
356.01	358.00	11.03	9.50	7.97
358.01	360.00	11.09	9.56	8.03
360.01	362.00	11.15	9.62	8.09
362.01	364.00	11.22	9.69	8.16
364.01	366.00	11.28	9.75	8.22
366.01	368.00	11.34	9.81	8.28
368.01	370.00	11.40	9.87	8.34
370.01	372.00	11.46	9.93	8.40
372.01	374.00	11.53	10.00	8.47
374.01	376.00	11.59	10.06	8.53
376.01	378.00	11.65	10.12	8.59
378.01	380.00	11.71	10.18	8.65
380.01	382.00	11.77	10.24	8.71
382.01	384.00	11.83	10.30	8.77
384.01	386.00	11.90	10.37	8.84
		(Add 3.09% for amounts in excess of $386)		

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	100.00	1.55	0.00	0.00
100.01	140.00	3.71	0.00	0.00
140.01	180.00	4.94	0.00	0.00
180.01	220.00	6.18	0.00	0.00
220.01	260.00	7.42	0.00	0.00
260.01	300.00	8.65	0.00	0.00
300.01	340.00	9.89	0.00	0.00
340.01	380.00	11.12	0.00	0.00
380.01	420.00	12.36	0.00	0.00
420.01	460.00	13.60	0.00	0.00
460.01	500.00	14.83	0.00	0.00
500.01	540.00	16.07	0.77	0.00
540.01	580.00	17.30	2.00	0.00
580.01	620.00	18.54	3.24	0.00
620.01	660.00	19.78	4.47	0.00
660.01	700.00	21.01	5.71	0.00
700.01	740.00	22.25	6.95	0.00
740.01	780.00	23.48	8.18	0.00
780.01	820.00	24.72	9.42	0.00
820.01	860.00	25.96	10.65	0.00
860.01	900.00	27.19	11.89	0.00
900.01	940.00	28.43	13.13	0.00
940.01	980.00	29.66	14.36	0.00
980.01	1,020.00	30.90	15.60	0.30
1,020.01	1,060.00	32.14	16.83	1.53
1,060.01	1,100.00	33.37	18.07	2.77
1,100.01	1,140.00	34.61	19.31	4.01
1,140.01	1,180.00	35.84	20.54	5.24
1,180.01	1,220.00	37.08	21.78	6.48
1,220.01	1,260.00	38.32	23.01	7.71
1,260.01	1,300.00	39.55	24.25	8.95
1,300.01	1,340.00	40.79	25.49	10.19
1,340.01	1,380.00	42.02	26.72	11.42
1,380.01	1,420.00	43.26	27.96	12.66
1,420.01	1,460.00	44.50	29.19	13.89
1,460.01	1,500.00	45.73	30.43	15.13
1,500.01	1,540.00	46.97	31.67	16.37
1,540.01	1,580.00	48.20	32.90	17.60
1,580.01	1,620.00	49.44	34.14	18.84
1,620.01	1,660.00	50.68	35.37	20.07
1,660.01	1,700.00	51.91	36.61	21.31
1,700.01	1,740.00	53.15	37.85	22.55
1,740.01	1,780.00	54.38	39.08	23.78
1,780.01	1,820.00	55.62	40.32	25.02
1,820.01	1,860.00	56.86	41.55	26.25
1,860.01	1,900.00	58.09	42.79	27.49
1,900.01	1,940.00	59.33	44.03	28.73
1,940.01	1,980.00	60.56	45.26	29.96
1,980.01	2,020.00	61.80	46.50	31.20

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
2,020.01	2,060.00	63.04	47.73	32.43
2,060.01	2,100.00	64.27	48.97	33.67
2,100.01	2,140.00	65.51	50.21	34.91
2,140.01	2,180.00	66.74	51.44	36.14
2,180.01	2,220.00	67.98	52.68	37.38
2,220.01	2,260.00	69.22	53.91	38.61
2,260.01	2,300.00	70.45	55.15	39.85
2,300.01	2,340.00	71.69	56.39	41.09
2,340.01	2,380.00	72.92	57.62	42.32
2,380.01	2,420.00	74.16	58.86	43.56
2,420.01	2,460.00	75.40	60.09	44.79
2,460.01	2,500.00	76.63	61.33	46.03
2,500.01	2,540.00	77.87	62.57	47.27
2,540.01	2,580.00	79.10	63.80	48.50
2,580.01	2,620.00	80.34	65.04	49.74
2,620.01	2,660.00	81.58	66.27	50.97
2,660.01	2,700.00	82.81	67.51	52.21
2,700.01	2,740.00	84.05	68.75	53.45
2,740.01	2,780.00	85.28	69.98	54.68
2,780.01	2,820.00	86.52	71.22	55.92
2,820.01	2,860.00	87.76	72.45	57.15
2,860.01	2,900.00	88.99	73.69	58.39
2,900.01	2,940.00	90.23	74.93	59.63
2,940.01	2,980.00	91.46	76.16	60.86
2,980.01	3,020.00	92.70	77.40	62.10
3,020.01	3,060.00	93.94	78.63	63.33
3,060.01	3,100.00	95.17	79.87	64.57
3,100.01	3,140.00	96.41	81.11	65.81
3,140.01	3,180.00	97.64	82.34	67.04
3,180.01	3,220.00	98.88	83.58	68.28
3,220.01	3,260.00	100.12	84.81	69.51
3,260.01	3,300.00	101.35	86.05	70.75
3,300.01	3,340.00	102.59	87.29	71.99
3,340.01	3,380.00	103.82	88.52	73.22
3,380.01	3,420.00	105.06	89.76	74.46
3,420.01	3,460.00	106.30	90.99	75.69
3,460.01	3,500.00	107.53	92.23	76.93
3,500.01	3,540.00	108.77	93.47	78.17
3,540.01	3,580.00	110.00	94.70	79.40
3,580.01	3,620.00	111.24	95.94	80.64
3,620.01	3,660.00	112.48	97.17	81.87
3,660.01	3,700.00	113.71	98.41	83.11
3,700.01	3,740.00	114.95	99.65	84.35
3,740.01	3,780.00	116.18	100.88	85.58
3,780.01	3,820.00	117.42	102.12	86.82
3,820.01	3,860.00	118.66	103.35	88.05
3,860.01	3,900.00	119.89	104.59	89.29
		(Add 3.09% for amounts in excess of $3,900)		

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
0.00	100.00	1.55	0.00	0.00
100.01	140.00	3.71	0.00	0.00
140.01	180.00	4.94	0.00	0.00
180.01	220.00	6.18	0.00	0.00
220.01	260.00	7.42	0.00	0.00
260.01	300.00	8.65	0.00	0.00
300.01	340.00	9.89	0.00	0.00
340.01	380.00	11.12	0.00	0.00
380.01	420.00	12.36	0.00	0.00
420.01	460.00	13.60	0.00	0.00
460.01	500.00	14.83	0.00	0.00
500.01	540.00	16.07	0.00	0.00
540.01	580.00	17.30	0.73	0.00
580.01	620.00	18.54	1.96	0.00
620.01	660.00	19.78	3.20	0.00
660.01	700.00	21.01	4.44	0.00
700.01	740.00	22.25	5.67	0.00
740.01	780.00	23.48	6.91	0.00
780.01	820.00	24.72	8.14	0.00
820.01	860.00	25.96	9.38	0.00
860.01	900.00	27.19	10.62	0.00
900.01	940.00	28.43	11.85	0.00
940.01	980.00	29.66	13.09	0.00
980.01	1,020.00	30.90	14.32	0.00
1,020.01	1,060.00	32.14	15.56	0.00
1,060.01	1,100.00	33.37	16.80	0.22
1,100.01	1,140.00	34.61	18.03	1.45
1,140.01	1,180.00	35.84	19.27	2.69
1,180.01	1,220.00	37.08	20.50	3.93
1,220.01	1,260.00	38.32	21.74	5.16
1,260.01	1,300.00	39.55	22.98	6.40
1,300.01	1,340.00	40.79	24.21	7.63
1,340.01	1,380.00	42.02	25.45	8.87
1,380.01	1,420.00	43.26	26.68	10.11
1,420.01	1,460.00	44.50	27.92	11.34
1,460.01	1,500.00	45.73	29.16	12.58
1,500.01	1,540.00	46.97	30.39	13.81
1,540.01	1,580.00	48.20	31.63	15.05
1,580.01	1,620.00	49.44	32.86	16.29
1,620.01	1,660.00	50.68	34.10	17.52
1,660.01	1,700.00	51.91	35.34	18.76
1,700.01	1,740.00	53.15	36.57	19.99
1,740.01	1,780.00	54.38	37.81	21.23
1,780.01	1,820.00	55.62	39.04	22.47
1,820.01	1,860.00	56.86	40.28	23.70
1,860.01	1,900.00	58.09	41.52	24.94
1,900.01	1,940.00	59.33	42.75	26.17
1,940.01	1,980.00	60.56	43.99	27.41
1,980.01	2,020.00	61.80	45.22	28.65
2,020.01	2,060.00	63.04	46.46	29.88

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
2,060.01	2,100.00	64.27	47.70	31.12
2,100.01	2,140.00	65.51	48.93	32.35
2,140.01	2,180.00	66.74	50.17	33.59
2,180.01	2,220.00	67.98	51.40	34.83
2,220.01	2,260.00	69.22	52.64	36.06
2,260.01	2,300.00	70.45	53.88	37.30
2,300.01	2,340.00	71.69	55.11	38.53
2,340.01	2,380.00	72.92	56.35	39.77
2,380.01	2,420.00	74.16	57.58	41.01
2,420.01	2,460.00	75.40	58.82	42.24
2,460.01	2,500.00	76.63	60.06	43.48
2,500.01	2,540.00	77.87	61.29	44.71
2,540.01	2,580.00	79.10	62.53	45.95
2,580.01	2,620.00	80.34	63.76	47.19
2,620.01	2,660.00	81.58	65.00	48.42
2,660.01	2,700.00	82.81	66.24	49.66
2,700.01	2,740.00	84.05	67.47	50.89
2,740.01	2,780.00	85.28	68.71	52.13
2,780.01	2,820.00	86.52	69.94	53.37
2,820.01	2,860.00	87.76	71.18	54.60
2,860.01	2,900.00	88.99	72.42	55.84
2,900.01	2,940.00	90.23	73.65	57.07
2,940.01	2,980.00	91.46	74.89	58.31
2,980.01	3,020.00	92.70	76.12	59.55
3,020.01	3,060.00	93.94	77.36	60.78
3,060.01	3,100.00	95.17	78.60	62.02
3,100.01	3,140.00	96.41	79.83	63.25
3,140.01	3,180.00	97.64	81.07	64.49
3,180.01	3,220.00	98.88	82.30	65.73
3,220.01	3,260.00	100.12	83.54	66.96
3,260.01	3,300.00	101.35	84.78	68.20
3,300.01	3,340.00	102.59	86.01	69.43
3,340.01	3,380.00	103.82	87.25	70.67
3,380.01	3,420.00	105.06	88.48	71.91
3,420.01	3,460.00	106.30	89.72	73.14
3,460.01	3,500.00	107.53	90.96	74.38
3,500.01	3,540.00	108.77	92.19	75.61
3,540.01	3,580.00	110.00	93.43	76.85
3,580.01	3,620.00	111.24	94.66	78.09
3,620.01	3,660.00	112.48	95.90	79.32
3,660.01	3,700.00	113.71	97.14	80.56
3,700.01	3,740.00	114.95	98.37	81.79
3,740.01	3,780.00	116.18	99.61	83.03
3,780.01	3,820.00	117.42	100.84	84.27
3,820.01	3,860.00	118.66	102.08	85.50
3,860.01	3,900.00	119.89	103.32	86.74
3,900.01	3,940.00	121.13	104.55	87.97
3,940.01	3,980.00	122.36	105.79	89.21
3,980.01	4,020.00	123.60	107.02	90.45
4,020.01	4,060.00	124.84	108.26	91.68

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
4,060.01	4,100.00	126.07	109.50	92.92
4,100.01	4,140.00	127.31	110.73	94.15
4,140.01	4,180.00	128.54	111.97	95.39
4,180.01	4,220.00	129.78	113.20	96.63
		(Add 3.09% for amounts in excess of $4,220)		

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
0.00	200.00	3.09	0.00	0.00
200.01	280.00	7.42	0.00	0.00
280.01	360.00	9.89	0.00	0.00
360.01	440.00	12.36	0.00	0.00
440.01	520.00	14.83	0.00	0.00
520.01	600.00	17.30	0.00	0.00
600.01	680.00	19.78	0.00	0.00
680.01	760.00	22.25	0.00	0.00
760.01	840.00	24.72	0.00	0.00
840.01	920.00	27.19	0.00	0.00
920.01	1,000.00	29.66	0.00	0.00
1,000.01	1,080.00	32.14	0.00	0.00
1,080.01	1,160.00	34.61	1.45	0.00
1,160.01	1,240.00	37.08	3.93	0.00
1,240.01	1,320.00	39.55	6.40	0.00
1,320.01	1,400.00	42.02	8.87	0.00
1,400.01	1,480.00	44.50	11.34	0.00
1,480.01	1,560.00	46.97	13.81	0.00
1,560.01	1,640.00	49.44	16.29	0.00
1,640.01	1,720.00	51.91	18.76	0.00
1,720.01	1,800.00	54.38	21.23	0.00
1,800.01	1,880.00	56.86	23.70	0.00
1,880.01	1,960.00	59.33	26.17	0.00
1,960.01	2,040.00	61.80	28.65	0.00
2,040.01	2,120.00	64.27	31.12	0.00
2,120.01	2,200.00	66.74	33.59	0.44
2,200.01	2,280.00	69.22	36.06	2.91
2,280.01	2,360.00	71.69	38.53	5.38
2,360.01	2,440.00	74.16	41.01	7.85
2,440.01	2,520.00	76.63	43.48	10.33
2,520.01	2,600.00	79.10	45.95	12.80
2,600.01	2,680.00	81.58	48.42	15.27
2,680.01	2,760.00	84.05	50.89	17.74
2,760.01	2,840.00	86.52	53.37	20.21
2,840.01	2,920.00	88.99	55.84	22.69
2,920.01	3,000.00	91.46	58.31	25.16
3,000.01	3,080.00	93.94	60.78	27.63
3,080.01	3,160.00	96.41	63.25	30.10
3,160.01	3,240.00	98.88	65.73	32.57

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
3,240.01	3,320.00	101.35	68.20	35.05
3,320.01	3,400.00	103.82	70.67	37.52
3,400.01	3,480.00	106.30	73.14	39.99
3,480.01	3,560.00	108.77	75.61	42.46
3,560.01	3,640.00	111.24	78.09	44.93
3,640.01	3,720.00	113.71	80.56	47.41
3,720.01	3,800.00	116.18	83.03	49.88
3,800.01	3,880.00	118.66	85.50	52.35
3,880.01	3,960.00	121.13	87.97	54.82
3,960.01	4,040.00	123.60	90.45	57.29
4,040.01	4,120.00	126.07	92.92	59.77
4,120.01	4,200.00	128.54	95.39	62.24
4,200.01	4,280.00	131.02	97.86	64.71
4,280.01	4,360.00	133.49	100.33	67.18
4,360.01	4,440.00	135.96	102.81	69.65
4,440.01	4,520.00	138.43	105.28	72.13
4,520.01	4,600.00	140.90	107.75	74.60
4,600.01	4,680.00	143.38	110.22	77.07
4,680.01	4,760.00	145.85	112.69	79.54
4,760.01	4,840.00	148.32	115.17	82.01
4,840.01	4,920.00	150.79	117.64	84.49
4,920.01	5,000.00	153.26	120.11	86.96
5,000.01	5,080.00	155.74	122.58	89.43
5,080.01	5,160.00	158.21	125.05	91.90
5,160.01	5,240.00	160.68	127.53	94.37
5,240.01	5,320.00	163.15	130.00	96.85
5,320.01	5,400.00	165.62	132.47	99.32
5,400.01	5,480.00	168.10	134.94	101.79
5,480.01	5,560.00	170.57	137.41	104.26
5,560.01	5,640.00	173.04	139.89	106.73
5,640.01	5,720.00	175.51	142.36	109.21
5,720.01	5,800.00	177.98	144.83	111.68
5,800.01	5,880.00	180.46	147.30	114.15
5,880.01	5,960.00	182.93	149.77	116.62
5,960.01	6,040.00	185.40	152.25	119.09
6,040.01	6,120.00	187.87	154.72	121.57
6,120.01	6,200.00	190.34	157.19	124.04
6,200.01	6,280.00	192.82	159.66	126.51
6,280.01	6,360.00	195.29	162.13	128.98
6,360.01	6,440.00	197.76	164.61	131.45
6,440.01	6,520.00	200.23	167.08	133.93
6,520.01	6,600.00	202.70	169.55	136.40
6,600.01	6,680.00	205.18	172.02	138.87
6,680.01	6,760.00	207.65	174.49	141.34
6,760.01	6,840.00	210.12	176.97	143.81
6,840.01	6,920.00	212.59	179.44	146.29
6,920.01	7,000.00	215.06	181.91	148.76
7,000.01	7,080.00	217.54	184.38	151.23
7,080.01	7,160.00	220.01	186.85	153.70

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
7,160.01	7,240.00	222.48	189.33	156.17
7,240.01	7,320.00	224.95	191.80	158.65
7,320.01	7,400.00	227.42	194.27	161.12
7,400.01	7,480.00	229.90	196.74	163.59
7,480.01	7,560.00	232.37	199.21	166.06
7,560.01	7,640.00	234.84	201.69	168.53
7,640.01	7,720.00	237.31	204.16	171.01
7,720.01	7,800.00	239.78	206.63	173.48
7,800.01	7,880.00	242.26	209.10	175.95
7,880.01	7,960.00	244.73	211.57	178.42
7,960.01	8,040.00	247.20	214.05	180.89
8,040.01	8,120.00	249.67	216.52	183.37
8,120.01	8,200.00	252.14	218.99	185.84
8,200.01	8,280.00	254.62	221.46	188.31
8,280.01	8,360.00	257.09	223.93	190.78
8,360.01	8,440.00	259.56	226.41	193.25
		(Add 3.09% for amounts in excess of $8,440)		

Annual Louisiana Income Tax Withholding Tables				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
0.00	2,500.00	38.63	0.00	0.00
2,500.01	2,900.00	83.43	0.00	0.00
2,900.01	3,300.00	95.79	0.00	0.00
3,300.01	3,700.00	108.15	0.00	0.00
3,700.01	4,100.00	120.51	0.00	0.00
4,100.01	4,500.00	132.87	0.00	0.00
4,500.01	4,900.00	145.23	0.00	0.00
4,900.01	5,300.00	157.59	0.00	0.00
5,300.01	5,700.00	169.95	0.00	0.00
5,700.01	6,100.00	182.31	0.00	0.00
6,100.01	6,500.00	194.67	0.00	0.00
6,500.01	6,900.00	207.03	0.00	0.00
6,900.01	7,300.00	219.39	0.00	0.00
7,300.01	7,700.00	231.75	0.00	0.00
7,700.01	8,100.00	244.11	0.00	0.00
8,100.01	8,500.00	256.47	0.00	0.00
8,500.01	8,900.00	268.83	0.00	0.00
8,900.01	9,300.00	281.19	0.00	0.00
9,300.01	9,700.00	293.55	0.00	0.00
9,700.01	10,100.00	305.91	0.00	0.00
10,100.01	10,500.00	318.27	0.00	0.00
10,500.01	10,900.00	330.63	0.00	0.00
10,900.01	11,300.00	342.99	0.00	0.00
11,300.01	11,700.00	355.35	0.00	0.00
11,700.01	12,100.00	367.71	0.00	0.00
12,100.01	12,500.00	380.07	0.00	0.00
12,500.01	12,900.00	392.43	0.00	0.00

Annual Louisiana Income Tax Withholding Tables				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
12,900.01	13,300.00	404.79	6.95	0.00
13,300.01	13,700.00	417.15	19.31	0.00
13,700.01	14,100.00	429.51	31.67	0.00
14,100.01	14,500.00	441.87	44.03	0.00
14,500.01	14,900.00	454.23	56.39	0.00
14,900.01	15,300.00	466.59	68.75	0.00
15,300.01	15,700.00	478.95	81.11	0.00
15,700.01	16,100.00	491.31	93.47	0.00
16,100.01	16,500.00	503.67	105.83	0.00
16,500.01	16,900.00	516.03	118.19	0.00
16,900.01	17,300.00	528.39	130.55	0.00
17,300.01	17,700.00	540.75	142.91	0.00
17,700.01	18,100.00	553.11	155.27	0.00
18,100.01	18,500.00	565.47	167.63	0.00
18,500.01	18,900.00	577.83	179.99	0.00
18,900.01	19,300.00	590.19	192.35	0.00
19,300.01	19,700.00	602.55	204.71	0.00
19,700.01	20,100.00	614.91	217.07	0.00
20,100.01	20,500.00	627.27	229.43	0.00
20,500.01	20,900.00	639.63	241.79	0.00
20,900.01	21,300.00	651.99	254.15	0.00
21,300.01	21,700.00	664.35	266.51	0.00
21,700.01	22,100.00	676.71	278.87	0.00
22,100.01	22,500.00	689.07	291.23	0.00
22,500.01	22,900.00	701.43	303.59	0.00
22,900.01	23,300.00	713.79	315.95	0.00
23,300.01	23,700.00	726.15	328.31	0.00
23,700.01	24,100.00	738.51	340.67	0.00
24,100.01	24,500.00	750.87	353.03	0.00
24,500.01	24,900.00	763.23	365.39	0.00
24,900.01	25,300.00	775.59	377.75	0.00
25,300.01	25,700.00	787.95	390.11	0.00
25,700.01	26,100.00	800.31	402.47	4.64
26,100.01	26,500.00	812.67	414.83	17.00
26,500.01	26,900.00	825.03	427.19	29.36
26,900.01	27,300.00	837.39	439.55	41.72
27,300.01	27,700.00	849.75	451.91	54.08
27,700.01	28,100.00	862.11	464.27	66.44
28,100.01	28,500.00	874.47	476.63	78.80
28,500.01	28,900.00	886.83	488.99	91.16
28,900.01	29,300.00	899.19	501.35	103.52
29,300.01	29,700.00	911.55	513.71	115.88
29,700.01	30,100.00	923.91	526.07	128.24
30,100.01	30,500.00	936.27	538.43	140.60
30,500.01	30,900.00	948.63	550.79	152.96
30,900.01	31,300.00	960.99	563.15	165.32
31,300.01	31,700.00	973.35	575.51	177.68
31,700.01	32,100.00	985.71	587.87	190.04
32,100.01	32,500.00	998.07	600.23	202.40
32,500.01	32,900.00	1,010.43	612.59	214.76

Annual Louisiana Income Tax Withholding Tables				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
32,900.01	33,300.00	1,022.79	624.95	227.12
33,300.01	33,700.00	1,035.15	637.31	239.48
33,700.01	34,100.00	1,047.51	649.67	251.84
34,100.01	34,500.00	1,059.87	662.03	264.20
34,500.01	34,900.00	1,072.23	674.39	276.56
34,900.01	35,300.00	1,084.59	686.75	288.92
35,300.01	35,700.00	1,096.95	699.11	301.28
35,700.01	36,100.00	1,109.31	711.47	313.64
36,100.01	36,500.00	1,121.67	723.83	326.00
36,500.01	36,900.00	1,134.03	736.19	338.36
36,900.01	37,300.00	1,146.39	748.55	350.72
37,300.01	37,700.00	1,158.75	760.91	363.08
37,700.01	38,100.00	1,171.11	773.27	375.44
38,100.01	38,500.00	1,183.47	785.63	387.80
38,500.01	38,900.00	1,195.83	797.99	400.16
38,900.01	39,300.00	1,208.19	810.35	412.52
39,300.01	39,700.00	1,220.55	822.71	424.88
39,700.01	40,100.00	1,232.91	835.07	437.24
40,100.01	40,500.00	1,245.27	847.43	449.60
40,500.01	40,900.00	1,257.63	859.79	461.96
40,900.01	41,300.00	1,269.99	872.15	474.32
41,300.01	41,700.00	1,282.35	884.51	486.68
41,700.01	42,100.00	1,294.71	896.87	499.04
42,100.01	42,500.00	1,307.07	909.23	511.40
42,500.01	42,900.00	1,319.43	921.59	523.76
42,900.01	43,300.00	1,331.79	933.95	536.12
43,300.01	43,700.00	1,344.15	946.31	548.48
43,700.01	44,100.00	1,356.51	958.67	560.84
44,100.01	44,500.00	1,368.87	971.03	573.20
44,500.01	44,900.00	1,381.23	983.39	585.56
44,900.01	45,300.00	1,393.59	995.75	597.92
45,300.01	45,700.00	1,405.95	1,008.11	610.28
45,700.01	46,100.00	1,418.31	1,020.47	622.64
46,100.01	46,500.00	1,430.67	1,032.83	635.00
46,500.01	46,900.00	1,443.03	1,045.19	647.36
46,900.01	47,300.00	1,455.39	1,057.55	659.72
47,300.01	47,700.00	1,467.75	1,069.91	672.08
47,700.01	48,100.00	1,480.11	1,082.27	684.44
48,100.01	48,500.00	1,492.47	1,094.63	696.80
48,500.01	48,900.00	1,504.83	1,106.99	709.16
48,900.01	49,300.00	1,517.19	1,119.35	721.52
49,300.01	49,700.00	1,529.55	1,131.71	733.88
49,700.01	50,100.00	1,541.91	1,144.07	746.24
50,100.01	50,500.00	1,554.27	1,156.43	758.60
50,500.01	50,900.00	1,566.63	1,168.79	770.96
50,900.01	51,300.00	1,578.99	1,181.15	783.32
51,300.01	51,700.00	1,591.35	1,193.51	795.68
51,700.01	52,100.00	1,603.71	1,205.87	808.04
52,100.01	52,500.00	1,616.07	1,218.23	820.40
52,500.01	52,900.00	1,628.43	1,230.59	832.76

Annual Louisiana Income Tax Withholding Tables				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
52,900.01	53,300.00	1,640.79	1,242.95	845.12
53,300.01	53,700.00	1,653.15	1,255.31	857.48
53,700.01	54,100.00	1,665.51	1,267.67	869.84
54,100.01	54,500.00	1,677.87	1,280.03	882.20
54,500.01	54,900.00	1,690.23	1,292.39	894.56
54,900.01	55,300.00	1,702.59	1,304.75	906.92
55,300.01	55,700.00	1,714.95	1,317.11	919.28
55,700.01	56,100.00	1,727.31	1,329.47	931.64
56,100.01	56,500.00	1,739.67	1,341.83	944.00
56,500.01	56,900.00	1,752.03	1,354.19	956.36
56,900.01	57,300.00	1,764.39	1,366.55	968.72
57,300.01	57,700.00	1,776.75	1,378.91	981.08
57,700.01	58,100.00	1,789.11	1,391.27	993.44
58,100.01	58,500.00	1,801.47	1,403.63	1,005.80
58,500.01	58,900.00	1,813.83	1,415.99	1,018.16
58,900.01	59,300.00	1,826.19	1,428.35	1,030.52
59,300.01	59,700.00	1,838.55	1,440.71	1,042.88
59,700.01	60,100.00	1,850.91	1,453.07	1,055.24
60,100.01	60,500.00	1,863.27	1,465.43	1,067.60
60,500.01	60,900.00	1,875.63	1,477.79	1,079.96
60,900.01	61,300.00	1,887.99	1,490.15	1,092.32
61,300.01	61,700.00	1,900.35	1,502.51	1,104.68
61,700.01	62,100.00	1,912.71	1,514.87	1,117.04
62,100.01	62,500.00	1,925.07	1,527.23	1,129.40
62,500.01	62,900.00	1,937.43	1,539.59	1,141.76
62,900.01	63,300.00	1,949.79	1,551.95	1,154.12
63,300.01	63,700.00	1,962.15	1,564.31	1,166.48
63,700.01	64,100.00	1,974.51	1,576.67	1,178.84
64,100.01	64,500.00	1,986.87	1,589.03	1,191.20
64,500.01	64,900.00	1,999.23	1,601.39	1,203.56
64,900.01	65,300.00	2,011.59	1,613.75	1,215.92
65,300.01	65,700.00	2,023.95	1,626.11	1,228.28
65,700.01	66,100.00	2,036.31	1,638.47	1,240.64
66,100.01	66,500.00	2,048.67	1,650.83	1,253.00
66,500.01	66,900.00	2,061.03	1,663.19	1,265.36
66,900.01	67,300.00	2,073.39	1,675.55	1,277.72
67,300.01	67,700.00	2,085.75	1,687.91	1,290.08
67,700.01	68,100.00	2,098.11	1,700.27	1,302.44
68,100.01	68,500.00	2,110.47	1,712.63	1,314.80
68,500.01	68,900.00	2,122.83	1,724.99	1,327.16
68,900.01	69,300.00	2,135.19	1,737.35	1,339.52
69,300.01	69,700.00	2,147.55	1,749.71	1,351.88
69,700.01	70,100.00	2,159.91	1,762.07	1,364.24
70,100.01	70,500.00	2,172.27	1,774.43	1,376.60
70,500.01	70,900.00	2,184.63	1,786.79	1,388.96
70,900.01	71,300.00	2,196.99	1,799.15	1,401.32
71,300.01	71,700.00	2,209.35	1,811.51	1,413.68
71,700.01	72,100.00	2,221.71	1,823.87	1,426.04
72,100.01	72,500.00	2,234.07	1,836.23	1,438.40
72,500.01	72,900.00	2,246.43	1,848.59	1,450.76

Annual Louisiana Income Tax Withholding Tables				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
72,900.01	73,300.00	2,258.79	1,860.95	1,463.12
73,300.01	73,700.00	2,271.15	1,873.31	1,475.48
73,700.01	74,100.00	2,283.51	1,885.67	1,487.84
74,100.01	74,500.00	2,295.87	1,898.03	1,500.20
74,500.01	74,900.00	2,308.23	1,910.39	1,512.56
74,900.01	75,300.00	2,320.59	1,922.75	1,524.92
75,300.01	75,700.00	2,332.95	1,935.11	1,537.28
75,700.01	76,100.00	2,345.31	1,947.47	1,549.64
76,100.01	76,500.00	2,357.67	1,959.83	1,562.00
76,500.01	76,900.00	2,370.03	1,972.19	1,574.36
76,900.01	77,300.00	2,382.39	1,984.55	1,586.72
77,300.01	77,700.00	2,394.75	1,996.91	1,599.08
77,700.01	78,100.00	2,407.11	2,009.27	1,611.44
78,100.01	78,500.00	2,419.47	2,021.63	1,623.80
78,500.01	78,900.00	2,431.83	2,033.99	1,636.16
78,900.01	79,300.00	2,444.19	2,046.35	1,648.52
79,300.01	79,700.00	2,456.55	2,058.71	1,660.88
79,700.01	80,100.00	2,468.91	2,071.07	1,673.24
80,100.01	80,500.00	2,481.27	2,083.43	1,685.60
80,500.01	80,900.00	2,493.63	2,095.79	1,697.96
80,900.01	81,300.00	2,505.99	2,108.15	1,710.32
81,300.01	81,700.00	2,518.35	2,120.51	1,722.68
81,700.01	82,100.00	2,530.71	2,132.87	1,735.04
82,100.01	82,500.00	2,543.07	2,145.23	1,747.40
82,500.01	82,900.00	2,555.43	2,157.59	1,759.76
82,900.01	83,300.00	2,567.79	2,169.95	1,772.12
83,300.01	83,700.00	2,580.15	2,182.31	1,784.48
83,700.01	84,100.00	2,592.51	2,194.67	1,796.84
84,100.01	84,500.00	2,604.87	2,207.03	1,809.20
84,500.01	84,900.00	2,617.23	2,219.39	1,821.56
84,900.01	85,300.00	2,629.59	2,231.75	1,833.92
85,300.01	85,700.00	2,641.95	2,244.11	1,846.28
85,700.01	86,100.00	2,654.31	2,256.47	1,858.64
86,100.01	86,500.00	2,666.67	2,268.83	1,871.00
86,500.01	86,900.00	2,679.03	2,281.19	1,883.36
86,900.01	87,300.00	2,691.39	2,293.55	1,895.72
87,300.01	87,700.00	2,703.75	2,305.91	1,908.08
87,700.01	88,100.00	2,716.11	2,318.27	1,920.44
88,100.01	88,500.00	2,728.47	2,330.63	1,932.80
88,500.01	88,900.00	2,740.83	2,342.99	1,945.16
88,900.01	89,300.00	2,753.19	2,355.35	1,957.52
89,300.01	89,700.00	2,765.55	2,367.71	1,969.88
89,700.01	90,100.00	2,777.91	2,380.07	1,982.24
90,100.01	90,500.00	2,790.27	2,392.43	1,994.60
90,500.01	90,900.00	2,802.63	2,404.79	2,006.96
90,900.01	91,300.00	2,814.99	2,417.15	2,019.32
91,300.01	91,700.00	2,827.35	2,429.51	2,031.68
91,700.01	92,100.00	2,839.71	2,441.87	2,044.04
92,100.01	92,500.00	2,852.07	2,454.23	2,056.40
92,500.01	92,900.00	2,864.43	2,466.59	2,068.76

Annual Louisiana Income Tax Withholding Tables				
Standard Deduction:		**0**	**1**	**2**
Salary Range:				
Min	**Max**			
92,900.01	93,300.00	2,876.79	2,478.95	2,081.12
93,300.01	93,700.00	2,889.15	2,491.31	2,093.48
93,700.01	94,100.00	2,901.51	2,503.67	2,105.84
94,100.01	94,500.00	2,913.87	2,516.03	2,118.20
94,500.01	94,900.00	2,926.23	2,528.39	2,130.56
94,900.01	95,300.00	2,938.59	2,540.75	2,142.92
95,300.01	95,700.00	2,950.95	2,553.11	2,155.28
95,700.01	96,100.00	2,963.31	2,565.47	2,167.64
96,100.01	96,500.00	2,975.67	2,577.83	2,180.00
96,500.01	96,900.00	2,988.03	2,590.19	2,192.36
96,900.01	97,300.00	3,000.39	2,602.55	2,204.72
97,300.01	97,700.00	3,012.75	2,614.91	2,217.08
97,700.01	98,100.00	3,025.11	2,627.27	2,229.44
98,100.01	98,500.00	3,037.47	2,639.63	2,241.80
98,500.01	98,900.00	3,049.83	2,651.99	2,254.16
98,900.01	99,300.00	3,062.19	2,664.35	2,266.52
99,300.01	99,700.00	3,074.55	2,676.71	2,278.88
99,700.01	100,100.00	3,086.91	2,689.07	2,291.24
100,100.01	100,500.00	3,099.27	2,701.43	2,303.60
		(Add 3.09% for amounts in excess of $100,500)		

C.3. - D. …

1. Effective on or after January 1, 2026:

a. Withholding Formula for Taxpayers Not Claiming a Standard Deduction:

W is the withholding tax per pay period.
S is employee's salary per pay period for each bracket, based on the midpoint of salary ranges.
N is the number of pay periods.
W = S * .0309

b. Withholding Formula for Single or Married-Separate Taxpayers Claiming the Standard Deduction:

W is the withholding tax per pay period.
S is employee's salary per pay period for each bracket, based on the midpoint of salary ranges.
N is the number of pay periods.
W = (S - (12875 / N)) * .0309

c. Withholding Formula for Married-Joint Return, Qualified Surviving Spouse, or Head of Household Taxpayers Claiming the Standard Deduction:

W is the withholding tax per pay period.
S is employee's salary per pay period for each bracket, based on the midpoint of salary ranges.
N is the number of pay periods.
W = (S - (25750 / N)) * .0309

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:32, R.S. 47:112, R.S. 47:295 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Revenue, Policy Services Division, LR 28:2557 (December 2002), amended LR 35:255 (February 2009), LR 35:1543 (August 2009), LR 44:1062 (June 2018), LR 48:2173 (August 2022), amended by the Louisiana Department of Revenue, Tax Policy and Planning Division, , LR 51:809 (June 2025), amended by the Louisiana 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 Income Tax Withholding Tables. All comments must be received no later than 4 p.m., Tuesday, March 24, 2026.

Public Hearing

Interested persons may submit a written request for a public hearing no later than Tuesday, March 10, 2026, at 4:30 p.m. Requests may be submitted via email to morgan.newton@la.gov and reference Income Tax Withholding Tables 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 Wednesday, March 25, 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.

Jarrod J. Coniglio
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Income Tax Withholding Tables

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Implementation of this proposed amendment by the Louisiana Department of Revenue (LDR) will result in minimal additional costs associated with educating taxpayers. These costs will be absorbed in LDR's current budget allocation. Other than changes to employee withholding, this proposed amendment will not affect state governmental units and local governmental units. LDR does not have the information necessary to determine the additional costs, if any, to comply with this change, but these costs are expected to be minimal.

This proposal amends the rule that provides individual income tax withholding tables and formulas for tax year 2026. The proposed rule amendment changes the individual income tax withholding to reflect the increase in the standard deduction, as required by Act 11 of the 2024 3rd ES. Beginning January 1, 2026, the standard deduction shall be annually adjusted by the percentage increase in the Consumer Price Index United States city average for all urban consumers (CPI-U) for the previous calendar year.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is anticipated to decrease the State General Fund and Self-Generated Revenue in LDR. The three percent increase in the standard deduction implemented within the proposed rule change is estimated to decrease income tax revenue by approximately $9 M in FY 26, $23.1 M in FY 27, $23.1 M in FY 28, $23.1 M in FY 29, and $23.1 M in FY 30. This estimate is generated by a micro-simulation model processing the 2023 resident and nonresident individual income tax return data.

The exact revenue impact in FY 26 will depend on the speed at which employers/taxpayers incorporate the new withholding tables into payroll calculations. For the first fiscal year of effectiveness, these estimates imply six months of tax liability adjustments through the implementation of changes in withholdings and declarations. Receipts in the second fiscal year of effectiveness decrease due to four quarters of withholdings and declarations, plus the amount of liability change that is typically realized on returns rather than through withholdings and declarations. Full realization of the tax changes continues in subsequent fiscal years. No growth path has been assumed for the purposes of this impact estimate, nor has an inflationary path been incorporated into the standard deduction for future tax years. LDR retains 1% of income tax collections as SGR. SGR in the department will decrease proportionally as income tax revenue declines.

The Legislative Fiscal Office (LFO) notes that Act 11 of the 2024 3rd ES requires an annual adjustment to the standard deduction based on the percentage increase in the CPI-U for the previous calendar year. The proposed rule change increases the standard deduction by 3%, based on the September-to-September seasonally unadjusted figure reported by the Bureau of Labor Statistics (BLS), the most up-to-date information available on December 1, 2025. The final standard deduction amounts allowed on 2026 income tax returns may differ slightly based on CPI-U data released in January 2026. LFO notes that the December-to-December CPI-U percentage change for the previous calendar year is now available and reported by BLS as approximately 2.68%. This implies the standard deduction in the proposed rules exceeds the actual standard deduction taxpayers will receive when filing 2026 tax returns. Although this may result in some taxpayers underpaying through withholdings, the unique circumstances surrounding individual taxpayers' taxable income will ultimately determine the tax liability due.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Employers and individual taxpayers will be affected by the proposed action. For employers, LDR does not have the information necessary to determine the additional costs, if any, to comply with this change in withholdings, but these costs are expected to be minimal. The tax burden of individual taxpayers is anticipated to decrease, though the exact impact of Act 11 of the 2024 3rd ES is subject to the unique circumstances surrounding individual taxpayers' taxable income.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Brandea Averett	Alan M. Boxberger
Deputy Secretary	Legislative Fiscal Officer
2602#031	Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Size Regulations for Filleted Saltwater Fish
(LAC 76:VII.393)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission does hereby give notice of intent to promulgate a Rule (LAC 76:VII.393) establishing allowable sizes of Spotted Seatrout and Red Drum fillets while on the water when meeting the requirements established in R.S. 56:325.1(A)(3)(b). The Louisiana legislature previously established minimum fillet sizes of 10 inches for Spotted Seatrout and 14 inches for Red Drum while fishing under the provisions of R.S. 56:325.1(A)(3)(b). Act 36 of the 2024 Regular Session removed the previously established minimum fillet size limits for Spotted Seatrout and Red Drum and directed the commission to establish rules for the allowable size of fillets when fishing under the provisions of R.S. 56:325.1(A)(3)(b). The commission intends to establish a minimum and maximum fillet size limit for Spotted Seatrout of 8 inches and 13 inches, respectively, with an allowance of eight individual Spotted Seatrout fillets over 13 inches to account for fish allowed over the slot limit. The commission further intends to establish a minimum and maximum fillet size limit for Red Drum of 10 inches and 18 inches, respectively. The commission also intends to establish an allowable number of Spotted Seatrout fillets at 60 and an allowable number of Red Drum fillets at 16, with an allowance for undersized and oversized fillets while fishing under the requirements of R.S. 56:325.1(A)(3)(b).

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 promulgate the final rule.

Title 76
WILDLIFE AND FISHERIES
Part VII. Fish and Other Aquatic life
Chapter 3. Saltwater Sport and Commercial Fishery
§393. Size Regulations for Filleted Saltwater Fish

A. Allowance of Fillets on the Water

1. Any fisherman in possession of a valid recreational basic and saltwater fishing license, or a license that conveys equivalent privileges, who can demonstrate to the department's satisfaction use of a boat launch located south of U.S. Highway 90 and that the fisherman has been actively on the water or at a remote camp that can be accessed only by water for two days or more may possess up to twice the daily bag limit of filleted Red Drum and Spotted Seatrout. The filleted fish shall have sufficient skin remaining on the fillet to allow for identification of the species. Fillets shall be segregated by species into plastic bags or plastic containers that are marked by species to allow for easy identification. The containers shall be further marked with the date caught and the name and license number of the person who took the fish.

B. Size and Possession Limits of Fillets

1. Spotted Seatrout fillets shall be a minimum of 8 inches and a maximum of 13 inches. An angler may possess up to eight fillets of Spotted Seatrout greater than 13 inches.

a. No angler shall have in possession more than 60 total Spotted Seatrout fillets under the provisions of this rule. There shall be an allowance of no more than fifteen total fillets not meeting the size requirements of this section whether below the minimum or above the maximum Spotted Seatrout fillet size limits, notwithstanding the eight oversized fillets allowed in Paragraph B.1. above.

2. Red Drum fillets shall be a minimum of 10 inches and a maximum of 18 inches.

a. No angler shall have in possession more than 16 total Red Drum fillets under the provisions of this rule. There shall be an allowance of no more than four total fillets not meeting the size requirements of this section whether below the minimum or above the maximum Red Drum fillet size limits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 325.1(A)(3)(b).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, 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 change is anticipated to have no impact on receipts or income of 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 March 27, 2026.

Kevin Sagrera
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Size Regulations for Filleted Saltwater Fish

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to impact the costs or savings of state or local governmental units. The proposed rule change sets minimum and maximum size limits for Spotted Seatrout (or Speckled Trout or Specks) and Red Drum (or Redfish) fillets on multi-day trips that originate from boat launches south of U.S. Highway 90 and during which the angler is actively on the water or at a remote camp accessible only by water for two days or more.

The proposed rule change sets requirements for storing and transporting the fillets while on the water.

The proposed rule change sets minimum and maximum size limits of 8 and 13 inches for Spotted Seatrout fillets. The allowable number of Spotted Seatrout fillets is set at 60, with an allowance of 15 fillets below the minimum size limit or above the maximum size limit.

The proposed rule change sets a minimum size limit of 10 inches and a maximum size limit of 18 inches for Red Drum fillets. The allowable number of Red Drum fillets is set at 16, with an allowance of four fillets below the minimum size limit or above the maximum size limit.

Act 36 of the 2024 Regular Session of the Louisiana Legislature (2024 RS) removed minimum fillet size limits for Spotted Seatrout and Red Drum and directed the Louisiana Wildlife and Fisheries Commission to establish size limits for fillets based on recent changes in size limits for whole Spotted Seatrout and Red Drum.

The LDWF measured the total length and fillet length of Spotted Seatrout and Red Drum sampled between July 2024 and June 2025. Spotted Seatrout fillets from fish near the minimum size limit averaged 8.5 inches with a median of 8.6 inches. Spotted seatrout fillets near the maximum size limit averaged 12.8 inches with a median of 12.8 inches.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to have any impact on revenue collections of the LDWF or other state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is expected to benefit saltwater anglers, charter boat passengers, and charter boat operators who take multi-day trips that depart from boat launches located south of U.S. Highway 90 and who remain on the water or at a remote camp, accessible only by water, during the duration of the trip. Filleting the fish accommodates the storage and preservation of harvested fish.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to have an impact on competition and employment in either the public or private sector.

Cara Tyler	Patrice Thomas
Undersecretary	Deputy Fiscal Officer
2602#014	Legislative Fiscal Office

Potpourri

POTPOURRI

Department of Agriculture and Forestry
Office of Agricultural and Environmental Sciences
Structural Pest Control Commission

Approved Termiticides and Manufacturers

The Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission hereby gives notice of the list of termiticides and manufacturers that have been approved by the Structural Pest Control Commission for use in Louisiana.

Approved Termiticides and Manufacturers			
Product	**EPA Reg. No.**	**Percentage**	**Manufacturer**
Agenda SC (Fipronil)	93182-23-101563	0.06 - 0.125%	Environmental Science U.S. LLC
Altriset (Chlorantraniliprole)	100-1503	0.05% - 0.10%	Syngenta
Baseline (Bifenthrin)	279-3177	0.06% - 0.12%	FMC
Bifen 2EC Select (Bifenthrin)	42750-395-89442	0.06% - 0.12%	Albaugh, LLC
Bifen 7.9 SC Select (Bifenthrin)	89442-23	0.06% - 0.12%	Albaugh, LLC
Bifen XTS (Bifenthrin)	53883-189	0.06% - 0.12%	Control Solutions
Bifen IT (Bifenthrin)	53883-118	0.06% - 0.12%	Control Solutions
Bora-Care (Disodium Octaborate Tetrahydrate)	83465-1-64405	23%	Nisus
Borathor (Disodlum Octaborate Tetrahydrate)	81824-8	5.0% - 15.0%	Ensystex II, Inc.
Centerfire 75 WSP (Imidacloprid)	432-1332	0.05% - 0.10%	Bayer
Cyper TC (Cypermethrin)	53883-92	0.25% - 1.00%	Control Solutions
Demon MAX (Cypermethrin)	100-1218	0.25% - 1.00%	Syngenta
Dominion PT (Imidacloprid	53883-237	0.05% - 0.10%	Control Solutions
Dominion 2L (Imidacloprid)	53883-229	0.05% - 0.10%	Control Solutions
Dragnet SFR (Permethrin)	279-3062	0.05% - 2.0%	FMC
Elusion 2 SC (Chlorfenapyr)	91234-238	0.125%-0.25%	Atticus
Fuse (Imidacloprid / Fipronil)	53883-328	0.067% - 0.13%	Control Solutions
Fuse Foam (Fipronil/Imidacloprid)	53883-462	0.005% & 0.025%	Control Solutions
Imida PC 2F Select (Imidacloprid)	89442-19	0.05% - 0.10%	Albaugh, LLC
MasterLine Bifenthrin 7.9 (Bifenthrin)	73748-7	0.06% - 0.12%	Univar
MasterLine B MaxxPro (Bifenthrin)	279-3206-73748	0.06% - 0.12%	Univar
MasterLine I MaxxDual (Imidacloprid)	432-1600-73748	.005% - 0.10%	Univar
MasterLine I MaxxPro WSP (Imidacloprid)	73748-8	0.05% - 0.10%	Univar
MasterLine I MaxxPro 2F (Imidacloprid)	73748-9	0.05% - 0.10%	Univar
Maxxthor SC (Bifenthrin)	81824-5	0.06% - 0.12%	Ensystex II, Inc.
Navigator SC (Fipronil)	93182-23	0.06%-0.125%	Gharda Chemicals International
Notion 2 SC (Imidacloprid)	91234-328	0.05% - 0.10%	Atticus
Permethrin SFR (Permethrin)	70506-6-53883	0.50% - 2.00%	Control Solutions
Phantom (Chlorfenapyr)	241-392	0.063% - 0.25%	BASF
Prelude (Permethrin)	5481-550	0.50% - 2.00%	AMVAC
Premise 75 WSP (Imidacloprid)	432-1332 101563-67	0.05% - 0.10%	Bayer Environmental Science U.S. LLC
Premise 2 (Imidacloprid)	432-1331 101563-66	0.05% - 0.10%	Bayer Environmental Science U.S. LLC
Premise Foam (Imidacloprid)	432-1391 101563-99	0.05%	Bayer Environmental Science U.S. LLC
Premise Pre-Construction (Imidacloprid)	432-1331 101563-66	0.05% - 0.10%	Bayer Environmental Science U.S. LLC
Premise Pro (Imidacloprid)	432-1449 101563-115	0.05% - 0.10%	Bayer Environmental Science U.S. LLC
Prothor WSP (Imidacloprid)	82957-2	0.05% - 0.10%	Ensystex III, Inc.
Talak 7.9% (Bifenthrin)	91234-145	0.06% - 0.12%	Atticus
Talstar P (Bifenthrin)	279-3206	0.06% - 0.12%	FMC
Taurus SC (Fipronil)	53883-279	0.06% - 0.125%	Control Solutions
Tengard SFR (Permethrin)	70506-6	0.50% - 2.00%	United Phosphorus
Termidor Dry (Fipronil)	499-546	0.5%	BASF
Termidor Foam (Fipronil)	499-563	0.005%	BASF

Approved Termiticides and Manufacturers			
Product	**EPA Reg. No.**	**Percentage**	**Manufacturer**
Termidor HE (Fipronil)	7969-329	0.06% - 0.125%	BASF
Termidor HP (Fipronil)	7969-354	0.06% - 0.125%	BASF
Termidor HP II (Fipronil)	7969-400	0.125%	BASF
Termidor SC (Fipronil)	7969-210	0.06% - 0.125%	BASF
Termidor 80WG (Fipronil)	7969-209	0.06% - 0.125%	BASF
Ternate SC (Fipronil)	91234-337	0.06% - 0.125%	Atticus
Totality (Bifenthrin)	279-3281	0.6%	FMC
Transport (Acetamiprid)(Bifenthrin)	8033-96-279	0.11%	FMC
Transport Mikron Insecticide (Acetamiprid / Bifenthrin)	8033-109-279	0.054% - 0.11%	FMC
UP-Cyde Pro 2.0 EC (Cypermethrin)	70506-19	0.25% - 1.0%	United Phosphorus
Wisdom TC Flowable (Bifenthrin)	5481-520	0.06% - 0.12%	AMVAC

Baits		
Product	**EPA Reg. No.**	**Manufacturer**
Advance Compressed Termite Bait II (Diflubenzuron)	499-500	BASF
Isopthor Termite Bait (Diflubenzuron)	68850-2	Ensystex, Inc.
Labyrinth (Diflubenzuron)	68850-2	Ensystex, Inc.
Labyrinth AC (Diflubenzuron)	68850-2	Ensystex, Inc.
Recruit AG FlexPack (Noviflumuron)	62719-652	Dow AgroSciences
Recruit IV (Noviflumuron)	62719-453	Dow AgroSciences
Recruit IV AG (Noviflumuron)	62719-454	Dow AgroSciences
Recruit HD (Noviflumuron)	62719-608	Dow AgroSciences
Shatter (Hexaflumuron)	62719-272	Dow AgroSciences
Trelona Compressed Termite Bait (Novaluron)	499-557	BASF
Trelona ATBS Annual Bait Stations	499-557	BASF
Trelona ATBS Direct Bait Kit (Novaluron)	499-557	BASF
Trelona ATBS Direct Bait Stations (Novaluron)	499-557	BASF
Trelona ATBS Home Monitoring Kit (Novaluron)	499-557	BASF

Mike Strain, DVM
Commissioner

2602#029

POTPOURRI

Department of Children and Family Services

Temporary Assistance for Needy Families (TANF)
Caseload Reduction Credit for FFY 26

The Department of Children and Family Services, hereby gives notice that, in accordance with federal regulations at 45 CFR 261.41, the Temporary Assistance for Needy Families (TANF) Caseload Reduction Report for Louisiana is now available to the public for review and comment.

In order to receive a caseload reduction credit for minimum participation rates, the agency must submit a report based on data from the Family Independence Temporary Assistance Program (FITAP) and the Strategies to Empower People Program (STEP) containing the following information:

1. a listing of, and implementation dates for, all state and federal eligibility changes, as defined at §261.42, made by the state after FY 2015;
2. a numerical estimate of the positive or negative impact on the applicable caseload of each eligibility change (based, as appropriate, on application denials, case closures, or other analyses);
3. an overall estimate of the total net positive or negative impact on the applicable caseload as a result of all such eligibility changes;
4. an estimate of the state's caseload reduction credit;
5. a description of the methodology and the supporting data that it used to calculate its caseload reduction estimates;
6. a certification that it has provided the public an appropriate opportunity to comment on the estimates and methodology, considered their comments, and incorporated all net reductions resulting from federal and state eligibility changes; and
7. a summary of all public comments.

Copies of the TANF Caseload Reduction Report may be obtained by writing Julie Starns, Department of Children and Family Services, P.O. Box 94065, Baton Rouge, Louisiana 70804-9065, by telephone at (225) 342-0495, or via e-mail at julie.starns.dcfs@la.gov.

Written comments regarding the report should also be directed to Ms. Starns. These must be received by close of business on March 22, 2026.

Christopher Bahm
Undersecretary

2602#040

POTPOURRI

Department of Conservation and Energy
Office of the Secretary

Notice of Public Hearing
Substantive Changes to Proposed Rule
Regulation of Solar Power Generation Facilities
(LAC 43:I.5101-5121)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Conservation and Energy, Office of the Secretary, published a Notice of Intent in the August 20, 2025 edition of the *Louisiana Register* (LR 51:1203-1210) to adopt LAC 43:I.5101-5121 as authorized by R.S. 30:1154 and Act 555 of the 2022 Regular Legislative Session. The Notice of Intent proposed the adopt provisions governing the decommissioning and required financial security for solar power generation facilities and issue the required permits to construct and operate such facilities. The department submitted a summary report to the appropriate legislative committees on December 16, 2025, with revisions to the proposed Rule intended to provide clarity to its

provisions. As a result, the department has determined that additional revisions are necessary to address concerns and provide non-technical changes for clarifications and structural changes to resulting from additional revisions.

Taken together, the proposed revisions will closely align with the proposed Rule published in the August 2025 edition of the *Louisiana Register* (LR 51:1203-1210). The alignment of these Rules will permit the implementation of the statutorily required permitting program for solar power generation facilities and rules governing the decommissioning and required financial security for obtaining said permits. No fiscal or economic impact will result from the revisions proposed in this notice.

Title 43
NATURAL RESOURCES
Part I. Office of the Secretary
Subpart 5. Renewable Energy

Chapter 51. Solar Power Generation Facilities

§5101. Definitions

A. The definitions provided in this Section shall have the following meanings within this Chapter.

* * *

Department—the Department of Conservation and Energy, or its successors.

Designated Operator—any person with control or management of activities of a solar power generation facility who is authorized on behalf of all responsible parties as being primarily responsible for complying with all registration, permit, and financial security requirements set forth in this Chapter.

Effective Date—July 1, 2026, or the date of final promulgation of these rules and regulations if later.

* * *

Responsible Party—any person that owns, in whole or in part, a solar power generation facility, is the lessee of the land on which the facility is located, or both.

Restoration—returning the site on which a solar power generation facility was situated to its reasonable pre-construction condition in compliance with all applicable governmental regulations, procedures, and standards.

Restoration Activities—reconditioning the land where a solar power generation facility was sited such that the land, to the extent practicable, resembles its condition prior to construction and operation of the facility. The secretary may consult with the department and other state or federal agencies to determine the type of restoration activities needed to reasonably restore the land, which may include, but are not limited to, grading, filling, planting native vegetation, and reforestation.

Salvage Value—Repealed.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5103. Applicability

A. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5105. General Requirements for Solar Power Generation Facilities

A. - B. ...

C. No person shall begin construction or operate a facility without obtaining a permit issued by the department pursuant to Section 5109, unless the facility is exempt as set forth in Section 5119. A permit issued pursuant to this Chapter shall pertain to the implementation of a decommissioning plan and the financial security required by Sections 5113 and 5115. The permit applies to all stages of a facility's construction and operations; separate permits for each stage are not required. When feasible and upon request, the department may combine the permit application and requirements under this Chapter with other permits and their requirements under this Subpart into a singular permit to streamline regulatory compliance under this Subpart.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5107. Registration

A. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5109. Permit Requirement

A. As a prerequisite to the permit application, the designated operator of a proposed solar power generation facility shall send written notice to all adjacent landowners and the police jury or council of each parish where the proposed facility will be located. The notice shall include a general description of the proposed facility, including its location, the projected facility footprint and capacity, and the projected location of all electric transmission and distribution infrastructure related to interconnection of the facility to the electrical grid.

B. - C.1. ...

2. If the department finds that the application is not administratively complete, the department shall issue a written notice to the designated operator identifying all missing or deficient information required for approval. The designated operator shall address and remedy each such deficiency within 30 days after receipt of the notice. Upon request and a showing of good cause by the designated operator, the department may extend the 30-day submission deadline. Failure to correct or provide the information identified in the notice within the applicable deadline shall constitute abandonment of the application process. Abandonment shall not prejudice the right of a designated operator to reapply for a permit under this Chapter or Subpart.

D. ...

E. The department, in its discretion, may hold a public hearing concerning the decommissioning plan and financial security proposed in an administratively complete permit application. The department shall have 30 days to decide whether to hold a hearing. Each hearing shall be conducted solely to acquire information and afford the opportunity for public input on the information submitted in the permit application.

E.1. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5111. Reserved

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5113. Decommissioning Requirements

A. - C.5. ...

6. Decommissioning Cost Estimate. The plan shall provide an itemized schedule estimating, to the extent practicable, all costs necessary for or related to decommissioning as required by this Chapter. The estimate shall be adjusted as provided in Subsection (D) throughout the facility's operational life. The plan must present the decommissioning estimate in the following in an itemized format:

a. the gross cost of all decommissioning activities, including all related labor, materials, and equipment costs;

b. an escalation rate, determined by the department to account for estimated future inflation until the cost estimate is revised in accordance with Subsection (D), that shall not exceed three percent per annum; and

c. the total amount of the decommissioning cost estimate to be covered by the selected financial security instrument(s) and approved by the department.

7. Financial Security. A statement identifying the financial security option chosen by the designated operator to secure the cost of all decommissioning activities.

8. Emergency Plans. A statement of committed assurance that the designated operator will establish an emergency plan in conjunction with local authorities.

D. The decommissioning plan and cost estimate shall be revised and submitted to the department every five years on or before the anniversary date of the permit's issuance and within six months following any modification to the facility that is estimated to increase or decrease the cost of decommissioning by 10 percent or more. The revised decommissioning plan shall be prepared in accordance with Paragraph (C)(1) and include all relevant adjustments to the cost estimate.

E. A facility that is under construction or operating prior to the effective date and has either provided a decommissioning plan or agreed to decommissioning terms and conditions in a lease or other form of agreement with the landowner, local police jury or council, or both may use the existing plan or agreement provisions in its permit application. However, the designated operator must submit revised plans in accordance with Subsection (D) that complies with the requirements set forth in Subsection (C).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5115. Financial Security Requirements

A. The designated operator of a solar power generation facility shall establish financial security to the department within 30 days after issuing a permit in an amount that will ensure sufficient funds are available for all decommissioning activities in compliance with this Chapter and R.S. 30:1154(A). The financial security required under this Section shall secure the cost of decommissioning and shall be callable in accordance with R.S. 30:1154(A).

B. Acceptable forms of financial security may include a performance bond, irrevocable letter(s) of credit, any other instrument approved by the Secretary through formal order, or a combination thereof.

C. The designated operator shall meet the financial security requirement by submitting to the department an acceptable form(s) of financial security in an amount equal to 100 percent of the approved decommissioning cost estimate as set forth in Section 5113(C)(6). The financial security instrument(s) must name the department as the beneficiary. The department will not release the financial security instrument(s) until it receives proof that the facility was fully decommissioned as required by this Chapter or receives a replacement form of financial security as provided herein. To ensure that the financial security instrument(s) is properly maintained, the designated operator shall provide the department with written notice at least 120 days before the existing form(s) of financial security expires. The designated operator must submit a replacement financial security instrument(s) consistent with the requirements of this Chapter no later than 30 days before the existing form(s) of financial security expires. Failure to provide a replacement financial security instrument(s) before this 30-day period shall be deemed a violation of these rules and subject the designated operator to revocation of the facility's permit, the calling of the financial security instrument(s) and any other remedy authorized by law.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5117. Enforcement

A. - B.2. ...

C. If the department determines a facility has not been decommissioned in accordance with this Chapter, the department shall call upon the financial security instrument to decommission the facility. Where the financial security instrument(s) is insufficient to fund the decommissioning activities fully, the department may seek reimbursement from the designated operator or any responsible party for funds expended by the department to complete decommissioning activities.

D. - E. ...

F. The landowner will be considered a responsible party and subject to Subsections (C) and (D) only in the event that the landowner, who entered into a lease or other contractual agreement(s), calls upon the financial security instrument that names the landowner as the beneficiary and does not decommission the facility in accordance with the requirements of this Chapter. A landowner's liability under this Section shall be limited to the amount of funds received by the landowner from the surety providing the financial security.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5119. Exemptions

A. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

§5121. Fees

A. ...

1. an application fee of no more than $15 per acre for the total number of acres within the facility footprint as identified in the engineer's drawing required by Section 5113(C); and

2. ...

B. Beginning the year after a permit is issued, all designated operators shall pay the department an annual monitoring and maintenance fee each year until the facility is decommissioned in accordance with this Chapter. This fee is due by January 31 of each year and shall not exceed the amount of $15 per acre for the total number of acres within the facility footprint as depicted in the engineer's drawing required by Section 5113(C) and within each revised decommissioning plan required by Section 5113(D).

C. Each fiscal year, the department shall calculate the total budgeted cost of administering the permitting process for solar power generation facilities. In any fiscal year, the monitoring and maintenance fee charged to designated operators shall not exceed their pro-rata share of the department's budgeted costs for implementing and administering these provisions.

D. All fees paid to the department shall be made payable via certified funds, bank money order, cashier's check, bank wire, or Automated Clearing House (ACH) transfer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1154.

HISTORICAL NOTE: Promulgated by the Department of Conservation and Energy, Office of the Secretary, LR 52:

Public Hearing

A public hearing on the substantive changes to the proposed Rule is scheduled for March 23, 2026, at 9 a.m., in the Griffon Room, located on the first floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802, to provide all interested persons an opportunity to submit data, views, comments, or arguments, orally or in writing. Written comments may be submitted by mail, addressed to Elizabeth Ferrier, Office of Legal Services, Department of Conservation and Energy, 12th Floor, Baton Rouge, LA 70802, or via email to DCE-Renewables@la.gov. The deadline for receipt of all written comments is March 23, 2026, at 4:30 p.m.

In accordance with the Americans with Disabilities Act, please contact C&E's ADA Coordinator, Maranda Rispone, at (225) 342-9088 or by email at Maranda.Rispone@la.gov within 10 working days of the hearing if you need assistance or accommodation.

Dustin Davidson
Secretary

2602#030

POTPOURRI

Office of the Governor
Division of Administration
Office of Facility Planning and Control

Notice of Public Hearing
Designer Contracts (LAC 34:III.129)

The Office of Facility Planning and Control hereby gives notice that the public hearing published in Vol. 51, No. 12 December Edition of the *Louisiana Register* regarding Designer Contracts (LAC 34:III.129) which was originally scheduled for January 26, 2026, and cancelled due to emergency statewide office closures, is to be held on Monday, March 2, 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 Cheryl Schilling at 225-342-6060 at least seven days in advance of the hearing.

Daina Kroll
Business Analytics Specialist

2602#005

POTPOURRI

Department of Insurance
Office of the Commissioner

Notice of Public Hearing—Acquisition of Louisiana Farm Bureau Mutual Insurance Company by Southern Farm Bureau Casualty Insurance Company

The Department of Insurance hereby gives notice of a public hearing to be held on March 3, 2026, regarding the proposed acquisition of Louisiana Farm Bureau Mutual Insurance Company by Southern Farm Bureau Casualty Insurance Company, pursuant to R.S. 22:691 et seq. The public hearing is being held for the purpose of hearing evidence to determine whether the proposed acquisition by Southern Farm Bureau Casualty Insurance Company satisfies the requirements of R.S. 22:691.4. Pursuant to R.S. 22:691.4, the commissioner shall approve any merger or other acquisition unless after a public hearing the Commissioner makes any of the following findings:

A. After the change of control, Louisiana Farm Bureau Mutual Insurance Company would not be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed.

B. The effect of the merger or other acquisition of control would be to substantially lessen competition in insurance in this state or tend to create a monopoly. In applying the competitive standard mandated by this Subparagraph, the following factors shall apply:

i. The informational requirements of R.S. 22:691.5(C)(1) and the standards of R.S. 22:691.5(D)(2).

ii. The merger or other acquisition shall not be disapproved if the commissioner finds that any of the situations meeting the criteria provided by R.S. 22:691.5(D)(3) exist.

iii. The commissioner may condition the approval of the merger or other acquisition on the removal of the basis of disapproval within a specified period of time.

C. The financial condition of Southern Farm Bureau Casualty Insurance Company is such as might jeopardize the financial stability of Louisiana Farm Bureau Mutual Insurance Company or prejudice the interest of its policyholders.

D. The plans or proposals which Southern Farm Bureau Casualty Insurance Company has to liquidate Louisiana Farm Bureau Mutual Insurance Company, sell its assets, or consolidate or merge it with any person, or to make any other material change in its business or corporate structure or management, are unfair and unreasonable to policyholders of the insurer and not in the public interest.

E. The competence, experience, and integrity of those persons who would control the operation of the Louisiana Farm Bureau Mutual Insurance Company are such that it would not be in the interest of policyholders of the Louisiana Farm Bureau Mutual Insurance Company and of the public to permit the merger or other acquisition of control.

F. The acquisition is likely to be hazardous or prejudicial to the insurance-buying public.

The public hearing shall be conducted in accordance with R.S. 22:691.4, 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 March 3, 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 right to make comments. You can do this by submitting your comments in writing to Claire Lemoine, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by close of business, February 24, 2026, by 4:30 p.m. Comments received by February 24, 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.

Claire Lemoine
Deputy General Counsel

2602#006

POTPOURRI

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Notice of Public Hearing
Substantive Changes to Proposed Rule
Administration of the Natural and Scenic Rivers and
Historic and Scenic Rivers (LAC 76:IX.117 and 118)

The Department of Wildlife and Fisheries (department) and the Wildlife and Fisheries Commission (commission) published a Notice of Intent to amend its Scenic Rivers rules in the August 20, 2025 edition of the *Louisiana Register*. The commission proposes to amend the original Notice of Intent to clarify and include timber harvesting for habitat restoration purposes. This modification is intended to provide for habitat restoration activities within the 100' buffer. It does not conflict with R.S. 56:1854 Commercial Cutting of Trees. These changes are based upon public comment provided during the comment period for the original Notice of Intent.

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 IX. Natural and Scenic River Systems
Chapter 1. Administration of the Natural and Scenic Rivers and Historic and Scenic Rivers
§117. Permitted Activities

A. All activities that may detrimentally affect or significantly degrade the wilderness quality, aesthetic values, or the ecological integrity of a system river shall be subject to a permit except:

1. those prohibited uses set forth in §115 of these regulations;

2. normal activities of private landowners within the boundaries of their property as provided by R.S. 56:1852(B); and

3. select harvesting of trees adjacent to or within the 100' buffer of a Scenic River in accordance with R.S. 56:1854, provided that the harvest methodology is compliant with the definition of selective harvesting under §103 of these regulations and that written notification of selective harvesting is given to the Louisiana Office of Forestry and LDWF Scenic Rivers prior to commencement.

B. Activities requiring permits shall include, but not be limited to, the following activities:

1. crossings by roads, bridges, railroads, pipelines or utilities;

2. sharing of land and airspace by such roads, railroads, pipelines and utilities;

3. point source discharge of any pollutant (prior to any person applying to the Department of Environmental Quality for a permit to discharge any pollutant into a system river, the person shall give written notice to the administrator);

4. prospecting, drilling and mining for nonrenewable natural resources;

5. structures and buildings of any kind or size;

6. piers, boat slips, bulkheads and landings;

7. commercial uses, activities and access;

8. commercial signs or other forms of outdoor advertising that are visible from the waters within a natural and scenic river;

9. water withdrawals, except for withdrawals made by an individual, adjacent property owner solely for residential purposes;

10. mooring of houseboats or floating camps on system streams except:

a. when the houseboat or floating camp is moored to a legally permitted piling, pier or bulkhead or moored to trees using connections that do not damage the trees and with the written permission of the owner of the trees. Written permission must be physically on the houseboat or floating camp and include the owner's contact information; and

b. houseboats moored on a System Stream shall have a permit or letter of certification from the Health Unit (Department of Health and Hospitals) of the parish within which the system stream is located verifying that it has an approved sewerage disposal system on board. Furthermore, all occupants of houseboats and floating camps when on a system stream must utilize an approved sewerage disposal system.

C. - R. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1844, 56:1849, 56:1852 and 56:1854.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:682 (July 1991), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:547 (March 2014), LR 52:

§118. Activities that Qualify for Expedited Permitting

A. General Permits. Activities that LDWF has determined to have no significant deleterious impact on the System may qualify for a General Permit, which, if granted, could afford a more expeditious review process and would not require a public comment period. Such activities would require the evaluation set forth in §117.C-G above, and are limited to the following categories:

1. General maintenance of existing structures, to include in-kind replacements. Specifically when the original project was unpermitted. Bridges are not included.

2. New residential construction of non-inhabitable structures over water including, but not limited to, pilings, boat sheds, docks, walkways, and piers. Such structures shall be designed in compliance with all applicable regulations and law. Under this category, the structure size shall be no greater than 800 square feet.

3. New bankline stabilization projects. Under this category, bankline stabilization shall be limited to 200 linear feet with minimal backfill. Concrete mats and other similar structures will not qualify.

4. New boring or horizontal directional drilling (HDD) installation of sewer lines, water lines, and transmission cables. Overhead transmission lines and right-of-ways will not qualify.

5. Rebuilding or renovations of single residence or camp. Shall not include commercial operations or activities. Must have sanitary treatment plan and Department of Health approval prior to issuance of this general permit.

6. Maintenance dredging of existing boat slips and boat ramps.

7. Habitat improvements to riparian ecological functions within the 100' buffer of a Scenic River.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1843

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 52:

Public Hearing

In accordance with R.S. 49:966(H)(2), a public hearing on the proposed substantive change will be held by the Department of Wildlife and Fisheries on March 24, 2026 at 10 a.m. in the Joe L. Herring Louisiana Room of the Wildlife and Fisheries Headquarters Building, 2000 Quail Drive, Baton Rouge, LA, 70808.

Kenneth A. "Andy" Brister
Chairman

2602#012

CUMULATIVE INDEX
(Volume 52, Number 2)

2026	
Pages	**Issue**
1-194	January
195-329	February

EO—Executive Order
PPM—Policy and Procedure Memoranda
ER—Emergency Rule
R—Rule
N—Notice of Intent
CR—Committee Report
GR—Governor's Report
L—Legislation
P—Potpourri
QU—Administrative Code Quarterly Update

ADMINISTRATIVE CODE UPDATE

Cumulative
January 2025-December 2025, 184QU

AGRICULTURE AND FORESTRY

Commissioner, Office of the
Gypsum, 24R
Agricultural and Environmental Sciences
Structural Pest Control Commission
Approved termiticides and manufacturers, 320P
Agro-Consumer Services, Office of
Weights and Measures, Division of
Imported seafood safety, 1354N, 2032R
Seafood consumer protection, 29R
Veterinary Medicine, Board of
Board meeting dates, 187P
Board nominations, 187P
Examination dates, 187P
Licensing and continuing education
CAETs, 210R
DVMs, 210R
RVTs, 210R

CHILDREN AND FAMILY SERVICES

Temporary Assistance for Needy Families (TANF)
Caseload reduction credit for FFY 26, 321P
Child Welfare, Division of
Louisiana pregnancy and baby care initiative, 247N

CONSERVATION AND ENERGY

Enforcement, Office of
Orphaned oilfield sites, 187P
Permitting and Compliance, Office of
Administration of the fisherman's gear compensation fund, 80N
Secretary, Office of the
Notice of public hearing
Substantive changes to proposed Rule
Regulation of Solar Power Generation Facilities, 321P
Open meetings via electronic means, 212R

EDUCATION

Elementary and Secondary Education, Board of
Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel
Educator evaluations, 83N
Bulletin 746–Louisiana Standards for State Certification of School Personnel
Certification endorsement, 213R, 249N
Bulletin 1929—Louisiana Accounting and Uniform Governmental Handbook
Definitions and minimum requirements, 85N
Child and safety welfare, 24R
Comprehensive assessments, 213R
Implementation of education acts of the 2025 Regular Legislative Session, 215R
Tuition Trust Authority
Student Financial Assistance, Office of
START Saving Program, 8ER

ENVIRONMENTAL QUALITY

Secretary, Office of the
Legal Affairs Division
Exclusion of wastes for The Dow Chemical Company Plaquemine Plant, 29R
Expedited penalty maximums, 32R
General standards for nonpermitted facilities, 86N
Hazardous waste post closure fee update, 88N
Late fee update, 89N
Solid waste and waste tire public notice revision, 252N
Substantive changes to the proposed regional haze second planning period
State Implementation Plan (SIP) revision, 189P
Voluntary environmental self-audit regulations, 33R
Water quality standards triennial revision, 92N

EXECUTIVE ORDERS

JML 25-143 Renewal of State of Emergency—Maximum Security Camp J Repairs and Operation—Louisiana State Penitentiary, 1EO
JML 25-144 Renewal of State of Emergency—Hurricane Ida, 2EO
JML 25-145 Renewal of State of Emergency—Threat of Subsidence, Subsurface Instability, and Presence of Hydrocarbons in Sulphur Mines Salt Dome Area, 3EO
JML 25-146 Flags at Half-Staff—Period of Mourning and Reflection in Remembrance of the Victims of the French Quarter Terrorism Attack, 3EO

EXECUTIVE ORDERS (continued)
JML 25-147 Renewal of State of Emergency—City of Tallulah Water System, 4EO
JML 25-148 Renewal of State of Emergency—Cybersecurity Incidents, 5EO
JML 25-149 Renewal of State of Disaster—Smitty's Supply Fire, 6EO
JML 26-001 Amendment to Fiscal Responsibility Program, 195EO
JML 26-002 Flags at Half-Staff—The Honorable Robert "Bob" Kostelka, 196EO
JML 26-003 Renewal of State of Emergency—Maximum Security Camp J Repairs and Operation—Louisiana State Penitentiary, 196EO
JML 26-004 Renewal of State of Emergency—Hurricane Ida, 198EO
JML 26-005 Renewal of State of Emergency—Threat of Subsidence, Subsurface Instability, and Presence of Hydrocarbons in Sulphur Mines Salt Dome Area, 198EO
JML 26-006 State of Emergency—Winter Weather Preparation—January 22, 2026, 199EO
JML 26-007 Renewal of State of Emergency—City of Tallulah Water System, 200EO
JML 26-008 Renewal of State of Emergency—Cybersecurity Incidents, 201EO
JML 26-009 State of Emergency—Licensed Bed Capacity for Nursing Facilities, 202EO
JML 26-010 State of Emergency—Suspension of Early Voting, 203EO
JML 26-011 Modernizing Louisiana's Workforce for a New Era, 204EO
JML 26-012 Flags at Half-Staff—Deputy Timothy David Jordan, 205EO
JML 26-013 Flags at Half-Staff—Deputy Christopher Paul Ohlmeyer, 205EO
JML 26-014 Bond Allocation 2026 Ceiling and Carry-Forward Bond Allocation 2025, 206EO
JML 26-015 Bond Allocation 2026 Ceiling Amendment, 207EO

GOVERNOR
Administration, Division of
Commissioner, Office of
Nongovernmental entity database reporting, 261N
Facility Planning and Control
Contract limit adjustment, 189P
Notice of public hearing
Designer contracts, 324P
Group Benefits, Office of
Payment of premiums, 263N
Racing Commission
Notice of public hearing
Substantive changes to proposed Rule
Voided and Voidable Claims, 189P
State Procurement, Office of
Procurement protest bonds, 36R
Architectural Examiners, Board of
Louisiana Architecture Education and Research Fund, 93N
Titles, firm names, and assumed names, 95N
Firefighters Pension and Relief Fund for the City of New Orleans and Vicinity
Retirement, 216R
Real Estate Appraisers Board
Real Estate Appraisers Board, 98N
Uniform Construction Code Council
International building code and international existing building code changes, 264N
Veterans Affairs, Department of
Cemeteries, 254N
Military Family Assistance Grants, 255N

HEALTH
Dentistry, Board of
Continuing education requirements, 271N
Licensure examination, 41R
Health Services Financing, Bureau of
Children and adult mental health services, 132N
Dental benefits
Prepaid Ambulatory Health Plan
Enrollment broker, 225R
Intermediate care facilities for persons with intellectual disabilities
Reimbursement methodology, 134N
Managed care for physical and behavioral health
Enrollment broker, 226R
Medicaid eligibility
Federally-facilitated marketplace determinations, 42R
Medicaid Program integrity
Fraud, waste and abuse recovery, 272N
Professional Services Program
Doula services, 42R
Health Standards Section
Ambulatory surgical center
Licensing standards, 43R
Behavioral health service providers
Licensing standards, 44R
Free-standing birth centers
Licensing standards, 228R
Notice of public hearing
Substantive changes to proposed Rule
Nurse Staffing Agencies—Licensing Standards, 190P
Medical Examiners, Board of
Medical psychologists, 109N
Physicians
Continuing medical education 114N
Respiratory therapists, 117N
Nursing Home Administrators, Board of Examiners
Certified nurses aid register, 106N
Complaints and hearing procedures, 106N
Pharmacy, Board of
Community pharmacy, 122N
Controlled dangerous substances (CDS), 124N
Institutional pharmacy, 128N
Remote access by a pharmacy technician, 130N
Practical Nurse Examiners, Board of
Employment of practical nursing students, 225R
Unsuccessful candidates on the NCLEX-PN, 225R

HEALTH (continued)

Public Health, Office of
- Day care centers and residential facilities, 228R
- Sickle Cell Disease Registry, 228R
- Health unit fees, 135N
- Marine and fresh water animal food products, 10ER
- Plans and permits review fees, 53R
- Registration of foods, drugs, cosmetics, and prophylactic devices, 54R
- Regulation of medical marijuana, 59R
- Retail food establishments, 10ER

LOUISIANA ECONOMIC DEVELOPMENT

Economic Development, Office of
- Collateral Support Program, 284N
- Louisiana Biomedical Research and Development Park Program, 232R
- Louisiana Seed Capital Program, 289N
- Louisiana University Research and Development Parks Program, 233R
- Micro Loan Program, 291N
- Motion Picture Production Tax Credit Program, 11ER, 300N
- Site Investment and Infrastructure Improvement Fund, 234R
- Small Business Loan Guaranty Program, 296N

Louisiana Economic Development Corporation
- Collateral Support Program, 284N
- Louisiana Seed Capital Program, 289N
- Micro Loan Program, 291N
- Small Business Loan Guaranty Program, 296N

INSURANCE

Commissioner, Office of
- Notice of public hearing
  - Acquisition of Louisiana Farm Bureau Mutual Insurance Company by Southern Farm Bureau Casualty Insurance Company, 324P

LOUISIANA WORKS

Unemployment Insurance Administration, Office of

Workers' Compensation Administration, Office of
- Mileage reimbursement limits, 192P

PUBLIC SAFETY AND CORRECTIONS

Gaming Control Board
- Gaming Control Board, 65R

Motor Vehicles, Office of
- Application process and fees for private driving schools and instructors, 66R
- Electric and hybrid vehicle road usage fee, 243R

Private Security Examiners, Board of
- Private security examiners, 237R

State Police, Office of

Bureau of Criminal Identification and Information
- Criminal history background checks on licensed ambulance personnel and nonlicensed persons, 66R
- Issuance of concealed handgun permits, 68R

REVENUE

Tax Policy and Planning Division
- Election of pass-through entities, 306N
- Income tax withholding tables, 13ER, 308N
- Mandatory electronic filing and payment requirements, 70R
- Petition for rulemaking, 244R
- Sales tax on vending machine sales, 245R
- Work-based learning tax credit-eligible apprentice, 245R

TRANSPORTATION AND DEVELOPMENT

Multimodal Commerce, Office of
- Speed restrictions for railroad traffic, 75R

Project Delivery, Office of
- Louisiana Transportation Research Center (LTRC), 76R
- Permits for rural water districts, 77R
- Utility operator fees, 77R

TREASURY

Municipal Police Employees' Retirement System, Board of Trustees of the
- Internal Revenue Code provisions, 137N
- Revised statutes clarifications for employers, 137N

WILDLIFE AND FISHERIES

Wildlife and Fisheries Commission
- Chronic wasting disease control areas, 208ER
- Filleted saltwater fish
  - Size regulations, 317N
- Hunting regulations for the 2026-2028 seasons, 141N
- Notice of public hearing
  - Substantive changes to proposed Rule
    - Administration of the Natural and Scenic Rivers and Historic and Scenic Rivers, 325P
- Oyster
  - Closure of portions of public oyster seed grounds east of the Mississippi River, 23ER
- Shrimp
  - Season closure in portions of state inside waters, 23ER
  - Season closure in portions of state outside waters, 208ER
  - Season closure in portions of Zone 1 state inside waters, 209ER