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# Legislative UPDATE

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*The Louisiana Conference of Catholic Bishops evaluates legislation in light of Gospel values. "The Church's obligation to participate in shaping the moral character of society is a requirement of our faith....Because we are people of both faith and reason, it is appropriate and necessary for us to bring this essential truth about human life and dignity to the public square."*

*(Forming Consciences for Faithful Citizenship, USCCB)*

## OVERVIEW

We are at the halfway point of this 12-week Regular Session. Our primary focus in the first half was defeating anti-scholarship bills and capping the interest rate on payday loans. The second half of the session will focus on the \$900 Million shortfall in the state budget, insuring birth parents' confidentiality while allowing adoptees access to their family medical history, and gestational surrogacy legislation not deviating from the restrictive bounds placed in HB 187.

## EDUCATION

**HB 1 State Operating Budget by Rep. Fannin (Support)** – This is the \$25 Billion state operating budget. To date we have avoided cuts in *Required Services, School Lunch Salary Supplements* and *Textbooks*. This bill is still in the House Appropriations Committee.

**HB 192 by Rep. Pearson (Oppose)** – Would have prevented kindergarten students from entering the scholarship program if they weren't in a public school rated C, D or F. The bill was defeated in the House Education Committee.

**HB 358 by Rep. Harrison (Oppose)** – Would have ended bus transportation for 900 private school students in Terrebonne Parish. If the bill had gotten on the House floor it could have been amended to end bus transportation statewide. Due to strong parental response the author withdrew his bill from the files of the House.

**HB 374 by Rep. Geymann (Oppose)** – Would remove the Governor's ability to appoint three members to the eleven-member Board of Elementary and Secondary Education. Traditionally, the governor appoints a Catholic school leader to one of these seats. The bill has not yet been heard.

**HB 701 by Rep. Edwards (Oppose)** – Would have removed C-rated public schools from the scholarship program. This bill was defeated in committee.

**HB 789 by Rep. Talbot (Support)** – Would allow STO (Scholarship Tuition Organization) monies to be given to students who are in the current statewide scholarship program. This bill narrowly passed the House and now heads to the Senate Revenue and Fiscal Affairs Committee.

**HB 836 by Rep. Harrison (Oppose)** – Would have put public school type letter grades on scholarship schools. It was defeated in committee.

**HB 1054 by Rep. Richard (Oppose)** – Would have required teachers in private schools participating in the scholarship program to personally take all new Common Core tests prior to administering them to their students. The Catholic bishops are neutral on all Common Core legislation. This bill was defeated in the House Education Committee.

**SB 460 by Sen. Adley (Support)** – We worked closely with the author and the Jindal Administration to successfully amend this legislation dealing with the Legislative Auditor and the scholarship program. The bill has passed the Senate and awaits a hearing in the House and Governmental Affairs Committee.

## FAMILY LIFE

**HB 187 (Lopinto) Gestational Surrogacy Contracts (Neutral)** – Rep. Lopinto initially introduced a copycat measure of the Senate bill which sailed through the legislature last year and was then vetoed by Gov. Jindal. The LCCB worked closely with the Jindal administration, Rep. Lopinto and many pro-life groups to influence the outcome of what is currently moving through the legislature. Subsequently, HB 187 now looks drastically different from last year's surrogacy measure. As passed by the House, the bill contains positive provisions such as: Disallows compensation of any kind; only the genetic material of both of the intended parents may be used; the gestational mother must be at least twenty-five but no more than thirty-five; she must already have given birth to one child; prohibits any person from offering money or anything of value to the gestational carrier which would persuade her to abort the child she is carrying; and the intended parents must be married as defined by the Louisiana Constitution (one man and one woman). HB 187 passed the House by a vote of 79-14. We remain opposed in principle to this measure and are monitoring it closely as it progresses through the legislative process.

**HB 1028 (Schexnayder) Adoptee's Access to Family Medical History (Support)** – Rep. Schexnayder crafted a bill which would have created open access to one's original birth certificate once the adoptee reached the age of twenty-five, unless the birth parent opted out of such an agreement. This represented a dramatic shift in public policy as the burden to attain one's original birth certificate has always been on the adoptee and could be attained only through a judicial order and the adoptee having satisfied meeting any one of four compelling interests. We, therefore, opposed the bill in the House Civil Law Committee, but to no avail. Rep. Schexnayder has demonstrated a genuine desire to work toward allowing adoptees the ability to access their family medical history, and he invited us to the table to be party to a solution. A solution has indeed been reached whereby an active registry would be created within the Department of Children and Family Services such that if all parties agreed (birth parent and adoptee) based on the stated consent only, DCFS would make the match and administer such information to the adoptee. The default will be that if the birth parent does not file anything with DCFS, no information will be given to the adoptee thus protecting the identity and confidentiality of the birth parent. The choice of adoption is life affirming as is one's ability to have access to their family medical history. With this compromise in place LCCB now supports this legislation which passed the House 98-0.

## PRO-LIFE

**HB 305 (Hoffman) Prohibits Abortion Providers from Instructing or Delivering Materials in Schools (Support)** – Rep. Hoffman's measure would ensure that neither entities nor their affiliates who are known abortion providers may influence or participate in curriculum and the like in Louisiana schools. Virtually every year a bill is proposed to move Louisiana away from an abstinence-only approach to sexual education in its schools. If Louisiana were ever to move away from such an approach to a more aggressive form of sexual education, this bill would provide a safeguard from abortion providers or their affiliates gaining access to the classroom. HB 305 passed the House by a vote of 91-6.

**HB 388 (Jackson, K.) Provides that Abortionists Have Admitting Privileges (Support)** – Rep. Jackson's bill mandates that the abortionist performing the abortion have admitting privileges to a hospital not more than thirty miles from the place of the abortion. The pregnant woman must also be given critical and potentially lifesaving information such as the name and telephone number of the nearest hospital in the event she would suffer complications from the abortion. This measure has cleared the House on a vote of 85-6.

**HB 1025 (Abramson) Human Trafficking and Commercial Sexual Exploitation (Support)** – Rep. Abramson has been a champion on the issue of human trafficking. His bill as proposed this year would: create the crime of unlawful

purchase of commercial sexual activity; provide victims with an affirmative defense for crimes that they may have committed as a direct result of having been trafficked; and expand the crime of human trafficking to include prohibiting the use of a computer to solicit a person to engage in commercial sexual activity. HB 1025 has moved favorably through the House Administration of Criminal Justice Committee and awaits a hearing on the House floor.

**HB 1262 (Ivey) Information to be Provided to Pregnant Women on Psychological Effects of Abortion (Support)** – Rep. Ivey has brought forward this measure to build upon the *Woman’s Right to Know* laws in Louisiana. In the *Woman’s Right to Know* pamphlet that an abortion facility must give to women seeking an abortion, new information would be added on the psychological effects of undergoing an abortion which include severe emotional distress and mental and behavioral health afflictions. In addition, the bill addresses human trafficking since some women seeking abortion do so as the result of being such victims. The measure passed the House Health and Welfare Committee and awaits a hearing on the House floor.

## SOCIAL JUSTICE

**HB 239 (James, T.) 36% APR Cap on Payday Loans (Support)** – This is one of two bills that have attempted to cap payday loans at 36% APR as opposed to the unregulated 300%+ APR that these small loans are currently profiting. As was the case with Sen. Nevers’ SB 84, Rep. James’ HB 239 was met by great opposition from the payday industry which hired an estimated forty lobbyists to defeat these proposals. This bill received a lengthy hearing in the House Commerce Committee and ultimately failed to pass by a close margin. The hearing served to show that in the court of public opinion and through rational and convincing arguments, predatory lending preys on the socioeconomically disadvantaged and is therefore unethical.

**HB 356 (Dixon) Establishes a State Minimum Wage (Support)** – Rep. Dixon attempted to institute a state minimum wage which would have been \$8.25/hour beginning July 1, 2015, increasing to \$9.00/hour July 1, 2016, and adjusted annually to allow for inflation based on the Consumer Price Index beginning July 1, 2017. Efforts to advance a state minimum wage were opposed by the business industry, and HB 365 was eventually defeated in the House Labor and Industrial Relations Committee.

**SB 84 (Nevers) 36% APR Cap on Payday Loans (Support)** – As mentioned earlier within the context of HB 239, this is one of two bills that seeks to achieve capping the interest rate on payday loans. The difference with this measure is that it is still alive. During its original hearing in the Senate Judiciary A Committee, the bill was amended to no longer be a cap on the APR of payday loans, but rather a cap on the number of payday loans that an individual could access. Sen. Martiny’s amendment set this number at ten. The amended bill passed out of committee. We do not believe that this solves the issue of the debt trap and that an APR cap of 36% is truly the only means to do so. The bill was then scheduled to be heard on the Senate floor but instead was recommitted to Senate Finance where it awaits a hearing.

**SCR 54 (Morrell) Creates the Capital Punishment Fiscal Impact Commission (Support)** – Sen. Morrell’s measure would create a commission to study the financial cost of exercising use of the death penalty in Louisiana and to recommend any action or legislation that the commission would deem necessary or appropriate. It has passed the Senate 32-1, and currently awaits a hearing in the House Administration of Criminal Justice Committee.

*We are tracking a total of 210 bills: 78 Education, 21 Family Life, 18 General, 23 Pro-Life, and 70 Social Justice.*



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