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Emergency Rules

DECLARATION OF EMERGENCY

Department of Agriculture and Forestry Office of Agriculture and Environmental Sciences Horticulture and Quarantine Programs

Citrus Canker Disease Quarantine (LAC 7:XV.127)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953.1, and pursuant to the authority of the state entomologist in R.S. 3:1652, notice is hereby given that Department of Agriculture and Forestry is adopting these emergency regulations adding St. Charles Parish to the existing quarantined areas for citrus greening disease (“CG”), also known as Huanglongbing disease of citrus, caused by the bacterial pathogen *Candidatus Liberibacter* spp and also adding a portion of St. Martin Parish to the existing quarantined areas for Citrus Canker Disease (“CC”) caused by the bacterial pathogens *Xanthomonas axonopodis* pv. *Citri* and *Xanthomonas axonopodis* pv. *aurantifolii*. The state entomologist has determined that CG and CC has been found in this state and may be prevented, controlled, or eradicated by quarantine in certain parishes.

CG and CC poses an imminent peril to the health and welfare of the Louisiana commercial citrus industry due to their ability to infest rutaceous plants. This industry has a farm value of \$2.4 - \$5 million in southeastern Louisiana in the form of citrus nursery stock, and \$5.1 million in the form of commercial citrus fruit in the state. CG renders the fruit unmarketable and ultimately causes death of infested plants. CC causes premature leaf and fruit drop, twig dieback and tree decline in citrus trees and is spread by wind-driven rain or through the movement of infected plants. Failure to prevent, control, or eradicate these pests threatens to destroy Louisiana’s commercial citrus industry and the growing and harvesting of citrus by citizens of Louisiana for their own private use.

Louisiana’s commercial citrus industry adds \$7.5 - \$10 million dollars to the state’s agriculture economy each year. Sales of citrus trees and plants by nursery stock dealers to private individuals also are important to the state’s economy. The loss of the state’s commercial citrus industry and privately owned citrus trees and fruit would be devastating to the state’s economy and to its private citizens. The quarantine established by this emergency regulation is necessary to prevent the spread of CG and CC in Louisiana outside of the current areas where these diseases have already been found.

For these reasons, the outbreak CG in Louisiana presents an imminent peril to the health, safety and welfare of Louisiana’s citizens and the state’s commercial and private citrus industry as set forth in R.S. 49:953.1(A)(1)(a). As a result of this imminent peril, the Department of Agriculture

and Forestry hereby exercises its full and plenary power pursuant to R.S. 3:1652 to deal with crop and fruit pests and contagious and infectious crop and fruit diseases by imposing the quarantines set out in these emergency regulations.

This rule shall have the force and effect of law upon signature, and will remain in effect 180 days, unless renewed by the Commissioner of Agriculture and Forestry or until permanent rules are promulgated in accordance with law.

Title 7.

AGRICULTURE AND ANIMALS

Part XV. Plant Protection and Quarantine

Chapter 1. Crop Pests and Diseases

Subchapter B. Nursery Stock Quarantines

§127. Citrus Nursery Stock, Scions and Budwood

A. - C. ...

D. Citrus Greening

1. ...

2. Quarantined Areas. The quarantined areas in this state are the parishes of Orleans, Washington, Jefferson, St. Bernard, Plaquemines, St. Charles, and any other areas found to be infested with CG. The declaration of any other specific parishes or areas shall be published in the official journal of the state and in the *Louisiana Register*.

D.3. - E. ...

F. Citrus Canker Disease Quarantine

1. - 3. ...

4. Quarantined areas in this state include:

a. ...

b. the portion of St. Martin Parish bounded by a line beginning at the intersection of Smede Hwy. and Vieux Chene Drive; then head east on Smede Hwy. to Duchamp Road; from Duchamp Road, head north to the GPS coordinates 30.097187, -91.922952; then head west in a straight line to GPS coordinates 30.097103, -91.929205; then head south to the intersection of Smede Hwy. and Vieux Chene Drive.

c. A declaration of quarantine for CC covering any other specific parishes or areas of this state shall be published in the official journal of the state and in the *Louisiana Register*.

F.5. - G.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1652.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agricultural and Environmental Sciences, LR 11:319 (April 1985), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 40:1308 (July 2014), LR 42:730 (May 2016), LR 44:439 (March 2018), LR 45:1435 (October 2019), LR 48:

Mike Strain DVM
Commissioner

2201#004

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel—Personnel Evaluation (LAC 28:CXLVII.301)

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 has amended LAC 28:CXLVII:301 in *Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel*. The revisions require, for the 2021-2022 academic year, that school leader student learning targets based on measures other than school performance scores be used for evaluative purposes. These revisions are in response to a waiver of calculation and assignment of school performance scores by the Board at the October 2021 meeting pursuant to the Louisiana Department of Education receipt of a United States Department of Education waiver of Every Student Succeeds Act Accountability provisions for the 2020-2021 school year. This Declaration of Emergency, effective December 15, 2021, is for a period of 180 days from adoption, or until finally adopted as Rule.

Title 28 EDUCATION

Part CXLVII. Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel

Chapter 3. Personnel Evaluation

§301. Overview of Personnel Evaluation

A. - B. ...

C. For the 2020-2021 academic year only, if a school leader has one learning target based on school performance and one learning target based on alternate measures, then the alternate learning target shall be duplicated for purposes of calculating a final student growth score for the school leader.

D. For the 2020-2021 academic year only, if each learning target of a school leader is based on school performance, then the observation score will comprise the sum total of school leader evaluation score.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1215 (May 2012), amended LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 41:1266 (July 2015), LR 43:2480 (December 2017), LR 47:354 (March 2021), LR 48:

Sandy Holloway
Executive Director

2201#002

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

Bulletin 140—Louisiana Early Childhood Care and Education Network—Childhood Care and Education Accountability System (LAC 28:CLXVII.503 and 509)

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 has amended LAC 28:CLXVII. *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The revisions align 2021-2022 early childhood observation policy with the approved 2021-2022 K-12 observation policy approved by the Board in October 2021 to alleviate the burdens of cost and time, amplified by the COVID-19 pandemic, associated with conducting these observations. This Declaration of Emergency, effective December 15, 2021, is for a period of 180 days from adoption, or until finally adopted as Rule.

Title 28 EDUCATION

Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network

Chapter 5. Early Childhood Care and Education Accountability System

§503. Coordinated Observation Plan and Observation Requirements

A. - B.2.c. ...

3. Required Observations

a. For the 2020-2021 and 2021-2022 academic years only, all infant, toddler, and pre-K classrooms in a publicly-funded site will receive one CLASS® observation during the school year conducted by the community network.

b. Any infant, toddler, and/or pre-K classroom that receives a fall CLASS® score of 4.49 or lower after third party replacement (if applicable) shall be observed a second time.

c. Following the 2020-2021 and 2021-2022 academic years, all infant, toddler, and pre-K classrooms in a publicly-funded site will receive two CLASS® observations during the school year conducted by the community network.

d. Following the 2020-2021 and 2021-2022 academic years, one observation shall occur during the fall observation period, if the classroom is in existence on October 1, and the other shall occur during the spring observation period, if the classroom is in existence on February 1.

e. *CLASS*[®] observations conducted by third-party contractors hired by the department shall not count towards this requirement.

B.4. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.30 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:556 (April 2020, amended LR 48:

§509. Performance Rating Calculations for Publicly-Funded Sites

A. - B.3. ...

4. Exception due to the COVID-19 pandemic with regard to observation completion and other associated challenges. For the 2020-2021 and 2021-2022 school years only, a classroom that does not have a second observation because the classroom received a fall *CLASS*[®] score of 4.50 or higher after third party replacement shall have their fall *CLASS*[®] score after third party replacement duplicated and treated as the spring local observation for the purposes of performance rating. A classroom that does not have a second observation for any other reason shall have their score replaced consistent with Subsection B of this Section.

C. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2587 (December 2015), amended LR 42:1873 (November 2016), LR 44:1442 (August 2018), LR 45:1453 (October 2019), LR 47:1286 (September 2021), LR 48:

Sandy Holloway
Executive Director

2201#003

DECLARATION OF EMERGENCY

**Office of the Governor
Capital Area Ground Water Conservation Commission**

**Independent Metering Installation
(LAC 56:V.707 and 1107)**

The Capital Area Groundwater Conservation Commission adopts LAC 56:V.707.A.2 and amends LAC 56:V.1107 in the Capital Area Ground Water Conservation Commission chapter as authorized by R.S. 38:3076. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953.1 et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

This Emergency Rule is being promulgated in order to adopt provisions governing the implementation of an independent metering system on all wells within the Southern Hills Aquifer System. This action is being taken because the commission is unable to determine precisely how much groundwater is being removed from the aquifer. As such, the commission cannot fulfill its duty to do all

things necessary to prevent waste of groundwater resources, and to prevent or alleviate damaging or potentially damaging subsidence of the land surface caused by withdrawal of groundwater within the district. The commission has approved an increase in the pumpage fee. The pumpage fee increase is needed to fund all things necessary to achieve the installation of the independent metering system. This action is being taken to promote the public health of Southern Hills Aquifer System users by ensuring continued access and conservation of the aquifer.

Effective January 10, 2022, the Capital Area Ground Water Conservation Commission adopts provisions governing installation of an independent metering system.

Title 56

PUBLIC WORKS

Part V. Capital Area Ground Water Conservation Commission

Chapter 7. Rules and Regulations for Metering and/or Recording the Yield of Water Wells

§707. Measuring Well Yield

A.1. - A.1.c. ...

2. The commission shall have the authority to install an independent metering system on well owner's property for the purpose of ensuring an accurate measurement of the total yield of each well to prevent waste of groundwater resources, and to prevent or alleviate damaging or potentially damaging subsidence of the land surface caused by withdrawal of groundwater within the district.

a. If there is a discrepancy or inconsistency between the owner's meter and the commission's meter, the owner may require the commission to hire an independent contractor to verify the accuracy of the commission's meter at the owner's expense.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:307 (July 1977), repromulgated LR 33:2647 (December 2007), amended LR 48:

Chapter 11. Determination of and Payment of Accounts

§1107. Pumpage Fee

The pumping charges for ground water users shall be \$65 per million gallons and is to be paid quarterly.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:291 (July 1975), amended LR 10:592 (August 1984) effective January 1, 1985, repromulgated LR 33:2649 (December 2007), amended LR 34:435 (March 2008), effective April 1, 2008, LR 39:486 (March 2013), LR 42:403 (March 2016), LR 45:1580 (November 2019), LR 48:

Gary Beard
Executive Director

2201#059

DECLARATION OF EMERGENCY

**Department of Health
Bureau of Health Services Financing
and
Office of Aging and Adult Services
and
Office for Citizens with Developmental Disabilities**

Programs and Services Amendments Due to the Coronavirus
Disease 2019 (COVID-19) Public Health Emergency

On January 30, 2020, the World Health Organization declared a public health emergency of international concern and on January 31, 2020, U.S. Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States, effective as of January 27, 2020, in response to the recent coronavirus disease 2019 (hereafter referred to as COVID-19) outbreak. On March 11, 2020, Governor John Bel Edwards declared a statewide public health emergency to exist in the State of Louisiana as a result of the imminent threat posed to Louisiana citizens by COVID-19. Likewise, the presidential declaration of a national emergency due to COVID-19 has an effective date of March 1, 2020.

In response to these public health emergency declarations and the rapid advancement of COVID-19 throughout Louisiana, the Department of Health, Bureau of Health Services Financing, the Office of Aging and Adult Services (OAAS), and the Office of Behavioral Health (OBH) amended the provisions of Title 50 of the *Louisiana Administrative Code* in order to adopt temporary measures to provide for the continuation of essential programs and services to ensure the health and welfare of the citizens of Louisiana in accordance with the provisions of the Administrative Procedure Act (*Louisiana Register*, Volume 46, Number 4). This Emergency Rule, adopted on March 19, 2020, also amended the provisions governing the reimbursement methodology for nursing facilities to include an add-on rate to the per diem. The department subsequently promulgated an Emergency Rule, adopted on April 8, 2020, which further amended Title 50 to temporarily adopt additional provisions to ensure the continuation of essential programs and services, and rescinded and replaced the nursing facility add-on provisions of the previous Emergency Rule in order to clarify the eligible nursing facility providers (*Louisiana Register*, Volume 46, Number 4). The department determined that it was necessary to promulgate Emergency Rules on October 19, 2020 to amend the April 8, 2020 Emergency Rule in order to require an attestation for adult day center providers to receive retainer payments (*Louisiana Register*, Volume 46, Number 11) and on December 10, 2020 to amend the October 19, 2020 Emergency Rule in order to remove provisions allowing self-attestation of certain eligibility criteria information (*Louisiana Register*, Volume 46, Number 12). This Emergency Rule is being promulgated in order to continue the provisions of the April 8, 2020, October 19, 2020 and December 10, 2020 Emergency Rules and shall be in effect for the maximum period allowed under the Act or the duration of the COVID-19 public health emergency declaration, whichever comes first.

Effective February 16, 2022, the Department of Health, Bureau of Health Services Financing, the Office of Aging and Adult Services, and the Office for Citizens with Developmental Disabilities continue the provisions of the April 8, 2020, October 19, 2020, and December 10, 2020 Emergency Rules in order to amend Title 50 of the *Louisiana Administrative Code* throughout the duration of the COVID-19 public health emergency declaration:

**Nursing Facilities—Reimbursement Methodology—
Reimbursement Adjustment (LAC 50:II.20006)**

The per diem rate paid to privately owned or operated nursing facilities shall include an add-on of \$12 for the duration of the COVID-19 public health emergency declaration or to end at the discretion of the state.

**Nursing Facilities—Reimbursement Methodology—Non-
State, Government Owned or Operated Facilities and
State-Owned or Operated Facilities (LAC 50:II.20009)**

Non-state, government-owned or operated nursing facilities will be paid a case-mix reimbursement rate in accordance with §20005 with the following exception.

State-owned or operated and non-state, government-owned or operated nursing facilities are not eligible for, and will not receive, the State and/or Federal declared emergency add-on rate.

**Nursing Facilities—Reimbursement Methodology—
Leave of Absence Days (LAC 50:II.20021)**

State-owned or operated, and non-state government-owned or operated, facilities are not eligible for, and will not receive, the State and/or Federal declared emergency modification to leave of absence day payments.

**Home Health Program—Home Health Services
(LAC 50:XIII.Subpart 1)**

For the duration of the COVID-19 public health emergency declaration, non-physician practitioners (nurse practitioners and physician assistants) will be able to order and review home health services, including the completion of associated documentation, in order to meet the demand for services due to access issues and a shortfall in physician availability.

**Services for Special Populations—Applied Behavior
Analysis-Based Therapy Services—Covered Services and
Limitations (LAC 50:XV.301.D)**

Prior authorizations for persons currently approved to receive applied behavior analysis-based (ABA) therapy services will be extended for the duration of the COVID-19 public health emergency declaration.

**Services for Special Populations—Early and Periodic
Screening, Diagnosis and Treatment Personal Care
Services - Provider Qualifications
(LAC 50:XV.Subpart 5)**

For the duration of the COVID-19 public health emergency declaration, the qualifications for providers of personal care services (PCS) to recipients receiving early and periodic screening, diagnostic and treatment (EPSDT) services will be relaxed to allow:

Recipients and workers to live in the same setting so that the recipients may receive EPSDT PCS.

Legally responsible relatives/caregivers to be a temporary direct service worker (DSW) in the absence of DSW care.

The following individuals may provide services to the recipient of EPSDT PCS: the recipient's spouse; the recipient's curator; the recipient's tutor; the recipient's legal guardian; the recipient's responsible representative; or the person to whom the recipient has given representative and mandate authority (also known as power of attorney).

Payment to the legally responsible relatives/caregivers designated as the temporary DSW for EPSDT PCS, if necessary, during the absence of availability of agency DSW care.

LDH approval for these services will be required. Requests will be reviewed on a case-by-case basis. If approval is granted:

Providers will pay the temporary DSW directly for services rendered; and

Providers will follow hiring procedures that include background checks and training.

At a minimum, training must include abuse and neglect reporting and infection control prior to the temporary DSW providing services.

Family members, who live with the recipient and are being temporarily approved to provide services, are exempted from background check requirements.

Services for Special Populations—Targeted Case Management (LAC 50:XV.Subpart 7)

For the duration of the COVID-19 public health emergency declaration, the state makes the following allowances for early and periodic screening, diagnostic and treatment targeted case management services:

Case managers may utilize telephone contacts (i.e., video or voice calls) in place of any required face-to-face contacts; and

Case managers may complete initial assessments, quarterly reassessments, and annual reassessments without signatures from recipients.

Services for Special Populations—Pediatric Day Health Care Program—Pediatric Day Health Care Services (LAC 50:XV.27501.B)

For the duration of the COVID-19 public health emergency declaration, Pediatric Day Health Care (PDHC) program requirements will be temporarily changed as follows to permit skilled staff of PDHC centers that are not exhibiting any signs or symptoms of the COVID-19 infection to render PDHC services to those children who require skilled nursing, when families are not able to provide such care.

The PDHC program will allow for services to be provided in the recipient's home;

The PDHC program will allow for billing and payment of procedure code T1026 (hourly PDHC services – six hours or less per day) when billed at place of service 12 (home); and

Providers must obtain LDH approval to implement the temporary PDHC provisions. Requests for approval will be reviewed on a case-by-case basis.

Home and Community-Based Services Waivers—Adult Day Health Care Waiver (LAC 50:XXI.Subpart 3)

Due to the Department of Health (LDH) directed closures during the state of emergency, the state may make retainer payments to adult day health care (ADHC) providers. The purpose of such payments is to allow ADHC providers to

retain staff and cover fixed expenses so that ADHC centers may reopen when allowed to by LDH.

LDH retains the right to recoup all or a portion of retainer payments from ADHC providers who furlough or lay off staff or fail to reopen.

LDH may review cost reports and other documentation of expenses in making this determination.

Home and Community-Based Services Waivers Supports Waiver (LAC 50:XXI.Subpart 5)

With approval from the Centers for Medicare and Medicaid Services (CMS) as applicable, the following provisions of the Supports Waiver are relaxed for the duration of the COVID-19 public health emergency declaration to:

Allow up to a total of 20 hours a week of respite services and or habilitation services in lieu of day habilitation or vocational services for these programs that have been closed;

Allow participants and direct support workers (DSWs) to live in the same setting so that the recipient may receive necessary respite and habilitation services;

Allow legally responsible relatives to be temporary respite or habilitation direct support, if necessary, in the absence of DSW care;

Background checks for legally responsible relatives who live in the same home with the participant prior to the declared emergency will be waived;

Documentation of services rendered is required and will be verified by the support coordination agency;

For initial waiver participants, allow the current statement of approval (SOA) of intellectual disabilities/developmental disabilities (ID/DD) services to suffice for the level of care (LOC) until the declared emergency is resolved so as not to delay waiver services for those who are waiting for services;

Re-evaluation requires a visit to a doctor's office (well visit) to obtain medical eligibility determination (Form 90-L) for waiver services initially and annually. To reduce potential exposure to participants, allow the current evaluation to remain in effect until resolution of emergency if needed;

Add hazard premium increase for service of respite or habilitation for direct support workers who go into the homes of persons who are either positive, presumptive positive, or quarantined for the coronavirus;

Extend the 10-day requirement for the initial in-home visit for initial plans;

Extend the 30-day time frame for the assessment;

Allow plans of care to be extended beyond the one year (annual) requirement;

Allow quarterly visits to be conducted via phone contact, FaceTime, or skype;

Monthly phone contacts will still occur;

Allow support coordinators to substitute phone contact, FaceTime on computers, or Skype, in lieu of home visits for individuals at risk of exposure who are medically fragile, elderly, both or who have medically fragile caregivers;

Allow assessments to be conducted via FaceTime, Skype, or phone call to avoid delay in services;

Allow the comprehensive plan of care by the support coordinator to be conducted via FaceTime, Skype, or by phone to avoid a delay in services;

Allow the home certification visit by the Office for Citizens with Developmental Disabilities (OCDD) or its designee to be conducted via FaceTime, Skype, or phone call to avoid a delay in services; and

Allow the state to make retainer payments to adult day habilitation centers when these providers are ordered to close by local, state, or federal officials. The purpose of such payments is to allow adult day center providers to retain staff and cover fixed expenses so they may reopen.

Retainer payments will be a paid at 75 percent of the normal rate paid for the service provided.

LDH retains the right to recoup all or a portion of retainer payments from providers who furlough or lay off staff or fail to reopen.

LDH may review cost reports and other documentation of expenses in making this determination.

Home and Community-Based Services Waivers Children's Choice Waiver (LAC 50:XXI.Subpart 9)

With approval from the Centers for Medicare and Medicaid Services (CMS) as applicable, the following provisions of the Children's Choice Waiver are relaxed for the duration of the COVID-19 public health emergency declaration to:

Allow expansion of the current Children's Choice Waiver cap to allow for an additional 20 hours per week of family support services as needed for health and safety due to school closures;

Allow participants and family support (FS) direct support workers (DSWs) to live in the same setting so that the participant may continue to receive services;

Allow legally responsible relatives to be temporary FS DSWs during the declared emergency, if necessary, in the absence of DSW care;

Documentation of services rendered is required and will be verified by the support coordination agency;

Reduce the minimum age of DSWs to 16 years of age, if necessary, in an emergency. Emergency being defined as no other staff or supports available;

Remove the requirement for DSWs to have a high school diploma or equivalent;

Temporarily suspend background checks for immediate family hired as DSWs who live in the same home as the recipient;

Re-evaluation requires a visit to a doctor's office (well visit) to obtain medical eligibility determination (Form 90-L) for waiver services initially and annually. To reduce potential exposure to participants, allow the current evaluation to remain in effect until resolution of emergency, if needed;

For initial waiver participants, allow the current statement of approval of intellectual disabilities/developmental disabilities (ID/DD) services to suffice for the level of care requirement to avoid a delay in services;

Add hazard premium increase for family support services for DSWs who go into the homes of persons who are either positive, presumptive positive, or quarantined for the coronavirus;

Extend the 10-day requirement for the initial in-home visit for initial plans;

Extend the 30-day time frame for the assessment;

Allow plans of care to be extended beyond the one year (annual) requirement;

Allow quarterly visits to be conducted via phone contact versus face-to-face contact;

Monthly phone contacts will still occur;

Allow support coordinators to substitute phone contact, FaceTime on computers, or Skype in lieu of home visits for individuals at risk of exposure who are medically fragile, elderly, both, or who have medically fragile caregivers;

Allow assessments to be conducted via FaceTime, Skype, or phone call to avoid delay in services;

Allow the comprehensive plan of care by the support coordinator to be conducted via FaceTime, Skype, or phone to avoid a delay in services; and

Allow the home certification visit by the Office for Citizens with Developmental Disabilities (OCDD) or its designee to be conducted via FaceTime, Skype, or phone to avoid a delay in services.

Home and Community-Based Services Waivers New Opportunities Waiver (LAC 50:XXI.Subpart 11)

With approval from the Centers for Medicare and Medicaid Services (CMS) as applicable, the following provisions of the New Opportunities Waiver are relaxed for the duration of the COVID-19 public health emergency declaration to:

Allow conversion of day habilitation and vocational service program hours to individual and family support (IFS) for participants whose day habilitation and/or vocational programs have closed;

Allow sharing of direct support staff when necessary;

Add monitored in-home caregiving (MIHC) as a service;

Allow participants and individual and family support (IFS) direct support workers (DSWs) to live in the same setting so that the participant may continue to receive services;

Allow legally responsible relatives to be temporary IFS DSWs during the declared emergency, if necessary, in the absence of DSW care;

Documentation of services rendered is required and will be verified by the support coordination agency;

Temporarily suspend background checks for immediate family hired as DSWs who live in the same home as the recipient;

Reduce the minimum age of DSWs to 16 years of age, if necessary, in an emergency. Emergency being defined as no other staff or supports available;

Remove the requirement for DSWs to have a high school diploma or equivalent;

For initial waiver participants, allow the current statement of approval (SOA) of intellectual disability/developmental disability (ID/DD) services to suffice for the level of care (LOC) until the declared emergency is resolved so as not to delay waiver services for those who are waiting for services;

Re-evaluation requires a visit to a doctor's office (well visit) to obtain medical eligibility determination (Form 90-L) for annual waiver services. To reduce potential exposure to participants, allow the current evaluation to remain in effect until resolution of emergency if needed;

Add hazard premium increase for service of individual and family supports, community living supports, family support, respite, and habilitation for DSWs who go into the

homes of persons who are either positive, presumptive positive, or quarantined for the coronavirus;

Extend the 10-day requirement for the initial in-home visit for initial plans;

Extend the 30-day time frame for the assessment;

Allow plans of care to be extended beyond the one year (annual) requirement;

Allow quarterly visits to be conducted via phone contact versus face-to-face contact;

Monthly phone contacts will still occur;

Allow support coordinators and supported living coordinators to substitute phone contact, FaceTime, or Skype in lieu of home visits for individuals at risk of exposure who are medically fragile, elderly, both or who have medically fragile caregivers;

Allow assessments to be conducted via FaceTime, Skype, or phone call to avoid a delay in services;

Allow the comprehensive plan of care by the support coordinator to be conducted via FaceTime, Skype or phone to avoid a delay in services;

Allow the home certification visit by the Office for Citizens with Developmental Disabilities (OCDD) or its designee to be conducted via FaceTime, Skype, or phone to avoid a delay in services; and

Allow the state to make retainer payments to adult day centers when these providers are ordered to close by local, state, or federal officials. The purpose of such payments is to allow adult day center providers to retain staff and cover fixed expenses so they may reopen.

Retainer payments will be a paid at 75 percent of the normal rate paid for the service provided.

The adult day center must provide a signed attestation developed by the department agreeing to the following during the period of the retainer payments: (1) not to furlough or lay off staff, (2) maintain wages at existing levels, (3) the ADC has not received funding from any other sources, including but not limited to, unemployment benefits and Small Business Administration loans, that would exceed their revenue for the last full quarter prior to the public health emergency, or that the retainer payments at the level provided by the state would not result in their revenue exceeding that of the quarter prior to the public health emergency. If a provider has already received revenues in excess of the pre-public health emergency level, retainer payments are not available.

If a provider had not already received revenues in excess of the pre-public health emergency level but receipt of the retainer payment in addition to those prior sources of funding results in the provider exceeding the pre-public health emergency level, any retainer payment amounts in excess may be recouped.

LDH retains the right to recoup all or a portion of retainer payments from providers who furlough or lay off staff or fail to reopen. LDH may review cost reports and other documentation of expenses in making this determination.

Home and Community-Based Services Waivers—

Residential Options Waiver (LAC 50:XXI.Subpart 13)

With approval from the Centers for Medicare and Medicaid Services (CMS) as applicable, the following provisions of the Residential Options Waiver are relaxed for the duration of the COVID-19 public health emergency declaration to:

Allow sharing of direct support staff when necessary;

Allow conversion of day habilitation and vocational services to community living supports (CLS) for participants whose day habilitation and or vocational program have been closed;

Add monitored in-home caregiving (MIHC) as a service;

Allow participants and community living support (CLS) direct support workers (DSWs) to live in the same setting so that the participant may continue to receive services;

Documentation of services rendered is required and will be verified by the support coordination agency;

Allow legally responsible relatives to be temporary community living support (CLS) DSWs during the declared emergency if necessary in the absence of DSW care;

Temporarily suspend background checks for immediate family hired as DSWs who live in the same home as the recipient;

Reduce the minimum age of DSWs to 16 years of age, if necessary, in an emergency. Emergency being defined as no other staff or supports available;

Remove the requirement for DSWs to have a high school diploma or equivalent;

For initial waiver participants, allow the current statement of approval (SOA) of intellectual disabilities/developmental disabilities (ID/DD) services to suffice for the level of care (LOC) until the declared emergency is resolved so as not to delay waiver services for those who are waiting for services;

Re-evaluation requires a visit to a doctor's office (well visit) to obtain medical eligibility determination (Form 90-L) for annual waiver services. To reduce potential exposure to participants, allow the current evaluation to remain in effect until resolution of emergency if needed;

Add hazard premium increase for service of individual and family supports, community living supports, family support, respite, and habilitation for DSWs who go into the homes of persons who are either positive, presumptive positive, or quarantined for the coronavirus;

Extend the 10-day requirement for the initial in-home visit for initial plans;

Extend the 30-day time frame for the assessment;

Allow plans of care to be extended beyond the one year (annual) requirement;

Allow quarterly visits to be conducted via phone contact versus face-to-face contact;

Monthly phone contacts will still occur;

Allow support coordinators to substitute phone contact, FaceTime on computers, or Skype in lieu of home visits for individuals at risk of exposure who are medically fragile, elderly, or both or who have medically fragile caregivers;

Allow assessments to be conducted via FaceTime, Skype, or phone call to avoid a delay in services;

Allow the comprehensive plan of care by the support coordinator to be conducted via FaceTime, Skype, or by phone to avoid a delay in services;

Allow the home certification visit by the Office for Citizens with Developmental Disabilities (OCDD) or its designee to be conducted via FaceTime, Skype, or phone to avoid delay in services; and

Allow the state to make retainer payments to adult day centers and adult day health care centers when these

providers are ordered to close by local, state, or federal officials. The purpose of such payments is to allow adult day center providers to retain staff and cover fixed expenses so they may reopen.

Retainer payments will be paid at 75 percent of the normal rate paid for the service provided.

The adult day center must provide a signed attestation developed by the department agreeing to the following during the period of the retainer payments: (1) not to furlough or lay off staff, (2) maintain wages at existing levels, (3) the ADC has not received funding from any other sources, including but not limited to, unemployment benefits and Small Business Administration loans, that would exceed their revenue for the last full quarter prior to the public health emergency, or that the retainer payments at the level provided by the state would not result in their revenue exceeding that of the quarter prior to the public health emergency. If a provider has already received revenues in excess of the pre-public health emergency level, retainer payments are not available.

If a provider had not already received revenues in excess of the pre-public health emergency level but receipt of the retainer payment in addition to those prior sources of funding results in the provider exceeding the pre-public health emergency level, any retainer payment amounts in excess may be recouped.

LDH retains the right to recoup all or a portion of retainer payments from providers who furlough or lay off staff or fail to reopen. LDH may review cost reports and other documentation of expenses in making this determination.

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.

Interested persons may submit written comments to Patrick Gillies, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Mr. Gillies is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Dr. Courtney N. Phillips
Secretary

2201#021

DECLARATION OF EMERGENCY

**Department of Revenue
Policy Services Division**

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

In accordance with the emergency rulemaking provisions of R.S. 49:953.1(A), which allows the Department of Revenue to use emergency procedures to establish rules, and R.S. 47:1511, which allows the department to make reasonable rules and regulations, the secretary hereby adopts

the following Emergency Rule to effectively administer the provisions of law related to the collection of income taxes due to the time constraints related to the legislative passage of Act 395 of the 2021 Regular Session of the Louisiana Legislature with an effective date of January 1, 2022. This Emergency Rule shall be effective January 1, 2022, and shall remain in effect for 180 days, unless renewed or revoked, or until the adoption of the final Rule, whichever comes first.

This Emergency Rule is necessary to allow the secretary to administer the updated withholding tables based on the new income tax rates as provided by Act 395 of the 2021 Regular Session of the Louisiana Legislature that becomes operative on January 1, 2022 due to the passage of Constitutional Amendment Two during the November 13, 2021 election. Act 395 amended R.S. 47:32 to reduce state individual income tax rates for tax years beginning on or after January 1, 2022. In addition, this Emergency Rule is necessary to prevent undue delay in notifying employers of the updated withholding requirements so as to ensure that employers are in compliance with the updated requirements, thereby avoiding unnecessary penalties for employers and incorrect withholding of income tax for taxpayers. Employers should begin using the 2022 withholding tables for the first payment of wages made after December 31, 2021.

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. ...

2. Adjustments to Wage Bracket Tables

a. Each table provides for the appropriate withholding amount for single or married personal exemptions with up to six dependency credits. There is no provision for withholding based on head-of-household status and these taxpayers may claim only a single withholding personal exemption.

b. When an employee has more than six dependents, the amount may be determined by reducing the tax shown in the column for six dependents by the amount shown below for the applicable payroll period multiplied by the number of dependents over six.

Payroll Period	Amount of Reduction
Daily	\$0.07
Weekly	0.36
Biweekly	0.71
Semimonthly	0.77
Monthly	1.55

c. When the employee claims only credit for dependents and no withholding personal exemption, the amount to be deducted and withheld should be determined by reducing the amount selected under the column for employees claiming no exemption or credits by the amount in Subparagraph b above multiplied by the number of dependents claimed.

3. Withholding Tables
 a. Effective on or after January 1, 2022.

Daily Louisiana Income Tax Withholding Table																
Exemptions:	0		1						2							
Dependents:	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																
Min	Max															
0.00	10.00	<i>(1.85% of gross pay for \$10 and less with 0 Exemptions and 0 Dependents)</i>														
10.01	12.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12.01	14.00	0.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14.01	16.00	0.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
16.01	18.00	0.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
18.01	20.00	0.35	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
20.01	22.00	0.39	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
22.01	24.00	0.43	0.11	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
24.01	26.00	0.46	0.14	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
26.01	28.00	0.50	0.18	0.11	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
28.01	30.00	0.54	0.22	0.15	0.08	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
30.01	32.00	0.57	0.25	0.18	0.11	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
32.01	34.00	0.61	0.29	0.22	0.15	0.08	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
34.01	36.00	0.65	0.33	0.26	0.19	0.12	0.05	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00
36.01	38.00	0.68	0.36	0.29	0.22	0.15	0.08	0.00	0.00	0.04	0.00	0.00	0.00	0.00	0.00	0.00
38.01	40.00	0.72	0.40	0.33	0.26	0.19	0.12	0.04	0.00	0.08	0.01	0.00	0.00	0.00	0.00	0.00
40.01	42.00	0.76	0.44	0.37	0.30	0.23	0.16	0.08	0.01	0.12	0.05	0.00	0.00	0.00	0.00	0.00
42.01	44.00	0.80	0.48	0.41	0.34	0.27	0.20	0.12	0.05	0.16	0.09	0.02	0.00	0.00	0.00	0.00
44.01	46.00	0.83	0.51	0.44	0.37	0.30	0.23	0.15	0.08	0.19	0.12	0.05	0.00	0.00	0.00	0.00
46.01	48.00	0.87	0.55	0.48	0.41	0.34	0.27	0.19	0.12	0.23	0.16	0.09	0.02	0.00	0.00	0.00
48.01	50.00	0.93	0.61	0.54	0.47	0.40	0.33	0.25	0.18	0.27	0.20	0.13	0.06	0.00	0.00	0.00
50.01	52.00	0.99	0.67	0.60	0.53	0.46	0.39	0.31	0.24	0.30	0.23	0.16	0.09	0.01	0.00	0.00
52.01	54.00	1.06	0.74	0.67	0.60	0.53	0.46	0.38	0.31	0.34	0.27	0.20	0.13	0.05	0.00	0.00
54.01	56.00	1.13	0.81	0.74	0.67	0.60	0.53	0.45	0.38	0.38	0.31	0.24	0.17	0.09	0.02	0.00
56.01	58.00	1.20	0.88	0.81	0.74	0.67	0.60	0.52	0.45	0.41	0.34	0.27	0.20	0.12	0.05	0.00
58.01	60.00	1.27	0.95	0.88	0.81	0.74	0.67	0.59	0.52	0.45	0.38	0.31	0.24	0.16	0.09	0.02
60.01	62.00	1.34	1.02	0.95	0.88	0.81	0.74	0.66	0.59	0.49	0.42	0.35	0.28	0.20	0.13	0.06
62.01	64.00	1.42	1.10	1.03	0.96	0.89	0.82	0.74	0.67	0.53	0.46	0.39	0.32	0.24	0.17	0.10
64.01	66.00	1.48	1.16	1.09	1.02	0.95	0.88	0.80	0.73	0.56	0.49	0.42	0.35	0.27	0.20	0.13
66.01	68.00	1.55	1.23	1.16	1.09	1.02	0.95	0.87	0.80	0.60	0.53	0.46	0.39	0.31	0.24	0.17
68.01	70.00	1.63	1.31	1.24	1.17	1.10	1.03	0.95	0.88	0.64	0.57	0.50	0.43	0.35	0.28	0.21
70.01	72.00	1.69	1.37	1.30	1.23	1.16	1.09	1.01	0.94	0.67	0.60	0.53	0.46	0.38	0.31	0.24
72.01	74.00	1.76	1.44	1.37	1.30	1.23	1.16	1.08	1.01	0.71	0.64	0.57	0.50	0.42	0.35	0.28
74.01	76.00	1.83	1.51	1.44	1.37	1.30	1.23	1.15	1.08	0.75	0.68	0.61	0.54	0.46	0.39	0.32
76.01	78.00	1.90	1.58	1.51	1.44	1.37	1.30	1.22	1.15	0.78	0.71	0.64	0.57	0.49	0.42	0.35
78.01	80.00	1.97	1.65	1.58	1.51	1.44	1.37	1.29	1.22	0.82	0.75	0.68	0.61	0.53	0.46	0.39
80.01	82.00	2.04	1.72	1.65	1.58	1.51	1.44	1.36	1.29	0.86	0.79	0.72	0.65	0.57	0.50	0.43
82.01	84.00	2.12	1.80	1.73	1.66	1.59	1.52	1.44	1.37	0.90	0.83	0.76	0.69	0.61	0.54	0.47
84.01	86.00	2.18	1.86	1.79	1.72	1.65	1.58	1.50	1.43	0.93	0.86	0.79	0.72	0.64	0.57	0.50
86.01	88.00	2.25	1.93	1.86	1.79	1.72	1.65	1.57	1.50	0.97	0.90	0.83	0.76	0.68	0.61	0.54
88.01	90.00	2.33	2.01	1.94	1.87	1.80	1.73	1.65	1.58	1.01	0.94	0.87	0.80	0.72	0.65	0.58
90.01	92.00	2.39	2.07	2.00	1.93	1.86	1.79	1.71	1.64	1.04	0.97	0.90	0.83	0.75	0.68	0.61
92.01	94.00	2.46	2.14	2.07	2.00	1.93	1.86	1.78	1.71	1.08	1.01	0.94	0.87	0.79	0.72	0.65
94.01	96.00	2.53	2.21	2.14	2.07	2.00	1.93	1.85	1.78	1.12	1.05	0.98	0.91	0.83	0.76	0.69
96.01	98.00	2.60	2.28	2.21	2.14	2.07	2.00	1.92	1.85	1.16	1.09	1.02	0.95	0.87	0.80	0.73
98.01	100.00	2.67	2.35	2.28	2.21	2.14	2.07	1.99	1.92	1.24	1.17	1.10	1.03	0.95	0.88	0.81
100.01	102.00	2.74	2.42	2.35	2.28	2.21	2.14	2.06	1.99	1.31	1.24	1.17	1.10	1.02	0.95	0.88
102.01	104.00	2.82	2.50	2.43	2.36	2.29	2.22	2.14	2.07	1.38	1.31	1.24	1.17	1.09	1.02	0.95
104.01	106.00	2.88	2.56	2.49	2.42	2.35	2.28	2.20	2.13	1.45	1.38	1.31	1.24	1.16	1.09	1.02
106.01	108.00	2.95	2.63	2.56	2.49	2.42	2.35	2.27	2.20	1.52	1.45	1.38	1.31	1.23	1.16	1.09
108.01	110.00	3.03	2.71	2.64	2.57	2.50	2.43	2.35	2.28	1.59	1.52	1.45	1.38	1.30	1.23	1.16
110.01	112.00	3.09	2.77	2.70	2.63	2.56	2.49	2.41	2.34	1.65	1.58	1.51	1.44	1.36	1.29	1.22
112.01	114.00	3.16	2.84	2.77	2.70	2.63	2.56	2.48	2.41	1.73	1.66	1.59	1.52	1.44	1.37	1.30
114.01	116.00	3.23	2.91	2.84	2.77	2.70	2.63	2.55	2.48	1.80	1.73	1.66	1.59	1.51	1.44	1.37
116.01	118.00	3.30	2.98	2.91	2.84	2.77	2.70	2.62	2.55	1.86	1.79	1.72	1.65	1.57	1.50	1.43
118.01	120.00	3.37	3.05	2.98	2.91	2.84	2.77	2.69	2.62	1.94	1.87	1.80	1.73	1.65	1.58	1.51
120.01	122.00	3.44	3.12	3.05	2.98	2.91	2.84	2.76	2.69	2.01	1.94	1.87	1.80	1.72	1.65	1.58
122.01	124.00	3.52	3.20	3.13	3.06	2.99	2.92	2.84	2.77	2.08	2.01	1.94	1.87	1.79	1.72	1.65
124.01	126.00	3.58	3.26	3.19	3.12	3.05	2.98	2.90	2.83	2.15	2.08	2.01	1.94	1.86	1.79	1.72

Daily Louisiana Income Tax Withholding Table																
Exemptions:	0		1						2							
Dependents:	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																
Min	Max															
126.01	128.00	3.65	3.33	3.26	3.19	3.12	3.05	2.97	2.90	2.22	2.15	2.08	2.01	1.93	1.86	1.79
128.01	130.00	3.73	3.41	3.34	3.27	3.20	3.13	3.05	2.98	2.29	2.22	2.15	2.08	2.00	1.93	1.86
130.01	132.00	3.79	3.47	3.40	3.33	3.26	3.19	3.11	3.04	2.35	2.28	2.21	2.14	2.06	1.99	1.92
132.01	134.00	3.86	3.54	3.47	3.40	3.33	3.26	3.18	3.11	2.43	2.36	2.29	2.22	2.14	2.07	2.00
134.01	136.00	3.93	3.61	3.54	3.47	3.40	3.33	3.25	3.18	2.50	2.43	2.36	2.29	2.21	2.14	2.07
136.01	138.00	4.00	3.68	3.61	3.54	3.47	3.40	3.32	3.25	2.56	2.49	2.42	2.35	2.27	2.20	2.13
138.01	140.00	4.07	3.75	3.68	3.61	3.54	3.47	3.39	3.32	2.64	2.57	2.50	2.43	2.35	2.28	2.21

Daily Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
140.01	142.00	4.14	3.82	3.75	3.68	3.61	3.54	3.46	3.39	2.71	2.64	2.57	2.50	2.42	2.35	2.28
142.01	144.00	4.22	3.90	3.83	3.76	3.69	3.62	3.54	3.47	2.78	2.71	2.64	2.57	2.49	2.42	2.35
144.01	146.00	4.28	3.96	3.89	3.82	3.75	3.68	3.60	3.53	2.85	2.78	2.71	2.64	2.56	2.49	2.42
146.01	148.00	4.35	4.03	3.96	3.89	3.82	3.75	3.67	3.60	2.92	2.85	2.78	2.71	2.63	2.56	2.49
148.01	150.00	4.43	4.11	4.04	3.97	3.90	3.83	3.75	3.68	2.99	2.92	2.85	2.78	2.70	2.63	2.56
150.01	152.00	4.49	4.17	4.10	4.03	3.96	3.89	3.81	3.74	3.05	2.98	2.91	2.84	2.76	2.69	2.62
152.01	154.00	4.56	4.24	4.17	4.10	4.03	3.96	3.88	3.81	3.13	3.06	2.99	2.92	2.84	2.77	2.70
154.01	156.00	4.63	4.31	4.24	4.17	4.10	4.03	3.95	3.88	3.20	3.13	3.06	2.99	2.91	2.84	2.77
156.01	158.00	4.70	4.38	4.31	4.24	4.17	4.10	4.02	3.95	3.26	3.19	3.12	3.05	2.97	2.90	2.83
158.01	160.00	4.77	4.45	4.38	4.31	4.24	4.17	4.09	4.02	3.34	3.27	3.20	3.13	3.05	2.98	2.91
160.01	162.00	4.84	4.52	4.45	4.38	4.31	4.24	4.16	4.09	3.41	3.34	3.27	3.20	3.12	3.05	2.98
162.01	164.00	4.92	4.60	4.53	4.46	4.39	4.32	4.24	4.17	3.48	3.41	3.34	3.27	3.19	3.12	3.05
164.01	166.00	4.98	4.66	4.59	4.52	4.45	4.38	4.30	4.23	3.55	3.48	3.41	3.34	3.26	3.19	3.12
166.01	168.00	5.05	4.73	4.66	4.59	4.52	4.45	4.37	4.30	3.62	3.55	3.48	3.41	3.33	3.26	3.19
168.01	170.00	5.13	4.81	4.74	4.67	4.60	4.53	4.45	4.38	3.69	3.62	3.55	3.48	3.40	3.33	3.26
170.01	172.00	5.19	4.87	4.80	4.73	4.66	4.59	4.51	4.44	3.75	3.68	3.61	3.54	3.46	3.39	3.32
172.01	174.00	5.26	4.94	4.87	4.80	4.73	4.66	4.58	4.51	3.83	3.76	3.69	3.62	3.54	3.47	3.40
174.01	176.00	5.33	5.01	4.94	4.87	4.80	4.73	4.65	4.58	3.90	3.83	3.76	3.69	3.61	3.54	3.47
176.01	178.00	5.40	5.08	5.01	4.94	4.87	4.80	4.72	4.65	3.96	3.89	3.82	3.75	3.67	3.60	3.53
178.01	180.00	5.47	5.15	5.08	5.01	4.94	4.87	4.79	4.72	4.04	3.97	3.90	3.83	3.75	3.68	3.61
180.01	182.00	5.54	5.22	5.15	5.08	5.01	4.94	4.86	4.79	4.11	4.04	3.97	3.90	3.82	3.75	3.68
182.01	184.00	5.62	5.30	5.23	5.16	5.09	5.02	4.94	4.87	4.18	4.11	4.04	3.97	3.89	3.82	3.75
184.01	186.00	5.68	5.36	5.29	5.22	5.15	5.08	5.00	4.93	4.25	4.18	4.11	4.04	3.96	3.89	3.82
186.01	188.00	5.75	5.43	5.36	5.29	5.22	5.15	5.07	5.00	4.32	4.25	4.18	4.11	4.03	3.96	3.89
188.01	190.00	5.83	5.51	5.44	5.37	5.30	5.23	5.15	5.08	4.39	4.32	4.25	4.18	4.10	4.03	3.96
190.01	192.00	5.89	5.57	5.50	5.43	5.36	5.29	5.21	5.14	4.45	4.38	4.31	4.24	4.16	4.09	4.02
192.01	194.00	5.97	5.65	5.58	5.51	5.44	5.37	5.29	5.22	4.53	4.46	4.39	4.32	4.24	4.17	4.10
194.01	196.00	6.05	5.73	5.66	5.59	5.52	5.45	5.37	5.30	4.60	4.53	4.46	4.39	4.31	4.24	4.17
196.01	198.00	6.14	5.82	5.75	5.68	5.61	5.54	5.46	5.39	4.66	4.59	4.52	4.45	4.37	4.30	4.23
198.01	200.00	6.22	5.90	5.83	5.76	5.69	5.62	5.54	5.47	4.74	4.67	4.60	4.53	4.45	4.38	4.31
200.01	202.00	6.31	5.99	5.92	5.85	5.78	5.71	5.63	5.56	4.81	4.74	4.67	4.60	4.52	4.45	4.38
202.01	204.00	6.40	6.08	6.01	5.94	5.87	5.80	5.72	5.65	4.88	4.81	4.74	4.67	4.59	4.52	4.45
204.01	206.00	6.48	6.16	6.09	6.02	5.95	5.88	5.80	5.73	4.95	4.88	4.81	4.74	4.66	4.59	4.52
206.01	208.00	6.56	6.24	6.17	6.10	6.03	5.96	5.88	5.81	5.02	4.95	4.88	4.81	4.73	4.66	4.59
208.01	210.00	6.66	6.34	6.27	6.20	6.13	6.06	5.98	5.91	5.09	5.02	4.95	4.88	4.80	4.73	4.66
210.01	212.00	6.73	6.41	6.34	6.27	6.20	6.13	6.05	5.98	5.15	5.08	5.01	4.94	4.86	4.79	4.72
212.01	214.00	6.82	6.50	6.43	6.36	6.29	6.22	6.14	6.07	5.23	5.16	5.09	5.02	4.94	4.87	4.80
214.01	216.00	6.90	6.58	6.51	6.44	6.37	6.30	6.22	6.15	5.30	5.23	5.16	5.09	5.01	4.94	4.87
216.01	218.00	6.99	6.67	6.60	6.53	6.46	6.39	6.31	6.24	5.36	5.29	5.22	5.15	5.07	5.00	4.93
218.01	220.00	7.07	6.75	6.68	6.61	6.54	6.47	6.39	6.32	5.44	5.37	5.30	5.23	5.15	5.08	5.01
220.01	222.00	7.16	6.84	6.77	6.70	6.63	6.56	6.48	6.41	5.51	5.44	5.37	5.30	5.22	5.15	5.08
222.01	224.00	7.25	6.93	6.86	6.79	6.72	6.65	6.57	6.50	5.58	5.51	5.44	5.37	5.29	5.22	5.15
224.01	226.00	7.33	7.01	6.94	6.87	6.80	6.73	6.65	6.58	5.65	5.58	5.51	5.44	5.36	5.29	5.22
226.01	228.00	7.41	7.09	7.02	6.95	6.88	6.81	6.73	6.66	5.72	5.65	5.58	5.51	5.43	5.36	5.29
228.01	230.00	7.51	7.19	7.12	7.05	6.98	6.91	6.83	6.76	5.79	5.72	5.65	5.58	5.50	5.43	5.36
230.01	232.00	7.58	7.26	7.19	7.12	7.05	6.98	6.90	6.83	5.85	5.78	5.71	5.64	5.56	5.49	5.42
232.01	234.00	7.67	7.35	7.28	7.21	7.14	7.07	6.99	6.92	5.93	5.86	5.79	5.72	5.64	5.57	5.50
234.01	236.00	7.75	7.43	7.36	7.29	7.22	7.15	7.07	7.00	6.00	5.93	5.86	5.79	5.71	5.64	5.57
236.01	238.00	7.84	7.52	7.45	7.38	7.31	7.24	7.16	7.09	6.06	5.99	5.92	5.85	5.77	5.70	5.63
238.01	240.00	7.92	7.60	7.53	7.46	7.39	7.32	7.24	7.17	6.14	6.07	6.00	5.93	5.85	5.78	5.71
240.01	242.00	8.01	7.69	7.62	7.55	7.48	7.41	7.33	7.26	6.21	6.14	6.07	6.00	5.92	5.85	5.78
242.01	244.00	8.10	7.78	7.71	7.64	7.57	7.50	7.42	7.35	6.28	6.21	6.14	6.07	5.99	5.92	5.85
244.01	246.00	8.18	7.86	7.79	7.72	7.65	7.58	7.50	7.43	6.35	6.28	6.21	6.14	6.06	5.99	5.92

Daily Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
246.01	248.00	8.26	7.94	7.87	7.80	7.73	7.66	7.58	7.51	6.42	6.35	6.28	6.21	6.13	6.06	5.99
248.01	250.00	8.36	8.04	7.97	7.90	7.83	7.76	7.68	7.61	6.49	6.42	6.35	6.28	6.20	6.13	6.06
250.01	252.00	8.43	8.11	8.04	7.97	7.90	7.83	7.75	7.68	6.55	6.48	6.41	6.34	6.26	6.19	6.12
252.01	254.00	8.52	8.20	8.13	8.06	7.99	7.92	7.84	7.77	6.63	6.56	6.49	6.42	6.34	6.27	6.20
254.01	256.00	8.60	8.28	8.21	8.14	8.07	8.00	7.92	7.85	6.70	6.63	6.56	6.49	6.41	6.34	6.27
256.01	258.00	8.69	8.37	8.30	8.23	8.16	8.09	8.01	7.94	6.76	6.69	6.62	6.55	6.47	6.40	6.33
258.01	260.00	8.77	8.45	8.38	8.31	8.24	8.17	8.09	8.02	6.84	6.77	6.70	6.63	6.55	6.48	6.41
260.01	262.00	8.86	8.54	8.47	8.40	8.33	8.26	8.18	8.11	6.91	6.84	6.77	6.70	6.62	6.55	6.48
262.01	264.00	8.95	8.63	8.56	8.49	8.42	8.35	8.27	8.20	6.98	6.91	6.84	6.77	6.69	6.62	6.55
264.01	266.00	9.03	8.71	8.64	8.57	8.50	8.43	8.35	8.28	7.05	6.98	6.91	6.84	6.76	6.69	6.62
266.01	268.00	9.11	8.79	8.72	8.65	8.58	8.51	8.43	8.36	7.12	7.05	6.98	6.91	6.83	6.76	6.69
268.01	270.00	9.21	8.89	8.82	8.75	8.68	8.61	8.53	8.46	7.19	7.12	7.05	6.98	6.90	6.83	6.76
270.01	272.00	9.28	8.96	8.89	8.82	8.75	8.68	8.60	8.53	7.25	7.18	7.11	7.04	6.96	6.89	6.82
272.01	274.00	9.37	9.05	8.98	8.91	8.84	8.77	8.69	8.62	7.33	7.26	7.19	7.12	7.04	6.97	6.90
274.01	276.00	9.45	9.13	9.06	8.99	8.92	8.85	8.77	8.70	7.40	7.33	7.26	7.19	7.11	7.04	6.97
276.01	278.00	9.54	9.22	9.15	9.08	9.01	8.94	8.86	8.79	7.46	7.39	7.32	7.25	7.17	7.10	7.03
278.01	280.00	9.62	9.30	9.23	9.16	9.09	9.02	8.94	8.87	7.54	7.47	7.40	7.33	7.25	7.18	7.11

Daily Louisiana Income Tax Withholding Table																			
Exemptions:		0						1						2					
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6			
Salary Range:																			
Min	Max																		
280.01	282.00	9.71	9.39	9.32	9.25	9.18	9.11	9.03	8.96	7.61	7.54	7.47	7.40	7.32	7.25	7.18			
282.01	284.00	9.80	9.48	9.41	9.34	9.27	9.20	9.12	9.05	7.68	7.61	7.54	7.47	7.39	7.32	7.25			
284.01	286.00	9.88	9.56	9.49	9.42	9.35	9.28	9.20	9.13	7.75	7.68	7.61	7.54	7.46	7.39	7.32			
286.01	288.00	9.96	9.64	9.57	9.50	9.43	9.36	9.28	9.21	7.82	7.75	7.68	7.61	7.53	7.46	7.39			
288.01	290.00	10.06	9.74	9.67	9.60	9.53	9.46	9.38	9.31	7.89	7.82	7.75	7.68	7.60	7.53	7.46			
290.01	292.00	10.13	9.81	9.74	9.67	9.60	9.53	9.45	9.38	7.95	7.88	7.81	7.74	7.66	7.59	7.52			
292.01	294.00	10.22	9.90	9.83	9.76	9.69	9.62	9.54	9.47	8.03	7.96	7.89	7.82	7.74	7.67	7.60			
294.01	296.00	10.30	9.98	9.91	9.84	9.77	9.70	9.62	9.55	8.10	8.03	7.96	7.89	7.81	7.74	7.67			
296.01	298.00	10.39	10.07	10.00	9.93	9.86	9.79	9.71	9.64	8.16	8.09	8.02	7.95	7.87	7.80	7.73			
298.01	300.00	10.47	10.15	10.08	10.01	9.94	9.87	9.79	9.72	8.24	8.17	8.10	8.03	7.95	7.88	7.81			
300.01	302.00	10.56	10.24	10.17	10.10	10.03	9.96	9.88	9.81	8.31	8.24	8.17	8.10	8.02	7.95	7.88			
302.01	304.00	10.65	10.33	10.26	10.19	10.12	10.05	9.97	9.90	8.38	8.31	8.24	8.17	8.09	8.02	7.95			
304.01	306.00	10.73	10.41	10.34	10.27	10.20	10.13	10.05	9.98	8.45	8.38	8.31	8.24	8.16	8.09	8.02			
306.01	308.00	10.81	10.49	10.42	10.35	10.28	10.21	10.13	10.06	8.52	8.45	8.38	8.31	8.23	8.16	8.09			
308.01	310.00	10.91	10.59	10.52	10.45	10.38	10.31	10.23	10.16	8.59	8.52	8.45	8.38	8.30	8.23	8.16			
310.01	312.00	10.98	10.66	10.59	10.52	10.45	10.38	10.30	10.23	8.65	8.58	8.51	8.44	8.36	8.29	8.22			
312.01	314.00	11.07	10.75	10.68	10.61	10.54	10.47	10.39	10.32	8.73	8.66	8.59	8.52	8.44	8.37	8.30			
314.01	316.00	11.15	10.83	10.76	10.69	10.62	10.55	10.47	10.40	8.80	8.73	8.66	8.59	8.51	8.44	8.37			
316.01	318.00	11.24	10.92	10.85	10.78	10.71	10.64	10.56	10.49	8.86	8.79	8.72	8.65	8.57	8.50	8.43			
318.01	320.00	11.32	11.00	10.93	10.86	10.79	10.72	10.64	10.57	8.94	8.87	8.80	8.73	8.65	8.58	8.51			
320.01	322.00	11.41	11.09	11.02	10.95	10.88	10.81	10.73	10.66	9.01	8.94	8.87	8.80	8.72	8.65	8.58			
322.01	324.00	11.50	11.18	11.11	11.04	10.97	10.90	10.82	10.75	9.08	9.01	8.94	8.87	8.79	8.72	8.65			
324.01	326.00	11.58	11.26	11.19	11.12	11.05	10.98	10.90	10.83	9.15	9.08	9.01	8.94	8.86	8.79	8.72			
326.01	328.00	11.66	11.34	11.27	11.20	11.13	11.06	10.98	10.91	9.22	9.15	9.08	9.01	8.93	8.86	8.79			
328.01	330.00	11.76	11.44	11.37	11.30	11.23	11.16	11.08	11.01	9.29	9.22	9.15	9.08	9.00	8.93	8.86			
330.01	332.00	11.83	11.51	11.44	11.37	11.30	11.23	11.15	11.08	9.35	9.28	9.21	9.14	9.06	8.99	8.92			
332.01	334.00	11.92	11.60	11.53	11.46	11.39	11.32	11.24	11.17	9.43	9.36	9.29	9.22	9.14	9.07	9.00			
334.01	336.00	12.00	11.68	11.61	11.54	11.47	11.40	11.32	11.25	9.50	9.43	9.36	9.29	9.21	9.14	9.07			
336.01	338.00	12.09	11.77	11.70	11.63	11.56	11.49	11.41	11.34	9.56	9.49	9.42	9.35	9.27	9.20	9.13			
338.01	340.00	12.17	11.85	11.78	11.71	11.64	11.57	11.49	11.42	9.64	9.57	9.50	9.43	9.35	9.28	9.21			
340.01	342.00	12.26	11.94	11.87	11.80	11.73	11.66	11.58	11.51	9.71	9.64	9.57	9.50	9.42	9.35	9.28			
342.01	344.00	12.35	12.03	11.96	11.89	11.82	11.75	11.67	11.60	9.78	9.71	9.64	9.57	9.49	9.42	9.35			
344.01	346.00	12.43	12.11	12.04	11.97	11.90	11.83	11.75	11.68	9.85	9.78	9.71	9.64	9.56	9.49	9.42			
346.01	348.00	12.51	12.19	12.12	12.05	11.98	11.91	11.83	11.76	9.92	9.85	9.78	9.71	9.63	9.56	9.49			
348.01	350.00	12.61	12.29	12.22	12.15	12.08	12.01	11.93	11.86	9.99	9.92	9.85	9.78	9.70	9.63	9.56			
350.01	352.00	12.68	12.36	12.29	12.22	12.15	12.08	12.00	11.93	10.05	9.98	9.91	9.84	9.76	9.69	9.62			
352.01	354.00	12.77	12.45	12.38	12.31	12.24	12.17	12.09	12.02	10.13	10.06	9.99	9.92	9.84	9.77	9.70			
354.01	356.00	12.85	12.53	12.46	12.39	12.32	12.25	12.17	12.10	10.20	10.13	10.06	9.99	9.91	9.84	9.77			
356.01	358.00	12.94	12.62	12.55	12.48	12.41	12.34	12.26	12.19	10.26	10.19	10.12	10.05	9.97	9.90	9.83			
358.01	360.00	13.02	12.70	12.63	12.56	12.49	12.42	12.34	12.27	10.34	10.27	10.20	10.13	10.05	9.98	9.91			
360.01	362.00	13.11	12.79	12.72	12.65	12.58	12.51	12.43	12.36	10.41	10.34	10.27	10.20	10.12	10.05	9.98			
362.01	364.00	13.20	12.88	12.81	12.74	12.67	12.60	12.52	12.45	10.48	10.41	10.34	10.27	10.19	10.12	10.05			
364.01	366.00	13.28	12.96	12.89	12.82	12.75	12.68	12.60	12.53	10.55	10.48	10.41	10.34	10.26	10.19	10.12			

Daily Louisiana Income Tax Withholding Table																					
Exemptions:		0						1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6					
Salary Range:																					
Min	Max																				
366.01	368.00	13.36	13.04	12.97	12.90	12.83	12.76	12.68	12.61	10.62	10.55	10.48	10.41	10.33	10.26	10.19					
368.01	370.00	13.46	13.14	13.07	13.00	12.93	12.86	12.78	12.71	10.69	10.62	10.55	10.48	10.40	10.33	10.26					
370.01	372.00	13.53	13.21	13.14	13.07	13.00	12.93	12.85	12.78	10.75	10.68	10.61	10.54	10.46	10.39	10.32					
372.01	374.00	13.62	13.30	13.23	13.16	13.09	13.02	12.94	12.87	10.83	10.76	10.69	10.62	10.54	10.47	10.40					
374.01	376.00	13.70	13.38	13.31	13.24	13.17	13.10	13.02	12.95	10.90	10.83	10.76	10.69	10.61	10.54	10.47					
376.01	378.00	13.79	13.47	13.40	13.33	13.26	13.19	13.11	13.04	10.96	10.89	10.82	10.75	10.67	10.60	10.53					
378.01	380.00	13.87	13.55	13.48	13.41	13.34	13.27	13.19	13.12	11.04	10.97	10.90	10.83	10.75	10.68	10.61					
380.01	382.00	13.96	13.64	13.57	13.50	13.43	13.36	13.28	13.21	11.11	11.04	10.97	10.90	10.82	10.75	10.68					
382.01	384.00	14.05	13.73	13.66	13.59	13.52	13.45	13.37	13.30	11.18	11.11	11.04	10.97	10.89	10.82	10.75					
384.01	386.00	14.13	13.81	13.74	13.67	13.60	13.53	13.45	13.38	11.25	11.18	11.11	11.04	10.96	10.89	10.82					
										<i>(Add 4.25% for amounts in excess of \$386)</i>						<i>(Add 4.25% for amounts in excess of \$386)</i>					

Weekly Louisiana Income Tax Withholding Table																			
Exemptions:		0						1						2					
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6			
Salary Range:																			
Min	Max																		
-	50.00	<i>(1.85% of gross pay for \$50 and less with 0 Exemptions and 0 Dependents)</i>																	
50.01	70.00	1.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
70.01	90.00	1.48	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
90.01	110.00	1.85	0.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
110.01	130.00	2.22	0.62	0.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
130.01	150.00	2.59	0.99	0.63	0.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
150.01	170.00	2.96	1.36	1.00	0.65	0.29	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
170.01	190.00	3.33	1.73	1.37	1.02	0.66	0.31	0.00	0.00	0.13	0.00	0.00	0.00	0.00	0.00	0.00			
190.01	210.00	3.70	2.10	1.74	1.39	1.03	0.68	0.32	0.00	0.50	0.14	0.00	0.00	0.00	0.00	0.00			

Weekly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
210.01	230.00	4.07	2.47	2.11	1.76	1.40	1.05	0.69	0.33	0.87	0.51	0.16	0.00	0.00	0.00	0.00	0.00
230.01	250.00	4.44	2.84	2.48	2.13	1.77	1.42	1.06	0.70	1.24	0.88	0.53	0.17	0.00	0.00	0.00	0.00
250.01	270.00	5.13	3.53	3.17	2.82	2.46	2.11	1.75	1.39	1.61	1.25	0.90	0.54	0.18	0.00	0.00	0.00
270.01	290.00	5.83	4.23	3.87	3.52	3.16	2.81	2.45	2.09	1.98	1.62	1.27	0.91	0.55	0.20	0.00	0.00
290.01	310.00	6.53	4.93	4.57	4.22	3.86	3.51	3.15	2.79	2.35	1.99	1.64	1.28	0.92	0.57	0.21	0.00
310.01	330.00	7.23	5.63	5.27	4.92	4.56	4.21	3.85	3.49	2.72	2.36	2.01	1.65	1.29	0.94	0.58	0.21
330.01	350.00	7.93	6.33	5.97	5.62	5.26	4.91	4.55	4.19	3.09	2.73	2.38	2.02	1.66	1.31	0.95	0.21
350.01	370.00	8.63	7.03	6.67	6.32	5.96	5.61	5.25	4.89	3.46	3.10	2.75	2.39	2.03	1.68	1.32	0.95
370.01	390.00	9.33	7.73	7.37	7.02	6.66	6.31	5.95	5.59	3.83	3.47	3.12	2.76	2.40	2.05	1.69	1.32
390.01	410.00	10.03	8.43	8.07	7.72	7.36	7.01	6.65	6.29	4.20	3.84	3.49	3.13	2.77	2.42	2.06	1.32
410.01	430.00	10.73	9.13	8.77	8.42	8.06	7.71	7.35	6.99	4.57	4.21	3.86	3.50	3.14	2.79	2.43	1.32
430.01	450.00	11.43	9.83	9.47	9.12	8.76	8.41	8.05	7.69	4.94	4.58	4.23	3.87	3.51	3.16	2.80	1.32
450.01	470.00	12.13	10.53	10.17	9.82	9.46	9.11	8.75	8.39	5.31	4.95	4.60	4.24	3.88	3.53	3.17	1.32
470.01	490.00	12.83	11.23	10.87	10.52	10.16	9.81	9.45	9.09	5.68	5.32	4.97	4.61	4.25	3.90	3.54	1.32
490.01	510.00	13.53	11.93	11.57	11.22	10.86	10.51	10.15	9.79	6.37	6.01	5.66	5.30	4.94	4.59	4.23	1.32
510.01	530.00	14.23	12.63	12.27	11.92	11.56	11.21	10.85	10.49	7.07	6.71	6.36	6.00	5.64	5.29	4.93	1.32
530.01	550.00	14.93	13.33	12.97	12.62	12.26	11.91	11.55	11.19	7.77	7.41	7.06	6.70	6.34	5.99	5.63	1.32
550.01	570.00	15.63	14.03	13.67	13.32	12.96	12.61	12.25	11.89	8.47	8.11	7.76	7.40	7.04	6.69	6.33	1.32
570.01	590.00	16.33	14.73	14.37	14.02	13.66	13.31	12.95	12.59	9.17	8.81	8.46	8.10	7.74	7.39	7.03	1.32
590.01	610.00	17.03	15.43	15.07	14.72	14.36	14.01	13.65	13.29	9.87	9.51	9.16	8.80	8.44	8.09	7.73	1.32
610.01	630.00	17.73	16.13	15.77	15.42	15.06	14.71	14.35	13.99	10.57	10.21	9.86	9.50	9.14	8.79	8.43	1.32
630.01	650.00	18.43	16.83	16.47	16.12	15.76	15.41	15.05	14.69	11.27	10.91	10.56	10.20	9.84	9.49	9.13	1.32
650.01	670.00	19.13	17.53	17.17	16.82	16.46	16.11	15.75	15.39	11.97	11.61	11.26	10.90	10.54	10.19	9.83	1.32
670.01	690.00	19.83	18.23	17.87	17.52	17.16	16.81	16.45	16.09	12.67	12.31	11.96	11.60	11.24	10.89	10.53	1.32
690.01	710.00	20.53	18.93	18.57	18.22	17.86	17.51	17.15	16.79	13.37	13.01	12.66	12.30	11.94	11.59	11.23	1.32
710.01	730.00	21.23	19.63	19.27	18.92	18.56	18.21	17.85	17.49	14.07	13.71	13.36	13.00	12.64	12.29	11.93	1.32
730.01	750.00	21.93	20.33	19.97	19.62	19.26	18.91	18.55	18.19	14.77	14.41	14.06	13.70	13.34	12.99	12.63	1.32
750.01	770.00	22.63	21.03	20.67	20.32	19.96	19.61	19.25	18.89	15.47	15.11	14.76	14.40	14.04	13.69	13.33	1.32
770.01	790.00	23.33	21.73	21.37	21.02	20.66	20.31	19.95	19.59	16.17	15.81	15.46	15.10	14.74	14.39	14.03	1.32
790.01	810.00	24.03	22.43	22.07	21.72	21.36	21.01	20.65	20.29	16.87	16.51	16.16	15.80	15.44	15.09	14.73	1.32
810.01	830.00	24.73	23.13	22.77	22.42	22.06	21.71	21.35	20.99	17.57	17.21	16.86	16.50	16.14	15.79	15.43	1.32
830.01	850.00	25.43	23.83	23.47	23.12	22.76	22.41	22.05	21.69	18.27	17.91	17.56	17.20	16.84	16.49	16.13	1.32
850.01	870.00	26.13	24.53	24.17	23.82	23.46	23.11	22.75	22.39	18.97	18.61	18.26	17.90	17.54	17.19	16.83	1.32
870.01	890.00	26.83	25.23	24.87	24.52	24.16	23.81	23.45	23.09	19.67	19.31	18.96	18.60	18.24	17.89	17.53	1.32

Weekly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
890.01	910.00	27.53	25.93	25.57	25.22	24.86	24.51	24.15	23.79	20.37	20.01	19.66	19.30	18.94	18.59	18.23	1.32
910.01	930.00	28.23	26.63	26.27	25.92	25.56	25.21	24.85	24.49	21.07	20.71	20.36	20.00	19.64	19.29	18.93	1.32
930.01	950.00	28.93	27.33	26.97	26.62	26.26	25.91	25.55	25.19	21.77	21.41	21.06	20.70	20.34	19.99	19.63	1.32
950.01	970.00	29.63	28.03	27.67	27.32	26.96	26.61	26.25	25.89	22.47	22.11	21.76	21.40	21.04	20.69	20.33	1.32
970.01	990.00	30.47	28.87	28.51	28.16	27.80	27.45	27.09	26.73	23.17	22.81	22.46	22.10	21.74	21.39	21.03	1.32
990.01	1,010.00	31.32	29.72	29.36	29.01	28.65	28.30	27.94	27.58	23.87	23.51	23.16	22.80	22.44	22.09	21.73	1.32
1,010.01	1,030.00	32.17	30.57	30.21	29.86	29.50	29.15	28.79	28.43	24.57	24.21	23.86	23.50	23.14	22.79	22.43	1.32
1,030.01	1,050.00	33.02	31.42	31.06	30.71	30.35	30.00	29.64	29.28	25.27	24.91	24.56	24.20	23.84	23.49	23.13	1.32
1,050.01	1,070.00	33.87	32.27	31.91	31.56	31.20	30.85	30.49	30.13	25.97	25.61	25.26	24.90	24.54	24.19	23.83	1.32
1,070.01	1,090.00	34.72	33.12	32.76	32.41	32.05	31.70	31.34	30.98	26.67	26.31	25.96	25.60	25.24	24.89	24.53	1.32
1,090.01	1,110.00	35.57	33.97	33.61	33.26	32.90	32.55	32.19	31.83	27.37	27.01	26.66	26.30	25.94	25.59	25.23	1.32
1,110.01	1,130.00	36.42	34.82	34.46	34.11	33.75	33.40	33.04	32.68	28.07	27.71	27.36	27.00	26.64	26.29	25.93	1.32
1,130.01	1,150.00	37.27	35.67	35.31	34.96	34.60	34.25	33.89	33.53	28.77	28.41	28.06	27.70	27.34	26.99	26.63	1.32
1,150.01	1,170.00	38.12	36.52	36.16	35.81	35.45	35.10	34.74	34.38	29.47	29.11	28.76	28.40	28.04	27.69	27.33	1.32
1,170.01	1,190.00	38.97	37.37	37.01	36.66	36.30	35.95	35.59	35.23	30.17	29.81	29.46	29.10	28.74	28.39	28.03	1.32
1,190.01	1,210.00	39.82	38.22	37.86	37.51	37.15	36.80	36.44	36.08	30.87	30.51	30.16	29.80	29.44	29.09	28.73	1.32
1,210.01	1,230.00	40.67	39.07	38.71	38.36	38.00	37.65	37.29	36.93	31.57	31.21	30.86	30.50	30.14	29.79	29.43	1.32
1,230.01	1,250.00	41.52	39.92	39.56	39.21	38.85	38.50	38.14	37.78	32.27	31.91	31.56	31.20	30.84	30.49	30.13	1.32
1,250.01	1,270.00	42.37	40.77	40.41	40.06	39.70	39.35	38.99	38.63	32.97	32.61	32.26	31.90	31.54	31.19	30.83	1.32
1,270.01	1,290.00	43.22	41.62	41.26	40.91	40.55	40.20	39.84	39.48	33.67	33.31	32.96	32.60	32.24	31.89	31.53	1.32
1,290.01	1,310.00	44.07	42.47	42.11	41.76	41.40	41.05	40.69	40.33	34.37	34.01	33.66	33.30	32.94	32.59	32.23	1.32
1,310.01	1,330.00	44.92	43.32	42.96	42.61	42.25	41.90	41.54	41.18	35.07	34.71	34.36	34.00	33.64	33.29	32.93	1.32
1,330.01	1,350.00	45.77	44.17	43.81	43.46	43.10	42.75	42.39	42.03	35.77	35.41	35.06	34.70	34.34	33.99	33.63	1.32
1,350.01	1,370.00	46.62	45.02	44.66	44.31	43.95	43.60	43.24	42.88	36.47	36.11	35.76	35.40	35.04	34.69	34.33	1.32
1,370.01	1,390.00	47.47	45.87	45.51	45.16	44.80	44.45	44.09	43.73	37.17	36.81	36.46	36.10	35.74	35.39	35.03	1.32
1,390.01	1,410.00	48.32	46.72	46.36	46.01	45.65	45.30	44.94	44.58	37.87	37.51	37.16	36.80	36.44	36.09	35.73	1.32
1,410.01	1,430.00	49.17	47.57	47.21	46.86	46.50	46.15	45.79	45.43	38.57	38.21	37.86	37.50	37.14	36.79	36.43	1.32
1,430.01	1,450.00	50.02	48.42	48.06	47.71	47.35	47.00	46.64	46.28	39.27	38.91	38.56	38.20	37.84	37.49	37.13	1.32
1,450.01	1,470.00	50.87	49.27	48.91	48.56	48.20	47.85	47.49	47.13	39.97	39.61	39.26	38.90	38.54	38.19	37.83	1.32

Weekly Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0		1		2		3		4		5		6		
Salary Range:																
Min	Max															
1,610.01	1,630.00	57.67	56.07	55.71	55.36	55.00	54.65	54.29	53.93	45.57	45.21	44.86	44.50	44.14	43.79	43.43
1,630.01	1,650.00	58.52	56.92	56.56	56.21	55.85	55.50	55.14	54.78	46.27	45.91	45.56	45.20	44.84	44.49	44.13
1,650.01	1,670.00	59.37	57.77	57.41	57.06	56.70	56.35	55.99	55.63	46.97	46.61	46.26	45.90	45.54	45.19	44.83
1,670.01	1,690.00	60.22	58.62	58.26	57.91	57.55	57.20	56.84	56.48	47.67	47.31	46.96	46.60	46.24	45.89	45.53
1,690.01	1,710.00	61.07	59.47	59.11	58.76	58.40	58.05	57.69	57.33	48.37	48.01	47.66	47.30	46.94	46.59	46.23
1,710.01	1,730.00	61.92	60.32	59.96	59.61	59.25	58.90	58.54	58.18	49.07	48.71	48.36	48.00	47.64	47.29	46.93
1,730.01	1,750.00	62.77	61.17	60.81	60.46	60.10	59.75	59.39	59.03	49.77	49.41	49.06	48.70	48.34	47.99	47.63
1,750.01	1,770.00	63.62	62.02	61.66	61.31	60.95	60.60	60.24	59.88	50.47	50.11	49.76	49.40	49.04	48.69	48.33
1,770.01	1,790.00	64.47	62.87	62.51	62.16	61.80	61.45	61.09	60.73	51.17	50.81	50.46	50.10	49.74	49.39	49.03
1,790.01	1,810.00	65.32	63.72	63.36	63.01	62.65	62.30	61.94	61.58	51.87	51.51	51.16	50.80	50.44	50.09	49.73
1,810.01	1,830.00	66.17	64.57	64.21	63.86	63.50	63.15	62.79	62.43	52.57	52.21	51.86	51.50	51.14	50.79	50.43
1,830.01	1,850.00	67.02	65.42	65.06	64.71	64.35	64.00	63.64	63.28	53.27	52.91	52.56	52.20	51.84	51.49	51.13
1,850.01	1,870.00	67.87	66.27	65.91	65.56	65.20	64.85	64.49	64.13	53.97	53.61	53.26	52.90	52.54	52.19	51.83
1,870.01	1,890.00	68.72	67.12	66.76	66.41	66.05	65.70	65.34	64.98	54.67	54.31	53.96	53.60	53.24	52.89	52.53
1,890.01	1,910.00	69.57	67.97	67.61	67.26	66.90	66.55	66.19	65.83	55.37	55.01	54.66	54.30	53.94	53.59	53.23
1,910.01	1,930.00	70.42	68.82	68.46	68.11	67.75	67.40	67.04	66.68	56.07	55.71	55.36	55.00	54.64	54.29	53.93
1,930.01	1,950.00	71.27	69.67	69.31	68.96	68.60	68.25	67.89	67.53	56.90	56.54	56.19	55.83	55.47	55.12	54.76
										(Add 4.25% for amounts in excess of \$1,950)						

Biweekly Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0		1		2		3		4		5		6		
Salary Range:																
Min	Max															
-	100.00	<i>(1.85% of gross pay for \$100 and less with 0 Exemptions and 0 Dependents)</i>														
100.01	140.00	2.22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
140.01	180.00	2.96	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
180.01	220.00	3.70	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
220.01	260.00	4.44	1.24	0.53	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
260.01	300.00	5.18	1.98	1.27	0.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300.01	340.00	5.92	2.72	2.01	1.29	0.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
340.01	380.00	6.66	3.46	2.75	2.03	1.32	0.61	0.00	0.00	0.26	0.00	0.00	0.00	0.00	0.00	0.00
380.01	420.00	7.40	4.20	3.49	2.77	2.06	1.35	0.64	0.00	1.00	0.28	0.00	0.00	0.00	0.00	0.00
420.01	460.00	8.14	4.94	4.23	3.51	2.80	2.09	1.38	0.67	1.74	1.02	0.31	0.00	0.00	0.00	0.00
460.01	500.00	8.88	5.68	4.97	4.25	3.54	2.83	2.12	1.41	2.48	1.76	1.05	0.34	0.00	0.00	0.00
500.01	540.00	10.27	7.07	6.36	5.64	4.93	4.22	3.51	2.80	3.22	2.50	1.79	1.08	0.37	0.00	0.00
540.01	580.00	11.67	8.47	7.76	7.04	6.33	5.62	4.91	4.20	3.96	3.24	2.53	1.82	1.11	0.40	0.00
580.01	620.00	13.07	9.87	9.16	8.44	7.73	7.02	6.31	5.60	4.70	3.98	3.27	2.56	1.85	1.14	0.43
620.01	660.00	14.47	11.27	10.56	9.84	9.13	8.42	7.71	7.00	5.44	4.72	4.01	3.30	2.59	1.88	1.17
660.01	700.00	15.87	12.67	11.96	11.24	10.53	9.82	9.11	8.40	6.18	5.46	4.75	4.04	3.33	2.62	1.91
700.01	740.00	17.27	14.07	13.36	12.64	11.93	11.22	10.51	9.80	6.92	6.20	5.49	4.78	4.07	3.36	2.65
740.01	780.00	18.67	15.47	14.76	14.04	13.33	12.62	11.91	11.20	7.66	6.94	6.23	5.52	4.81	4.10	3.39
780.01	820.00	20.07	16.87	16.16	15.44	14.73	14.02	13.31	12.60	8.40	7.68	6.97	6.26	5.55	4.84	4.13
820.01	860.00	21.47	18.27	17.56	16.84	16.13	15.42	14.71	14.00	9.14	8.42	7.71	7.00	6.29	5.58	4.87
860.01	900.00	22.87	19.67	18.96	18.24	17.53	16.82	16.11	15.40	9.88	9.16	8.45	7.74	7.03	6.32	5.61
900.01	940.00	24.27	21.07	20.36	19.64	18.93	18.22	17.51	16.80	10.62	9.90	9.19	8.48	7.77	7.06	6.35
940.01	980.00	25.67	22.47	21.76	21.04	20.33	19.62	18.91	18.20	11.36	10.64	9.93	9.22	8.51	7.80	7.09
980.01	1,020.00	27.07	23.87	23.16	22.44	21.73	21.02	20.31	19.60	12.10	11.38	10.67	9.96	9.25	8.54	7.83
1,020.01	1,060.00	28.47	25.27	24.56	23.84	23.13	22.42	21.71	21.00	14.13	13.41	12.70	11.99	11.28	10.57	9.86
1,060.01	1,100.00	29.87	26.67	25.96	25.24	24.53	23.82	23.11	22.40	15.53	14.81	14.10	13.39	12.68	11.97	11.26
1,100.01	1,140.00	31.27	28.07	27.36	26.64	25.93	25.22	24.51	23.80	16.93	16.21	15.50	14.79	14.08	13.37	12.66
1,140.01	1,180.00	32.67	29.47	28.76	28.04	27.33	26.62	25.91	25.20	18.33	17.61	16.90	16.19	15.48	14.77	14.06
1,180.01	1,220.00	34.07	30.87	30.16	29.44	28.73	28.02	27.31	26.60	19.73	19.01	18.30	17.59	16.88	16.17	15.46
1,220.01	1,260.00	35.47	32.27	31.56	30.84	30.13	29.42	28.71	28.00	21.13	20.41	19.70	18.99	18.28	17.57	16.86
1,260.01	1,300.00	36.87	33.67	32.96	32.24	31.53	30.82	30.11	29.40	22.53	21.81	21.10	20.39	19.68	18.97	18.26
1,300.01	1,340.00	38.27	35.07	34.36	33.64	32.93	32.22	31.51	30.80	23.93	23.21	22.50	21.79	21.08	20.37	19.66
1,340.01	1,380.00	39.67	36.47	35.76	35.04	34.33	33.62	32.91	32.20	25.33	24.61	23.90	23.19	22.48	21.77	21.06
1,380.01	1,420.00	41.07	37.87	37.16	36.44	35.73	35.02	34.31	33.60	26.73	26.01	25.30	24.59	23.88	23.17	22.46
1,420.01	1,460.00	42.47	39.27	38.56	37.84	37.13	36.42	35.71	35.00	28.13	27.41	26.70	25.99	25.28	24.57	23.86
1,460.01	1,500.00	43.87	40.67	39.96	39.24	38.53	37.82	37.11	36.40	29.53	28.81	28.10	27.39	26.68	25.97	25.26
1,500.01	1,540.00	45.27	42.07	41.36	40.64	39.93	39.22	38.51	37.80	30.93	30.21	29.50	28.79	28.08	27.37	26.66
1,540.01	1,580.00	46.67	43.47	42.76	42.04	41.33	40.62	39.91	39.20	32.33	31.61	30.90	30.19	29.48	28.77	28.06
1,580.01	1,620.00	48.07	44.87	44.16	43.44	42.73	42.02	41.31	40.60	33.73	33.01	32.30	31.59	30.88	30.17	29.46
1,620.01	1,660.00	49.47	46.27	45.56	44.84	44.13	43.42	42.71	42.00	35.13	34.41	33.70	32.99	32.28	31.57	30.86
1,660.01	1,700.00	50.87	47.67	46.96	46.24	45.53	44.82	44.11	43.40	36.53	35.81	35.10	34.39	33.68	32.97	32.26
1,700.01	1,740.00	52.27	49.07	48.36	47.64	46.93	46.22	45.51	44.80	37.93	37.21	36.50	35.79	35.08	34.37	33.66
1,740.01	1,780.00	53.67	50.47	49.76	49.04	48.33	47.62	46.91	46.20	39.33	38.61	37.90	37.19	36.48	35.77	35.06
1,780.01	1,820.00	55.07	51.87	51.16	50.44	49.73	49.02	48.31	47.60	40.73	40.01	39.30	38.59	37.88	37.17	36.46
1,820.01	1,860.00	56.47	53.27	52.56	51.84	51.13	50.42	49.71	49.00	42.13	41.41	40.70	39.99	39.28	38.57	37.86
1,860.01	1,900.00	57.87	54.67	53.96	53.24	52.53	51.82	51.11	50.40	43.53	42.81	42.10	41.39	40.68	39.97	39.26
1,900.01	1,940.00	59.27	56.07	55.36	54.64	53.93	53.22	52.51	51.80	44.93	44.21	43.50	42.79	42.08	41.37	40.66
1,940.01	1,980.00	60.95	57.75	57.04	56.32	55.61	54.90	54.19	53.48	46.33	45.61	44.90	44.19	43.48	42.77	42.06
1,980.01	2,020.00	62.65	59.45	58.74	58.02	57.31	56.60	55.89	55.18	47.73	47.01	46.30	45.59	44.88	44.17	43.46
2,020.01	2,060.00	64.35	61.15	60.44	59.72	59.01	58.30	57.59	56.88	49.13	48.41	47.70	46.99	46.28	45.57	44.86
2,060.01	2,100.00	66.05	62.85	62.												

Semimonthly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
780.01	820.00	19.41	15.94	15.17	14.40	13.63	12.86	12.09	11.32	7.86	7.09	6.32	5.55	4.78	4.01	3.24	
820.01	860.00	20.81	17.34	16.57	15.80	15.03	14.26	13.49	12.72	8.60	7.83	7.06	6.29	5.52	4.75	3.98	
860.01	900.00	22.21	18.74	17.97	17.20	16.43	15.66	14.89	14.12	9.34	8.57	7.80	7.03	6.26	5.49	4.72	
900.01	940.00	23.61	20.14	19.37	18.60	17.83	17.06	16.29	15.52	10.08	9.31	8.54	7.77	7.00	6.23	5.46	
940.01	980.00	25.01	21.54	20.77	20.00	19.23	18.46	17.69	16.92	10.82	10.05	9.28	8.51	7.74	6.97	6.20	
980.01	1,020.00	26.41	22.94	22.17	21.40	20.63	19.86	19.09	18.32	11.56	10.79	10.02	9.25	8.48	7.71	6.94	
1,020.01	1,060.00	27.81	24.34	23.57	22.80	22.03	21.26	20.49	19.72	12.30	11.53	10.76	9.99	9.22	8.45	7.68	
1,060.01	1,100.00	29.21	25.74	24.97	24.20	23.43	22.66	21.89	21.12	13.67	12.90	12.13	11.36	10.59	9.82	9.05	
1,100.01	1,140.00	30.61	27.14	26.37	25.60	24.83	24.06	23.29	22.52	15.07	14.30	13.53	12.76	11.99	11.22	10.45	
1,140.01	1,180.00	32.01	28.54	27.77	27.00	26.23	25.46	24.69	23.92	16.47	15.70	14.93	14.16	13.39	12.62	11.85	
1,180.01	1,220.00	33.41	29.94	29.17	28.40	27.63	26.86	26.09	25.32	17.87	17.10	16.33	15.56	14.79	14.02	13.25	
1,220.01	1,260.00	34.81	31.34	30.57	29.80	29.03	28.26	27.49	26.72	19.27	18.50	17.73	16.96	16.19	15.42	14.65	
1,260.01	1,300.00	36.21	32.74	31.97	31.20	30.43	29.66	28.89	28.12	20.67	19.90	19.13	18.36	17.59	16.82	16.05	
1,300.01	1,340.00	37.61	34.14	33.37	32.60	31.83	31.06	30.29	29.52	22.07	21.30	20.53	19.76	18.99	18.22	17.45	
1,340.01	1,380.00	39.01	35.54	34.77	34.00	33.23	32.46	31.69	30.92	23.47	22.70	21.93	21.16	20.39	19.62	18.85	
1,380.01	1,420.00	40.41	36.94	36.17	35.40	34.63	33.86	33.09	32.32	24.87	24.10	23.33	22.56	21.79	21.02	20.25	
1,420.01	1,460.00	41.81	38.34	37.57	36.80	36.03	35.26	34.49	33.72	26.27	25.50	24.73	23.96	23.19	22.42	21.65	
1,460.01	1,500.00	43.21	39.74	38.97	38.20	37.43	36.66	35.89	35.12	27.67	26.90	26.13	25.36	24.59	23.82	23.05	
1,500.01	1,540.00	44.61	41.14	40.37	39.60	38.83	38.06	37.29	36.52	29.07	28.30	27.53	26.76	25.99	25.22	24.45	
1,540.01	1,580.00	46.01	42.54	41.77	41.00	40.23	39.46	38.69	37.92	30.47	29.70	28.93	28.16	27.39	26.62	25.85	
1,580.01	1,620.00	47.41	43.94	43.17	42.40	41.63	40.86	40.09	39.32	31.87	31.10	30.33	29.56	28.79	28.02	27.25	
1,620.01	1,660.00	48.81	45.34	44.57	43.80	43.03	42.26	41.49	40.72	33.27	32.50	31.73	30.96	30.19	29.42	28.65	
1,660.01	1,700.00	50.21	46.74	45.97	45.20	44.43	43.66	42.89	42.12	34.67	33.90	33.13	32.36	31.59	30.82	30.05	
1,700.01	1,740.00	51.61	48.14	47.37	46.60	45.83	45.06	44.29	43.52	36.07	35.30	34.53	33.76	32.99	32.22	31.45	
1,740.01	1,780.00	53.01	49.54	48.77	48.00	47.23	46.46	45.69	44.92	37.47	36.70	35.93	35.16	34.39	33.62	32.85	
1,780.01	1,820.00	54.41	50.94	50.17	49.40	48.63	47.86	47.09	46.32	38.87	38.10	37.33	36.56	35.79	35.02	34.25	
1,820.01	1,860.00	55.81	52.34	51.57	50.80	50.03	49.26	48.49	47.72	40.27	39.50	38.73	37.96	37.19	36.42	35.65	
1,860.01	1,900.00	57.21	53.74	52.97	52.20	51.43	50.66	49.89	49.12	41.67	40.90	40.13	39.36	38.59	37.82	37.05	
1,900.01	1,940.00	58.61	55.14	54.37	53.60	52.83	52.06	51.29	50.52	43.07	42.30	41.53	40.76	39.99	39.22	38.45	
1,940.01	1,980.00	60.01	56.54	55.77	55.00	54.23	53.46	52.69	51.92	44.47	43.70	42.93	42.16	41.39	40.62	39.85	
1,980.01	2,020.00	61.41	57.94	57.17	56.40	55.63	54.86	54.09	53.32	45.87	45.10	44.33	43.56	42.79	42.02	41.25	
2,020.01	2,060.00	62.81	59.34	58.57	57.80	57.03	56.26	55.49	54.72	47.27	46.50	45.73	44.96	44.19	43.42	42.65	
2,060.01	2,100.00	64.21	60.74	59.97	59.20	58.43	57.66	56.89	56.12	48.67	47.90	47.13	46.36	45.59	44.82	44.05	
2,100.01	2,140.00	65.61	62.14	61.37	60.60	59.83	59.06	58.29	57.52	50.07	49.30	48.53	47.76	46.99	46.22	45.45	
2,140.01	2,180.00	67.01	63.54	62.77	62.00	61.23	60.46	59.69	58.92	51.47	50.70	49.93	49.16	48.39	47.62	46.85	
2,180.01	2,220.00	68.41	64.94	64.17	63.40	62.63	61.86	61.09	60.32	52.87	52.10	51.33	50.56	49.79	49.02	48.25	
2,220.01	2,260.00	69.81	66.34	65.57	64.80	64.03	63.26	62.49	61.72	54.27	53.50	52.73	51.96	51.19	50.42	49.65	
2,260.01	2,300.00	71.21	67.74	66.97	66.20	65.43	64.66	63.89	63.12	55.67	54.90	54.13	53.36	52.59	51.82	51.05	
2,300.01	2,340.00	72.61	69.14	68.37	67.60	66.83	66.06	65.29	64.52	57.07	56.30	55.53	54.76	53.99	53.22	52.45	

Semimonthly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
2,340.01	2,380.00	76.09	72.62	71.85	71.08	70.31	69.54	68.77	68.00	58.47	57.70	56.93	56.16	55.39	54.62	53.85	
2,380.01	2,420.00	77.49	74.02	73.25	72.48	71.71	70.94	70.17	69.40	59.87	59.10	58.33	57.56	56.79	56.02	55.25	
2,420.01	2,460.00	78.89	75.42	74.65	73.88	73.11	72.34	71.57	70.80	61.27	60.50	59.73	58.96	58.19	57.42	56.65	
2,460.01	2,500.00	80.29	76.82	76.05	75.28	74.51	73.74	72.97	72.20	62.67	61.90	61.13	60.36	59.59	58.82	58.05	
2,500.01	2,540.00	81.69	78.22	77.45	76.68	75.91	75.14	74.37	73.60	64.07	63.30	62.53	61.76	60.99	60.22	59.45	
2,540.01	2,580.00	83.09	79.62	78.85	78.08	77.31	76.54	75.77	75.00	65.47	64.70	63.93	63.16	62.39	61.62	60.85	
2,580.01	2,620.00	84.49	81.02	80.25	79.48	78.71	77.94	77.17	76.40	66.87	66.10	65.33	64.56	63.79	63.02	62.25	
2,620.01	2,660.00	85.89	82.42	81.65	80.88	80.11	79.34	78.57	77.80	68.27	67.50	66.73	65.96	65.19	64.42	63.65	
2,660.01	2,700.00	87.29	83.82	83.05	82.28	81.51	80.74	79.97	79.20	69.67	68.90	68.13	67.36	66.59	65.82	65.05	
2,700.01	2,740.00	88.69	85.22	84.45	83.68	82.91	82.14	81.37	80.60	71.07	70.30	69.53	68.76	67.99	67.22	66.45	
2,740.01	2,780.00	90.09	86.62	85.85	85.08	84.31	83.54	82.77	82.00	72.47	71.70	70.93	70.16	69.39	68.62	67.85	
2,780.01	2,820.00	91.49	88.02	87.25	86.48	85.71	84.94	84.17	83.40	73.87	73.10	72.33	71.56	70.79	70.02	69.25	
2,820.01	2,860.00	92.89	89.42	88.65	87.88	87.11	86.34	85.57	84.80	75.27	74.50	73.73	72.96	72.19	71.42	70.65	
2,860.01	2,900.00	94.29	90.82	90.05	89.28	88.51	87.74	86.97	86.20	76.67	75.90	75.13	74.36	73.59	72.82	72.05	
2,900.01	2,940.00	95.69	92.22	91.45	90.68	89.91	89.14	88.37	87.60	78.07	77.30	76.53	75.76	74.99	74.22	73.45	
2,940.01	2,980.00	97.09	93.62	92.85	92.08	91.31	90.54	89.77	89.00	79.47	78.70	77.93	77.16	76.39	75.62	74.85	
2,980.01	3,020.00	98.49	95.02	94.25	93.48	92.71	91.94	91.17	90.40	80.87	80.10	79.33	78.56	77.79	77.02	76.25	
3,020.01	3,060.00	99.89	96.42	95.65	94.88	94.11	93.34	92.57	91.80	82.27	81.50	80.73	79.96	79.19	78.42	77.65	
3,060.01	3,100.00	101.29	97.82	97.05	96.28	95.51	94.74	93.97	93.20	83.67	82.90	82.13	81.36	80.59	79.82	79.05	
3,100.01	3,140.00	102.69	99.22	98.45	97.68	96.91	96.14	95.37	94.60	85.07	84.30	83.53	82.76	81.99	81.22	80.45	
3,140.01	3,180.00	104.09	100.62	99.85	99.08	98.31	97.54	96.77	96.00	86.47	85.70	84.93	84.16	83.39	82.62	81.85	
3,180.01	3,220.00	105.49	102.02	101.25	100.48	99.71	98.94	98.17	97.40	87.87	87.10	86.33	85.56	84.79	84.02	83.25	
3,220.01	3,260.00	106.89	103.42	102.65	101.88	101.11	100.34	99.57	98.80	89.27	88.50	87.73	86.96	86.19	85.42	84.65	
3,260.01	3,300.00	108.29	104.82	104.05	103.28	102.51	101.74	100.97	100.20	90.67	89.90	89.13	88.36	87.59	86.82	86.05	
3,300.01	3,340.00	109.69	106.22	105.45	104.68	103.91	103.14	102.37	101.60	92.07	91.30	90.53	89.76	88.99	88.22	87.45	
3,340.01	3,380.00	111.09	107.62	106.85	106.08	105.31	104.54	103.77	103								

Semimonthly Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
3,580.01	3,620.00	128.79	125.32	124.55	123.78	123.01	122.24	121.47	120.70	101.87	101.10	100.33	99.56	98.79	98.02	97.25
3,620.01	3,660.00	130.49	127.02	126.25	125.48	124.71	123.94	123.17	122.40	103.27	102.50	101.73	100.96	100.19	99.42	98.65
3,660.01	3,700.00	132.19	128.72	127.95	127.18	126.41	125.64	124.87	124.10	104.67	103.90	103.13	102.36	101.59	100.82	100.05
3,700.01	3,740.00	133.89	130.42	129.65	128.88	128.11	127.34	126.57	125.80	106.07	105.30	104.53	103.76	102.99	102.22	101.45
3,740.01	3,780.00	135.59	132.12	131.35	130.58	129.81	129.04	128.27	127.50	107.47	106.70	105.93	105.16	104.39	103.62	102.85
3,780.01	3,820.00	137.29	133.82	133.05	132.28	131.51	130.74	129.97	129.20	108.87	108.10	107.33	106.56	105.79	105.02	104.25
3,820.01	3,860.00	138.99	135.52	134.75	133.98	133.21	132.44	131.67	130.90	110.27	109.50	108.73	107.96	107.19	106.42	105.65
3,860.01	3,900.00	140.69	137.22	136.45	135.68	134.91	134.14	133.37	132.60	111.67	110.90	110.13	109.36	108.59	107.82	107.05
3,900.01	3,940.00	142.39	138.92	138.15	137.38	136.61	135.84	135.07	134.30	113.07	112.30	111.53	110.76	109.99	109.22	108.45
3,940.01	3,980.00	144.09	140.62	139.85	139.08	138.31	137.54	136.77	136.00	114.47	113.70	112.93	112.16	111.39	110.62	109.85
3,980.01	4,020.00	145.79	142.32	141.55	140.78	140.01	139.24	138.47	137.70	115.87	115.10	114.33	113.56	112.79	112.02	111.25
4,020.01	4,060.00	147.49	144.02	143.25	142.48	141.71	140.94	140.17	139.40	117.27	116.50	115.73	114.96	114.19	113.42	112.65
4,060.01	4,100.00	149.19	145.72	144.95	144.18	143.41	142.64	141.87	141.10	118.67	117.90	117.13	116.36	115.59	114.82	114.05
4,100.01	4,140.00	150.89	147.42	146.65	145.88	145.11	144.34	143.57	142.80	120.07	119.30	118.53	117.76	116.99	116.22	115.45
4,140.01	4,180.00	152.59	149.12	148.35	147.58	146.81	146.04	145.27	144.50	121.47	120.70	119.93	119.16	118.39	117.62	116.85
4,180.01	4,220.00	154.29	150.82	150.05	149.28	148.51	147.74	146.97	146.20	123.12	122.35	121.58	120.81	120.04	119.27	118.50
										(Add 4.25% for amounts in excess of \$4,220)						

Monthly Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
0.00	200.00	<i>(1.85% of gross pay for \$200 and less with 0 Exemptions and 0 Dependents)</i>														
200.01	280.00	4.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
280.01	360.00	5.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
360.01	440.00	7.40	0.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
440.01	520.00	8.88	1.94	0.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
520.01	600.00	10.36	3.42	1.88	0.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
600.01	680.00	11.84	4.90	3.36	1.82	0.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
680.01	760.00	13.32	6.38	4.84	3.30	1.76	0.22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
760.01	840.00	14.80	7.86	6.32	4.78	3.24	1.70	0.15	0.00	0.92	0.00	0.00	0.00	0.00	0.00	0.00
840.01	920.00	16.28	9.34	7.80	6.26	4.72	3.18	1.63	0.09	2.40	0.86	0.00	0.00	0.00	0.00	0.00
920.01	1,000.00	17.76	10.82	9.28	7.74	6.20	4.66	3.11	1.57	3.88	2.34	0.80	0.00	0.00	0.00	0.00
1,000.01	1,080.00	19.24	12.30	10.76	9.22	7.68	6.14	4.59	3.05	5.36	3.82	2.28	0.74	0.00	0.00	0.00
1,080.01	1,160.00	22.01	15.07	13.53	11.99	10.45	8.91	7.36	5.82	6.84	5.30	3.76	2.22	0.68	0.00	0.00
1,160.01	1,240.00	24.81	17.87	16.33	14.79	13.25	11.71	10.16	8.62	8.32	6.78	5.24	3.70	2.16	0.62	0.00
1,240.01	1,320.00	27.61	20.67	19.13	17.59	16.05	14.51	12.96	11.42	9.80	8.26	6.72	5.18	3.64	2.10	0.55
1,320.01	1,400.00	30.41	23.47	21.93	20.39	18.85	17.31	15.76	14.22	11.28	9.74	8.20	6.66	5.12	3.58	2.03
1,400.01	1,480.00	33.21	26.27	24.73	23.19	21.65	20.11	18.56	17.02	12.76	11.22	9.68	8.14	6.60	5.06	3.51
1,480.01	1,560.00	36.01	29.07	27.53	25.99	24.45	22.91	21.36	19.82	14.24	12.70	11.16	9.62	8.08	6.54	4.99
1,560.01	1,640.00	38.81	31.87	30.33	28.79	27.25	25.71	24.16	22.62	15.72	14.18	12.64	11.10	9.56	8.02	6.47
1,640.01	1,720.00	41.61	34.67	33.13	31.59	30.05	28.51	26.96	25.42	17.20	15.66	14.12	12.58	11.04	9.50	7.95
1,720.01	1,800.00	44.41	37.47	35.93	34.39	32.85	31.31	29.76	28.22	18.68	17.14	15.60	14.06	12.52	10.98	9.43

Monthly Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
1,800.01	1,880.00	47.21	40.27	38.73	37.19	35.65	34.11	32.56	31.02	20.16	18.62	17.08	15.54	14.00	12.46	10.91
1,880.01	1,960.00	50.01	43.07	41.53	39.99	38.45	36.91	35.36	33.82	21.64	20.10	18.56	17.02	15.48	13.94	12.39
1,960.01	2,040.00	52.81	45.87	44.33	42.79	41.25	39.71	38.16	36.62	23.12	21.58	20.04	18.50	16.96	15.42	13.87
2,040.01	2,120.00	55.61	48.67	47.13	45.59	44.05	42.51	40.96	39.42	24.60	23.06	21.52	19.98	18.44	16.90	15.35
2,120.01	2,200.00	58.41	51.47	49.93	48.39	46.85	45.31	43.76	42.22	27.35	25.81	24.27	22.73	21.19	19.65	18.10
2,200.01	2,280.00	61.21	54.27	52.73	51.19	49.65	48.11	46.56	45.02	30.15	28.61	27.07	25.53	23.99	22.45	20.90
2,280.01	2,360.00	64.01	57.07	55.53	53.99	52.45	50.91	49.36	47.82	32.95	31.41	29.87	28.33	26.79	25.25	23.70
2,360.01	2,440.00	66.81	59.87	58.33	56.79	55.25	53.71	52.16	50.62	35.75	34.21	32.67	31.13	29.59	28.05	26.50
2,440.01	2,520.00	69.61	62.67	61.13	59.59	58.05	56.51	54.96	53.42	38.55	37.01	35.47	33.93	32.39	30.85	29.30
2,520.01	2,600.00	72.41	65.47	63.93	62.39	60.85	59.31	57.76	56.22	41.35	39.81	38.27	36.73	35.19	33.65	32.10
2,600.01	2,680.00	75.21	68.27	66.73	65.19	63.65	62.11	60.56	59.02	44.15	42.61	41.07	39.53	37.99	36.45	34.90
2,680.01	2,760.00	78.01	71.07	69.53	67.99	66.45	64.91	63.36	61.82	46.95	45.41	43.87	42.33	40.79	39.25	37.70
2,760.01	2,840.00	80.81	73.87	72.33	70.79	69.25	67.71	66.16	64.62	49.75	48.21	46.67	45.13	43.59	42.05	40.50
2,840.01	2,920.00	83.61	76.67	75.13	73.59	72.05	70.51	68.96	67.42	52.55	51.01	49.47	47.93	46.39	44.85	43.30
2,920.01	3,000.00	86.41	79.47	77.93	76.39	74.85	73.31	71.76	70.22	55.35	53.81	52.27	50.73	49.19	47.65	46.10
3,000.01	3,080.00	89.21	82.27	80.73	79.19	77.65	76.11	74.56	73.02	58.15	56.61	55.07	53.53	51.99	50.45	48.90
3,080.01	3,160.00	92.01	85.07	83.53	81.99	80.45	78.91	77.36	75.82	60.95	59.41	57.87	56.33	54.79	53.25	51.70
3,160.01	3,240.00	94.81	87.87	86.33	84.79	83.25	81.71	80.16	78.62	63.75	62.21	60.67	59.13	57.59	56.05	54.50
3,240.01	3,320.00	97.61	90.67	89.13	87.59	86.05	84.51	82.96	81.42	66.55	65.01	63.47	61.93	60.39	58.85	57.30
3,320.01	3,400.00	100.41	93.47	91.93	90.39	88.85	87.31	85.76	84.22	69.35	67.81	66.27	64.73	63.19	61.65	60.10
3,400.01	3,480.00	103.21	96.27	94.73	93.19	91.65	90.11	88.56	87.02	72.15	70.61	69.07	67.53	65.99	64.45	62.90
3,480.01	3,560.00	106.01	99.07	97.53	95.99	94.45	92.91	91.36	89.82	74.95	73.41	71.87	70.33	68.79	67.25	65.70
3,560.01	3,640.00	108.81	101.87	100.33	98.79	97.25	95.71	94.16	92.62	77.75	76.21	74.67	73.13	71.59	70.05	68.50
3,640.01	3,720.00	111.61	104.67	103.13	101.59	100.05	98.51	96.96	95.42	80.55	79.01	77.47	75.93	74.39	72.85	71.30
3,720.01	3,800.00	114.41	107.47	105.93	104.39	102.85	101.31	99.76	98.22	83.35	81.81	80.27	78.73	77.19	75.65	74.10

Monthly Louisiana Income Tax Withholding Table																			
Exemptions:		0						1						2					
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6			
Salary Range:																			
Min	Max																		
3,800.01	3,880.00	117.21	110.27	108.73	107.19	105.65	104.11	102.56	101.02	86.15	84.61	83.07	81.53	79.99	78.45	76.90			
3,880.01	3,960.00	120.01	113.07	111.53	109.99	108.45	106.91	105.36	103.82	88.95	87.41	85.87	84.33	82.79	81.25	79.70			
3,960.01	4,040.00	122.81	115.87	114.33	112.79	111.25	109.71	108.16	106.62	91.75	90.21	88.67	87.13	85.59	84.05	82.50			
4,040.01	4,120.00	125.61	118.67	117.13	115.59	114.05	112.51	110.96	109.42	94.55	93.01	91.47	89.93	88.39	86.85	85.30			
4,120.01	4,200.00	128.41	121.47	119.93	118.39	116.85	115.31	113.76	112.22	97.35	95.81	94.27	92.73	91.19	89.65	88.10			
4,200.01	4,280.00	131.76	124.82	123.28	121.74	120.20	118.66	117.11	115.57	100.15	98.61	97.07	95.53	93.99	92.45	90.90			
4,280.01	4,360.00	135.16	128.22	126.68	125.14	123.60	122.06	120.51	118.97	102.95	101.41	99.87	98.33	96.79	95.25	93.70			
4,360.01	4,440.00	138.56	131.62	130.08	128.54	127.00	125.46	123.91	122.37	105.75	104.21	102.67	101.13	99.59	98.05	96.50			
4,440.01	4,520.00	141.96	135.02	133.48	131.94	130.40	128.86	127.31	125.77	108.55	107.01	105.47	103.93	102.39	100.85	99.30			
4,520.01	4,600.00	145.36	138.42	136.88	135.34	133.80	132.26	130.71	129.17	111.35	109.81	108.27	106.73	105.19	103.65	102.10			
4,600.01	4,680.00	148.76	141.82	140.28	138.74	137.20	135.66	134.11	132.57	114.15	112.61	111.07	109.53	107.99	106.45	104.90			
4,680.01	4,760.00	152.16	145.22	143.68	142.14	140.60	139.06	137.51	135.97	116.95	115.41	113.87	112.33	110.79	109.25	107.70			
4,760.01	4,840.00	155.56	148.62	147.08	145.54	144.00	142.46	140.91	139.37	119.75	118.21	116.67	115.13	113.59	112.05	110.50			
4,840.01	4,920.00	158.96	152.02	150.48	148.94	147.40	145.86	144.31	142.77	122.55	121.01	119.47	117.93	116.39	114.85	113.30			
4,920.01	5,000.00	162.36	155.42	153.88	152.34	150.80	149.26	147.71	146.17	125.35	123.81	122.27	120.73	119.19	117.65	116.10			
5,000.01	5,080.00	165.76	158.82	157.28	155.74	154.20	152.66	151.11	149.57	128.15	126.61	125.07	123.53	121.99	120.45	118.90			
5,080.01	5,160.00	169.16	162.22	160.68	159.14	157.60	156.06	154.51	152.97	130.95	129.41	127.87	126.33	124.79	123.25	121.70			
5,160.01	5,240.00	172.56	165.62	164.08	162.54	161.00	159.46	157.91	156.37	133.75	132.21	130.67	129.13	127.59	126.05	124.50			
5,240.01	5,320.00	175.96	169.02	167.48	165.94	164.40	162.86	161.31	159.77	136.55	135.01	133.47	131.93	130.39	128.85	127.30			
5,320.01	5,400.00	179.36	172.42	170.88	169.34	167.80	166.26	164.71	163.17	139.35	137.81	136.27	134.73	133.19	131.65	130.10			
5,400.01	5,480.00	182.76	175.82	174.28	172.74	171.20	169.66	168.11	166.57	142.15	140.61	139.07	137.53	135.99	134.45	132.90			
5,480.01	5,560.00	186.16	179.22	177.68	176.14	174.60	173.06	171.51	169.97	144.95	143.41	141.87	140.33	138.79	137.25	135.70			
5,560.01	5,640.00	189.56	182.62	181.08	179.54	178.00	176.46	174.91	173.37	147.75	146.21	144.67	143.13	141.59	140.05	138.50			
5,640.01	5,720.00	192.96	186.02	184.48	182.94	181.40	179.86	178.31	176.77	150.55	149.01	147.47	145.93	144.39	142.85	141.30			
5,720.01	5,800.00	196.36	189.42	187.88	186.34	184.80	183.26	181.71	180.17	153.35	151.81	150.27	148.73	147.19	145.65	144.10			
5,800.01	5,880.00	199.76	192.82	191.28	189.74	188.20	186.66	185.11	183.57	156.15	154.61	153.07	151.53	149.99	148.45	146.90			
5,880.01	5,960.00	203.16	196.22	194.68	193.14	191.60	190.06	188.51	186.97	158.95	157.41	155.87	154.33	152.79	151.25	149.70			
5,960.01	6,040.00	206.56	199.62	198.08	196.54	195.00	193.46	191.91	190.37	161.75	160.21	158.67	157.13	155.59	154.05	152.50			
6,040.01	6,120.00	209.96	203.02	201.48	199.94	198.40	196.86	195.31	193.77	164.55	163.01	161.47	159.93	158.39	156.85	155.30			
6,120.01	6,200.00	213.36	206.42	204.88	203.34	201.80	200.26	198.71	197.17	167.35	165.81	164.27	162.73	161.19	159.65	158.10			
6,200.01	6,280.00	216.76	209.82	208.28	206.74	205.20	203.66	202.11	200.57	170.15	168.61	167.07	165.53	163.99	162.45	160.90			
6,280.01	6,360.00	220.16	213.22	211.68	210.14	208.60	207.06	205.51	203.97	172.95	171.41	169.87	168.33	166.79	165.25	163.70			
6,360.01	6,440.00	223.56	216.62	215.08	213.54	212.00	210.46	208.91	207.37	175.75	174.21	172.67	171.13	169.59	168.05	166.50			
6,440.01	6,520.00	226.96	220.02	218.48	216.94	215.40	213.86	212.31	210.77	178.55	177.01	175.47	173.93	172.39	170.85	169.30			
6,520.01	6,600.00	230.36	223.42	221.88	220.34	218.80	217.26	215.71	214.17	181.35	179.81	178.27	176.73	175.19	173.65	172.10			

Monthly Louisiana Income Tax Withholding Table																			
Exemptions:		0						1						2					
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6			
Salary Range:																			
Min	Max																		
6,600.01	6,680.00	233.76	226.82	225.28	223.74	222.20	220.66	219.11	217.57	184.15	182.61	181.07	179.53	177.99	176.45	174.90			
6,680.01	6,760.00	237.16	230.22	228.68	227.14	225.60	224.06	222.51	220.97	186.95	185.41	183.87	182.33	180.79	179.25	177.70			
6,760.01	6,840.00	240.56	233.62	232.08	230.54	229.00	227.46	225.91	224.37	189.75	188.21	186.67	185.13	183.59	182.05	180.50			
6,840.01	6,920.00	243.96	237.02	235.48	233.94	232.40	230.86	229.31	227.77	192.55	191.01	189.47	187.93	186.39	184.85	183.30			
6,920.01	7,000.00	247.36	240.42	238.88	237.34	235.80	234.26	232.71	231.17	195.35	193.81	192.27	190.73	189.19	187.65	186.10			
7,000.01	7,080.00	250.76	243.82	242.28	240.74	239.20	237.66	236.11	234.57	198.15	196.61	195.07	193.53	191.99	190.45	188.90			
7,080.01	7,160.00	254.16	247.22	245.68	244.14	242.60	241.06	239.51	237.97	200.95	199.41	197.87	196.33	194.79	193.25	191.70			
7,160.01	7,240.00	257.56	250.62	249.08	247.54	246.00	244.46	242.91	241.37	203.75	202.21	200.67	199.13	197.59	196.05	194.50			
7,240.01	7,320.00	260.96	254.02	252.48	250.94	249.40	247.86	246.31	244.77	206.55	205.01	203.47	201.93	200.39	198.85	197.30			
7,320.01	7,400.00	264.36	257.42	255.88	254.34	252.80	251.26	249.71	248.17	209.35	207.81	206.27	204.73	203.19	201.65	200.10			
7,400.01	7,480.00	267.76	260.82	259.28	257.74	256.20	254.66	253.11	251.57	212.15	210.61	209.07	207.53	205.99	204.45	202.90			
7,480.01	7,560.00	271.16	264.22	262.68	261.14	259.60	258.06	256.51	254.97	214.95	213.41	211.87	210.33	208.79	207.25	205.70			
7,560.01	7,640.00	274.56	267.62	266.08	264.54	263.00	261.46	259.91	258.37	217.75	216.21	214.67	213.13	211.59	210.05	208.50			
7,640.01	7,720.00	277.96	271.02	269.48	267.94	266.40	264.86	263.31	261.77	220.55	219.01	217.47	215.93	214.39	212.85	211.30			
7,720.01	7,800.00	281.36	274.42	272.88	271.34	269.80	268.26	266.71	265.17	223.35	221.81	220.27	218.73	217.19	215.65	214.10			
7,800.01	7,880.00	284.76	277.82	276.28	274.74	273.20	271.66	270.11	268.57	226.15	224.61	223.07	221.53	219.99	218.45	216.90			
7,880.01	7,960.00	288.16	281.22	279.68	278.14	276.60	275.06	273.51	271.97	228.95	227.41	225.87	224.33	222.79	221.25	219.70			
7,960.01	8,040.00	291.56	284.62	283.08	281.54	280.00	278.46	276.91	275.37	231.75	230.21	228.67	227.13	225.59	224.05	222.50			
8,040.01	8,120.00	294.96	288.02	286.48	284.94	283.40	281.86	280.31	278.77	234.55	233.01	231.47	229.93	228.39	226.85	225.30			
8,120.01	8,200.00	298.36	291.42	289.88	288.34	286.80	285.26	283.71	282.17	237.35	235.81	234.27	232.73	231.19	229.65	228.10			
8,200.01	8,280.00	301.76	294.82	293.28	291.74	290.20	288.66	287.11	285.57	240.15	238.61	237.07	235.53	233.99	232.45	230.90			
8,280.01	8,360.00	305.16	298.22	296.68	295.14	293.60	292.06	290.51	288.97	242.95	241.41	239.87	238.33	236.79	235.25	233.70			
8,360.01	8,440.00	308.56	301.62	300.08	298.54	297.00	295.46	293.91	292.37	246.25	244.71	243.17	241.63	240.09	238.55	237.00			
		(Add 4.25% for amounts in excess of \$8,440)							(Add 4.25% for amounts in excess of \$8,440)										

Annual Louisiana Income Tax Withholding Table																
Exemptions:		1														
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
0.00	2,500.00	(1.85% of gross pay for \$2,500 and less with 0 Exemptions and 0 Dependents)														
2,501.00	2,900.00	49.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2,901.00	3,300.00	57.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3,301.00	3,700.00	64.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3,701.00	4,100.00	72.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4,101.00	4,500.00	79.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4,501.00	4,900.00	86.95	3.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4,901.00	5,300.00	94.35	11.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5,301.00	5,700.00	101.75	18.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5,701.00	6,100.00	109.15	25.90	7.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6,101.00	6,500.00	116.55	33.30	14.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6,501.00	6,900.00	123.95	40.70	22.20	3.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6,901.00	7,300.00	131.35	48.10	29.60	11.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7,301.00	7,700.00	138.75	55.50	37.00	18.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7,701.00	8,100.00	146.15	62.90	44.40	25.90	7.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8,101.00	8,500.00	153.55	70.30	51.80	33.30	14.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8,501.00	8,900.00	160.95	77.70	59.20	40.70	22.20	3.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8,901.00	9,300.00	168.35	85.10	66.60	48.10	29.60	11.10	0.00	0.00	1.85	0.00	0.00	0.00	0.00	0.00	0.00
9,301.00	9,700.00	175.75	92.50	74.00	55.50	37.00	18.50	0.00	0.00	9.25	0.00	0.00	0.00	0.00	0.00	0.00
9,701.00	10,100.00	183.15	99.90	81.40	62.90	44.40	25.90	7.40	0.00	16.65	0.00	0.00	0.00	0.00	0.00	0.00
10,101.00	10,500.00	190.55	107.30	88.80	70.30	51.80	33.30	14.80	0.00	24.05	5.55	0.00	0.00	0.00	0.00	0.00
10,501.00	10,900.00	197.95	114.70	96.20	77.70	59.20	40.70	22.20	3.70	31.45	12.95	0.00	0.00	0.00	0.00	0.00
10,901.00	11,300.00	205.35	122.10	103.60	85.10	66.60	48.10	29.60	11.10	38.85	20.35	1.85	0.00	0.00	0.00	0.00
11,301.00	11,700.00	212.75	129.50	111.00	92.50	74.00	55.50	37.00	18.50	46.25	27.75	9.25	0.00	0.00	0.00	0.00
11,701.00	12,100.00	220.15	136.90	118.40	99.90	81.40	62.90	44.40	25.90	53.65	35.15	16.65	0.00	0.00	0.00	0.00
12,101.00	12,500.00	227.55	144.30	125.80	107.30	88.80	70.30	51.80	33.30	61.05	42.55	24.05	5.55	0.00	0.00	0.00
12,501.00	12,900.00	234.95	151.70	133.20	114.70	95.20	77.70	59.20	40.70	68.45	49.95	31.45	12.95	0.00	0.00	0.00
12,901.00	13,300.00	242.35	159.10	140.60	121.60	102.10	84.60	66.60	48.10	75.85	57.35	38.85	20.35	1.85	0.00	0.00

Annual Louisiana Income Tax Withholding Table																
Exemptions:		1														
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
13,301.00	13,700.00	266.25	183.00	164.50	146.00	127.50	109.00	90.50	72.00	83.25	64.75	46.25	27.75	9.25	0.00	0.00
13,701.00	14,100.00	280.25	197.00	178.50	160.00	141.50	123.00	104.50	86.00	90.65	72.15	53.65	35.15	16.65	0.00	0.00
14,101.00	14,500.00	294.25	211.00	192.50	174.00	155.50	137.00	118.50	100.00	98.05	79.55	61.05	42.55	24.05	5.55	0.00
14,501.00	14,900.00	308.25	225.00	206.50	188.00	169.50	151.00	132.50	114.00	105.45	86.95	68.45	49.95	31.45	12.95	0.00
14,901.00	15,300.00	322.25	239.00	220.50	202.00	183.50	165.00	146.50	128.00	112.85	94.35	75.85	57.35	38.85	20.35	1.85
15,301.00	15,700.00	336.25	253.00	234.50	216.00	197.50	179.00	160.50	142.00	120.25	101.75	83.25	64.75	46.25	27.75	9.25
15,701.00	16,100.00	350.25	267.00	248.50	230.00	211.50	193.00	174.50	156.00	127.65	109.15	90.65	72.15	53.65	35.15	16.65
16,101.00	16,500.00	364.25	281.00	262.50	244.00	225.50	207.00	188.50	170.00	135.05	116.55	98.05	79.55	61.05	42.55	24.05
16,501.00	16,900.00	378.25	295.00	276.50	258.00	239.50	221.00	202.50	184.00	142.45	123.95	105.45	86.95	68.45	49.95	31.45
16,901.00	17,300.00	392.25	309.00	290.50	272.00	253.50	235.00	216.50	198.00	149.85	131.35	112.85	94.35	75.85	57.35	38.85
17,301.00	17,700.00	406.25	323.00	304.50	286.00	267.50	249.00	230.50	212.00	157.25	138.75	120.25	101.75	83.25	64.75	46.25
17,701.00	18,100.00	420.25	337.00	318.50	300.00	281.50	263.00	244.50	226.00	164.65	146.15	127.65	109.15	90.65	72.15	53.65
18,101.00	18,500.00	434.25	351.00	332.50	314.00	295.50	277.00	258.50	240.00	172.05	153.55	135.05	116.55	98.05	79.55	61.05
18,501.00	18,900.00	448.25	365.00	346.50	328.00	309.50	291.00	272.50	254.00	179.45	160.95	142.45	123.95	105.45	86.95	68.45
18,901.00	19,300.00	462.25	379.00	360.50	342.00	323.50	305.00	286.50	268.00	186.85	168.35	149.85	131.35	112.85	94.35	75.85
19,301.00	19,700.00	476.25	393.00	374.50	356.00	337.50	319.00	300.50	282.00	194.25	175.75	157.25	138.75	120.25	101.75	83.25
19,701.00	20,100.00	490.25	407.00	388.50	370.00	351.50	333.00	314.50	296.00	201.65	183.15	164.65	146.15	127.65	109.15	90.65
20,101.00	20,500.00	504.25	421.00	402.50	384.00	365.50	347.00	328.50	310.00	209.05	190.55	172.05	153.55	135.05	116.55	98.05
20,501.00	20,900.00	518.25	435.00	416.50	398.00	379.50	361.00	342.50	324.00	216.45	197.95	179.45	160.95	142.45	123.95	105.45
20,901.00	21,300.00	532.25	449.00	430.50	412.00	393.50	375.00	356.50	338.00	223.85	205.35	186.85	168.35	149.85	131.35	112.85
21,301.00	21,700.00	546.25	463.00	444.50	426.00	407.50	389.00	370.50	352.00	231.25	212.75	194.25	175.75	157.25	138.75	120.25
21,701.00	22,100.00	560.25	477.00	458.50	440.00	421.50	403.00	384.50	366.00	238.65	220.15	201.65	183.15	164.65	146.15	127.65
22,101.00	22,500.00	574.25	491.00	472.50	454.00	435.50	417.00	398.50	380.00	246.05	227.55	209.05	190.55	172.05	153.55	135.05
22,501.00	22,900.00	588.25	505.00	486.50	468.00	449.50	431.00	412.50	394.00	253.45	234.95	216.45	197.95	179.45	160.95	142.45
22,901.00	23,300.00	602.25	519.00	500.50	482.00	463.50	445.00	426.50	408.00	260.85	242.35	223.85	205.35	186.85	168.35	149.85
23,301.00	23,700.00	616.25	533.00	514.50	496.00	477.50	459.00	440.50	422.00	268.25	249.75	231.25	212.75	194.25	175.75	157.25
23,701.00	24,100.00	630.25	547.00	528.50	510.00	491.50	473.00	454.50	436.00	275.65	257.15	238.65	220.15	201.65	183.15	164.65
24,101.00	24,500.00	644.25	561.00	542.50	524.00	505.50	487.00	468.50	450.00	283.05	264.55	246.05	227.55	209.05	190.55	172.05
24,501.00	24,900.00	658.25	575.00	556.50	538.00	519.50	501.00	482.50	464.00	290.45	271.95	253.45	234.95	216.45	197.95	179.45
24,901.00	25,300.00	672.25	589.00	570.50	552.00	533.50	515.00	496.50	478.00	299.50	281.00	262.50	244.00	225.50	207.00	188.50
25,301.00	25,700.00	686.25	603.00	584.50	566.00	547.50	529.00	510.50	492.00							

Annual Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
32,101.00	32,500.00	924.25	841.00	822.50	804.00	785.50	767.00	748.50	730.00	551.50	533.00	514.50	496.00	477.50	459.00	440.50
32,501.00	32,900.00	938.25	855.00	836.50	818.00	799.50	781.00	762.50	744.00	565.50	547.00	528.50	510.00	491.50	473.00	454.50
32,901.00	33,300.00	952.25	869.00	850.50	832.00	813.50	795.00	776.50	758.00	579.50	561.00	542.50	524.00	505.50	487.00	468.50
33,301.00	33,700.00	966.25	883.00	864.50	846.00	827.50	809.00	790.50	772.00	593.50	575.00	556.50	538.00	519.50	501.00	482.50
33,701.00	34,100.00	980.25	897.00	878.50	860.00	841.50	823.00	804.50	786.00	607.50	589.00	570.50	552.00	533.50	515.00	496.50
34,101.00	34,500.00	994.25	911.00	892.50	874.00	855.50	837.00	818.50	800.00	621.50	603.00	584.50	566.00	547.50	529.00	510.50
34,501.00	34,900.00	1,008.25	925.00	906.50	888.00	869.50	851.00	832.50	814.00	635.50	617.00	598.50	580.00	561.50	543.00	524.50
34,901.00	35,300.00	1,022.25	939.00	920.50	902.00	883.50	865.00	846.50	828.00	649.50	631.00	612.50	594.00	575.50	557.00	538.50
35,301.00	35,700.00	1,036.25	953.00	934.50	916.00	897.50	879.00	860.50	842.00	663.50	645.00	626.50	608.00	589.50	571.00	552.50
35,701.00	36,100.00	1,050.25	967.00	948.50	930.00	911.50	893.00	874.50	856.00	677.50	659.00	640.50	622.00	603.50	585.00	566.50
36,101.00	36,500.00	1,064.25	981.00	962.50	944.00	925.50	907.00	888.50	870.00	691.50	673.00	654.50	636.00	617.50	599.00	580.50
36,501.00	36,900.00	1,078.25	995.00	976.50	958.00	939.50	921.00	902.50	884.00	705.50	687.00	668.50	650.00	631.50	613.00	594.50
36,901.00	37,300.00	1,092.25	1,009.00	990.50	972.00	953.50	935.00	916.50	898.00	719.50	701.00	682.50	664.00	645.50	627.00	608.50

Annual Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
37,301.00	37,700.00	1,106.25	1,023.00	1,004.50	986.00	967.50	949.00	930.50	912.00	733.50	715.00	696.50	678.00	659.50	641.00	622.50
37,701.00	38,100.00	1,120.25	1,037.00	1,018.50	1,000.00	981.50	963.00	944.50	926.00	747.50	729.00	710.50	692.00	673.50	655.00	636.50
38,101.00	38,500.00	1,134.25	1,051.00	1,032.50	1,014.00	995.50	977.00	958.50	940.00	761.50	743.00	724.50	706.00	687.50	669.00	650.50
38,501.00	38,900.00	1,148.25	1,065.00	1,046.50	1,028.00	1,009.50	991.00	972.50	954.00	775.50	757.00	738.50	720.00	701.50	683.00	664.50
38,901.00	39,300.00	1,162.25	1,079.00	1,060.50	1,042.00	1,023.50	1,005.00	986.50	968.00	789.50	771.00	752.50	734.00	715.50	697.00	678.50
39,301.00	39,700.00	1,176.25	1,093.00	1,074.50	1,056.00	1,037.50	1,019.00	1,000.50	982.00	803.50	785.00	766.50	748.00	729.50	711.00	692.50
39,701.00	40,100.00	1,190.25	1,107.00	1,088.50	1,070.00	1,051.50	1,033.00	1,014.50	996.00	817.50	799.00	780.50	762.00	743.50	725.00	706.50
40,101.00	40,500.00	1,204.25	1,121.00	1,102.50	1,084.00	1,065.50	1,047.00	1,028.50	1,010.00	831.50	813.00	794.50	776.00	757.50	739.00	720.50
40,501.00	40,900.00	1,218.25	1,135.00	1,116.50	1,098.00	1,079.50	1,061.00	1,042.50	1,024.00	845.50	827.00	808.50	790.00	771.50	753.00	734.50
40,901.00	41,300.00	1,232.25	1,149.00	1,130.50	1,112.00	1,093.50	1,075.00	1,056.50	1,038.00	859.50	841.00	822.50	804.00	785.50	767.00	748.50
41,301.00	41,700.00	1,246.25	1,163.00	1,144.50	1,126.00	1,107.50	1,089.00	1,070.50	1,052.00	873.50	855.00	836.50	818.00	799.50	781.00	762.50
41,701.00	42,100.00	1,260.25	1,177.00	1,158.50	1,140.00	1,121.50	1,103.00	1,084.50	1,066.00	887.50	869.00	850.50	832.00	813.50	795.00	776.50
42,101.00	42,500.00	1,274.25	1,191.00	1,172.50	1,154.00	1,135.50	1,117.00	1,098.50	1,080.00	901.50	883.00	864.50	846.00	827.50	809.00	790.50
42,501.00	42,900.00	1,288.25	1,205.00	1,186.50	1,168.00	1,149.50	1,131.00	1,112.50	1,094.00	915.50	897.00	878.50	860.00	841.50	823.00	804.50
42,901.00	43,300.00	1,302.25	1,219.00	1,200.50	1,182.00	1,163.50	1,145.00	1,126.50	1,108.00	929.50	911.00	892.50	874.00	855.50	837.00	818.50
43,301.00	43,700.00	1,316.25	1,233.00	1,214.50	1,196.00	1,177.50	1,159.00	1,140.50	1,122.00	943.50	925.00	906.50	888.00	869.50	851.00	832.50
43,701.00	44,100.00	1,330.25	1,247.00	1,228.50	1,210.00	1,191.50	1,173.00	1,154.50	1,136.00	957.50	939.00	920.50	902.00	883.50	865.00	846.50
44,101.00	44,500.00	1,344.25	1,261.00	1,242.50	1,224.00	1,205.50	1,187.00	1,168.50	1,150.00	971.50	953.00	934.50	916.00	897.50	879.00	860.50
44,501.00	44,900.00	1,358.25	1,275.00	1,256.50	1,238.00	1,219.50	1,201.00	1,182.50	1,164.00	985.50	967.00	948.50	930.00	911.50	893.00	874.50
44,901.00	45,300.00	1,372.25	1,289.00	1,270.50	1,252.00	1,233.50	1,215.00	1,196.50	1,178.00	999.50	981.00	962.50	944.00	925.50	907.00	888.50
45,301.00	45,700.00	1,386.25	1,303.00	1,284.50	1,266.00	1,247.50	1,229.00	1,210.50	1,192.00	1,013.50	995.00	976.50	958.00	939.50	921.00	902.50
45,701.00	46,100.00	1,400.25	1,317.00	1,298.50	1,280.00	1,261.50	1,243.00	1,224.50	1,206.00	1,027.50	1,009.00	990.50	972.00	953.50	935.00	916.50
46,101.00	46,500.00	1,414.25	1,331.00	1,312.50	1,294.00	1,275.50	1,257.00	1,238.50	1,220.00	1,041.50	1,023.00	1,004.50	986.00	967.50	949.00	930.50
46,501.00	46,900.00	1,428.25	1,345.00	1,326.50	1,308.00	1,289.50	1,271.00	1,252.50	1,234.00	1,055.50	1,037.00	1,018.50	1,000.00	981.50	963.00	944.50
46,901.00	47,300.00	1,442.25	1,359.00	1,340.50	1,322.00	1,303.50	1,285.00	1,266.50	1,248.00	1,069.50	1,051.00	1,032.50	1,014.00	995.50	977.00	958.50
47,301.00	47,700.00	1,456.25	1,373.00	1,354.50	1,336.00	1,317.50	1,299.00	1,280.50	1,262.00	1,083.50	1,065.00	1,046.50	1,028.00	1,009.50	991.00	972.50
47,701.00	48,100.00	1,470.25	1,387.00	1,368.50	1,350.00	1,331.50	1,313.00	1,294.50	1,276.00	1,097.50	1,079.00	1,060.50	1,042.00	1,023.50	1,005.00	986.50
48,101.00	48,500.00	1,484.25	1,401.00	1,382.50	1,364.00	1,345.50	1,327.00	1,308.50	1,290.00	1,111.50	1,093.00	1,074.50	1,056.00	1,037.50	1,019.00	1,000.50
48,501.00	48,900.00	1,498.25	1,415.00	1,396.50	1,378.00	1,359.50	1,341.00	1,322.50	1,304.00	1,125.50	1,107.00	1,088.50	1,070.00	1,051.50	1,033.00	1,014.50
48,901.00	49,300.00	1,512.25	1,429.00	1,410.50	1,392.00	1,373.50	1,355.00	1,336.50	1,318.00	1,139.50	1,121.00	1,102.50	1,084.00	1,065.50	1,047.00	1,028.50
49,301.00	49,700.00	1,526.25	1,443.00	1,424.50	1,406.00	1,387.50	1,369.00	1,350.50	1,332.00	1,153.50	1,135.00	1,116.50	1,098.00	1,079.50	1,061.00	1,042.50
49,701.00	50,100.00	1,540.25	1,457.00	1,438.50	1,420.00	1,401.50	1,383.00	1,364.50	1,346.00	1,167.50	1,149.00	1,130.50	1,112.00	1,093.50	1,075.00	1,056.50
50,101.00	50,500.00	1,556.50	1,473.25	1,454.75	1,436.25	1,417.75	1,399.25	1,380.75	1,362.25	1,181.50	1,163.00	1,144.50	1,126.00	1,107.50	1,089.00	1,070.50
50,501.00	50,900.00	1,573.50	1,490.25	1,471.75	1,453.25	1,434.75	1,416.25	1,397.75	1,379.25	1,195.50	1,177.00	1,158.50	1,140.00	1,121.50	1,103.00	1,084.50
50,901.00	51,300.00	1,590.50	1,507.25	1,488.75	1,470.25	1,451.75	1,433.25	1,414.75	1,396.25	1,209.50	1,191.00	1,172.50	1,154.00	1,135.50	1,117.00	1,098.50
51,301.00	51,700.00	1,607.50	1,524.25	1,505.75	1,487.25	1,468.75	1,450.25	1,431.75	1,413.25	1,223.50	1,205.00	1,186.50	1,168.00	1,149.50	1,131.00	1,112.50
51,701.00	52,100.00	1,624.50	1,541.25	1,522.75	1,504.25	1,485.75	1,467.25	1,448.75	1,430.25	1,237.50	1,219.00	1,200.50	1,182.00	1,163.50	1,145.00	1,126.50
52,101.00	52,500.00	1,641.50	1,558.25	1,539.75	1,521.25	1,502.75	1,484.25	1,465.75	1,447.25	1,251.50	1,233.00	1,214.50	1,196.00	1,177.50	1,159.00	1,140.50
52,501.00	52,900.00	1,658.50	1,575.25	1,556.75	1,538.25	1,519.75	1,501.25	1,482.75	1,464.25	1,265.50	1,247.00	1,228.50	1,210.00	1,191.50	1,173.00	1,154.50
52,901.00	53,300.00	1,675.50	1,592.25	1,573.75	1,555.25	1,536.75	1,518.25	1,499.75	1,481.25	1,279.50	1,261.00	1,242.50	1,224.00	1,205.50	1,187.00	1,168.50
53,301.00	53,700.00	1,692.50	1,609.25	1,590.75	1,572.25	1,553.75	1,535.25	1,516.75	1,498.25	1,293.50	1,275.00	1,256.50	1,238.00	1,219.50	1,201.00	1,182.50
53,701.00	54,100.00	1,709.50	1,626.25	1,607.75	1,589.25	1,570.75	1,552.25	1,533.75	1,515.25	1,307.50	1,289.00	1,270.50	1,252.00	1,233.50	1,215.	

Annual Louisiana Income Tax Withholding Table																	
Exemptions:		0		1		1		1		1		2		2		2	
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
61.301.00	61,700.00	2,032.50	1,949.25	1,930.75	1,912.25	1,893.75	1,875.25	1,856.75	1,838.25	1,573.50	1,555.00	1,536.50	1,518.00	1,499.50	1,481.00	1,462.50	
61.701.00	62,100.00	2,049.50	1,966.25	1,947.75	1,929.25	1,910.75	1,892.25	1,873.75	1,855.25	1,587.50	1,569.00	1,550.50	1,532.00	1,513.50	1,495.00	1,476.50	
62.101.00	62,500.00	2,066.50	1,983.25	1,964.75	1,946.25	1,927.75	1,909.25	1,890.75	1,872.25	1,601.50	1,583.00	1,564.50	1,546.00	1,527.50	1,509.00	1,490.50	
62.501.00	62,900.00	2,083.50	2,000.25	1,981.75	1,963.25	1,944.75	1,926.25	1,907.75	1,889.25	1,615.50	1,597.00	1,578.50	1,560.00	1,541.50	1,523.00	1,504.50	
62.901.00	63,300.00	2,100.50	2,017.25	1,998.75	1,980.25	1,961.75	1,943.25	1,924.75	1,906.25	1,629.50	1,611.00	1,592.50	1,574.00	1,555.50	1,537.00	1,518.50	
63.301.00	63,700.00	2,117.50	2,034.25	2,015.75	1,997.25	1,978.75	1,960.25	1,941.75	1,923.25	1,643.50	1,625.00	1,606.50	1,588.00	1,569.50	1,551.00	1,532.50	
63.701.00	64,100.00	2,134.50	2,051.25	2,032.75	2,014.25	1,995.75	1,977.25	1,958.75	1,940.25	1,657.50	1,639.00	1,620.50	1,602.00	1,583.50	1,565.00	1,546.50	
64.101.00	64,500.00	2,151.50	2,068.25	2,049.75	2,031.25	2,012.75	1,994.25	1,975.75	1,957.25	1,671.50	1,653.00	1,634.50	1,616.00	1,597.50	1,579.00	1,560.50	
64.501.00	64,900.00	2,168.50	2,085.25	2,066.75	2,048.25	2,029.75	2,011.25	1,992.75	1,974.25	1,685.50	1,667.00	1,648.50	1,630.00	1,611.50	1,593.00	1,574.50	
64.901.00	65,300.00	2,185.50	2,102.25	2,083.75	2,065.25	2,046.75	2,028.25	2,009.75	1,991.25	1,699.50	1,681.00	1,662.50	1,644.00	1,625.50	1,607.00	1,588.50	
65.301.00	65,700.00	2,202.50	2,119.25	2,100.75	2,082.25	2,063.75	2,045.25	2,026.75	2,008.25	1,713.50	1,695.00	1,676.50	1,658.00	1,639.50	1,621.00	1,602.50	
65.701.00	66,100.00	2,219.50	2,136.25	2,117.75	2,099.25	2,080.75	2,062.25	2,043.75	2,025.25	1,727.50	1,709.00	1,690.50	1,672.00	1,653.50	1,635.00	1,616.50	
66.101.00	66,500.00	2,236.50	2,153.25	2,134.75	2,116.25	2,097.75	2,079.25	2,060.75	2,042.25	1,741.50	1,723.00	1,704.50	1,686.00	1,667.50	1,649.00	1,630.50	
66.501.00	66,900.00	2,253.50	2,170.25	2,151.75	2,133.25	2,114.75	2,096.25	2,077.75	2,059.25	1,755.50	1,737.00	1,718.50	1,700.00	1,681.50	1,663.00	1,644.50	
66.901.00	67,300.00	2,270.50	2,187.25	2,168.75	2,150.25	2,131.75	2,113.25	2,094.75	2,076.25	1,769.50	1,751.00	1,732.50	1,714.00	1,695.50	1,677.00	1,658.50	
67.301.00	67,700.00	2,287.50	2,204.25	2,185.75	2,167.25	2,148.75	2,130.25	2,111.75	2,093.25	1,783.50	1,765.00	1,746.50	1,728.00	1,709.50	1,691.00	1,672.50	
67.701.00	68,100.00	2,304.50	2,221.25	2,202.75	2,184.25	2,165.75	2,147.25	2,128.75	2,110.25	1,797.50	1,779.00	1,760.50	1,742.00	1,723.50	1,705.00	1,686.50	
68.101.00	68,500.00	2,321.50	2,238.25	2,219.75	2,201.25	2,182.75	2,164.25	2,145.75	2,127.25	1,811.50	1,793.00	1,774.50	1,756.00	1,737.50	1,719.00	1,700.50	
68.501.00	68,900.00	2,338.50	2,255.25	2,236.75	2,218.25	2,199.75	2,181.25	2,162.75	2,144.25	1,825.50	1,807.00	1,788.50	1,770.00	1,751.50	1,733.00	1,714.50	
68.901.00	69,300.00	2,355.50	2,272.25	2,253.75	2,235.25	2,216.75	2,198.25	2,179.75	2,161.25	1,839.50	1,821.00	1,802.50	1,784.00	1,765.50	1,747.00	1,728.50	
69.301.00	69,700.00	2,372.50	2,289.25	2,270.75	2,252.25	2,233.75	2,215.25	2,196.75	2,178.25	1,853.50	1,835.00	1,816.50	1,798.00	1,779.50	1,761.00	1,742.50	
69.701.00	70,100.00	2,389.50	2,306.25	2,287.75	2,269.25	2,250.75	2,232.25	2,213.75	2,195.25	1,867.50	1,849.00	1,830.50	1,812.00	1,793.50	1,775.00	1,756.50	
70.101.00	70,500.00	2,406.50	2,323.25	2,304.75	2,286.25	2,267.75	2,249.25	2,230.75	2,212.25	1,881.50	1,863.00	1,844.50	1,826.00	1,807.50	1,789.00	1,770.50	
70.501.00	70,900.00	2,423.50	2,340.25	2,321.75	2,303.25	2,284.75	2,266.25	2,247.75	2,229.25	1,895.50	1,877.00	1,858.50	1,840.00	1,821.50	1,803.00	1,784.50	
70.901.00	71,300.00	2,440.50	2,357.25	2,338.75	2,320.25	2,301.75	2,283.25	2,264.75	2,246.25	1,909.50	1,891.00	1,872.50	1,854.00	1,835.50	1,817.00	1,798.50	
71.301.00	71,700.00	2,457.50	2,374.25	2,355.75	2,337.25	2,318.75	2,300.25	2,281.75	2,263.25	1,923.50	1,905.00	1,886.50	1,868.00	1,849.50	1,831.00	1,812.50	
71.701.00	72,100.00	2,474.50	2,391.25	2,372.75	2,354.25	2,335.75	2,317.25	2,298.75	2,280.25	1,937.50	1,919.00	1,900.50	1,882.00	1,863.50	1,845.00	1,826.50	
72.101.00	72,500.00	2,491.50	2,408.25	2,389.75	2,371.25	2,352.75	2,334.25	2,315.75	2,297.25	1,951.50	1,933.00	1,914.50	1,896.00	1,877.50	1,859.00	1,840.50	
72.501.00	72,900.00	2,508.50	2,425.25	2,406.75	2,388.25	2,369.75	2,351.25	2,332.75	2,314.25	1,965.50	1,947.00	1,928.50	1,910.00	1,891.50	1,873.00	1,854.50	
72.901.00	73,300.00	2,525.50	2,442.25	2,423.75	2,405.25	2,386.75	2,368.25	2,349.75	2,331.25	1,979.50	1,961.00	1,942.50	1,924.00	1,905.50	1,887.00	1,868.50	
73.301.00	73,700.00	2,542.50	2,459.25	2,440.75	2,422.25	2,403.75	2,385.25	2,366.75	2,348.25	1,993.50	1,975.00	1,956.50	1,938.00	1,919.50	1,901.00	1,882.50	
73.701.00	74,100.00	2,559.50	2,476.25	2,457.75	2,439.25	2,420.75	2,402.25	2,383.75	2,365.25	2,007.50	1,989.00	1,970.50	1,952.00	1,933.50	1,915.00	1,896.50	
74.101.00	74,500.00	2,576.50	2,493.25	2,474.75	2,456.25	2,437.75	2,419.25	2,400.75	2,382.25	2,021.50	2,003.00	1,984.50	1,966.00	1,947.50	1,929.00	1,910.50	
74.501.00	74,900.00	2,593.50	2,510.25	2,491.75	2,473.25	2,454.75	2,436.25	2,417.75	2,399.25	2,035.50	2,017.00	1,998.50	1,980.00	1,961.50	1,943.00	1,924.50	
74.901.00	75,300.00	2,610.50	2,527.25	2,508.75	2,490.25	2,471.75	2,453.25	2,434.75	2,416.25	2,049.50	2,031.00	2,012.50	1,994.00	1,975.50	1,957.00	1,938.50	
75.301.00	75,700.00	2,627.50	2,544.25	2,525.75	2,507.25	2,488.75	2,470.25	2,451.75	2,433.25	2,063.50	2,045.00	2,026.50	2,008.00	1,989.50	1,971.00	1,952.50	
75.701.00	76,100.00	2,644.50	2,561.25	2,542.75	2,524.25	2,505.75	2,487.25	2,468.75	2,450.25	2,077.50	2,059.00	2,040.50	2,022.00	2,003.50	1,985.00	1,966.50	
76.101.00	76,500.00	2,661.50	2,578.25	2,559.75	2,541.25	2,522.75	2,504.25	2,485.75	2,467.25	2,091.50	2,073.00	2,054.50	2,036.00	2,017.50	1,999.00	1,980.50	
76.501.00	76,900.00	2,678.50	2,595.25	2,576.75	2,558.25	2,539.75	2,521.25	2,502.75	2,484.25	2,105.50	2,087.00	2,068.50	2,050.00	2,031.50	2,013.00	1,994.50	
76.901.00	77,300.00	2,695.50	2,612.25	2,593.75	2,575.25	2,556.75	2,538.25	2,519.75	2,501.25	2,119.50	2,101.00	2,082.50	2,064.00	2,045.50	2,027.00	2,008.50	
77.301.00	77,700.00	2,712.50	2,629.25	2,610.75	2,592.25	2,573.75	2,555.25	2,536.75	2,518.25	2,133.50	2,115.00	2,096.50	2,078.00	2,059.50	2,041.00	2,022.50	
77.701.00	78,100.00	2,729.50	2,646.25	2,627.75	2,609.25	2,590.75	2,572.25	2,553.75	2,535.25	2,147.50	2,129.00	2,110.50	2,092.00	2,073.50	2,055.00	2,036.50	
78.101.00	78,500.00	2,746.50	2,663.25	2,644.75	2,626.25	2,607.75	2,589.25	2,570.75	2,552.25	2,161.50	2,143.00	2,124.50	2,106.00	2,087.50	2,069.00	2,050.50	
78.501.00	78,900.00	2,763.50	2,680.25	2,661.75	2,643.25	2,624.75	2,606.25	2,587.75	2,569.25	2,175.50	2,157.00	2,138.50	2,120.00	2,101.50	2,083.00	2,064.50	
78.901.00	79,300.00	2,780.50	2,697.25	2,678.75	2,660.25	2,641.75	2,623.25	2,604.75	2,586.25	2,189.50	2,171.00	2,152.50	2,134.00	2,115.50	2,097.00	2,078.50	
79.301.00	79,700.00	2,797.50	2,714.25	2,695.75	2,677.25	2,658.75	2,640.25	2,621.75	2,603.25	2,203.50	2,185.00	2,166.50	2,148.00	2,129.50	2,111.00	2,092.50	
79.701.00	80,100.00	2,814.50	2,731.25	2,712.75	2,694.25	2,675.75	2,657.25	2,638.75	2,620.25	2,217.50	2,199.00	2,180.50	2,162.00	2,143.50	2,125.00	2,106.50	
80.101.00	80,500.00	2,831.50	2,748.25	2,729.75	2,711.25	2,692.75	2,674.25	2,655.75	2,637.25	2,231.50	2,213.00	2,194.50	2,176.00	2,157.50	2,139.00	2,120.50	
80.501.00	80,900.00	2,848.50	2,765.25	2,746.75	2,728.25	2,709.75	2,691.25	2,672.75	2,654.25	2,245.50	2,227.00	2,208.50	2,190.00	2,171.50	2,153.00	2,134.50	
80.901.00	81,300.00	2,865.50	2,782.25	2,763.75	2,745.25	2,726.75	2,708.25	2,689.75	2,671.25	2,259.50	2,241.00	2,222.50	2,204.00	2,185.50	2,167.00	2,148.50	
81.301.00	81,700.00	2,882.50	2,799.25	2,780.75	2,762.25	2,743.75	2,725.25	2,706.75	2,688.25	2,273.50	2,255.00	2,236.50	2,218.00	2,199.50	2,181.00	2,162.50	
81.701.00	82,100.00	2,899.50	2,816.25	2,797.75	2,779.25	2,760.75	2,742.25	2,723.75	2,705.25	2,287.50	2,269.00	2,250.50	2,232.00	2,213.50	2,195.00	2,176.50	
82.101.00	82,500.00	2,916.50	2,833.25	2,814.75	2,796.25	2,777.75	2,759.25	2,740.75	2,722.25	2,301.50	2,283.00	2,264.50	2,24				

Annual Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
91,301.00	91,700.00	3,307.50	3,224.25	3,205.75	3,187.25	3,168.75	3,150.25	3,131.75	3,113.25	2,623.50	2,605.00	2,586.50	2,568.00	2,549.50	2,531.00	2,512.50	
91,701.00	92,100.00	3,324.50	3,241.25	3,222.75	3,204.25	3,185.75	3,167.25	3,148.75	3,130.25	2,637.50	2,619.00	2,600.50	2,582.00	2,563.50	2,545.00	2,526.50	
92,101.00	92,500.00	3,341.50	3,258.25	3,239.75	3,221.25	3,202.75	3,184.25	3,165.75	3,147.25	2,651.50	2,633.00	2,614.50	2,596.00	2,577.50	2,559.00	2,540.50	
92,501.00	92,900.00	3,358.50	3,275.25	3,256.75	3,238.25	3,219.75	3,201.25	3,182.75	3,164.25	2,665.50	2,647.00	2,628.50	2,610.00	2,591.50	2,573.00	2,554.50	
92,901.00	93,300.00	3,375.50	3,292.25	3,273.75	3,255.25	3,236.75	3,218.25	3,199.75	3,181.25	2,679.50	2,661.00	2,642.50	2,624.00	2,605.50	2,587.00	2,568.50	
93,301.00	93,700.00	3,392.50	3,309.25	3,290.75	3,272.25	3,253.75	3,235.25	3,216.75	3,198.25	2,693.50	2,675.00	2,656.50	2,638.00	2,619.50	2,601.00	2,582.50	
93,701.00	94,100.00	3,409.50	3,326.25	3,307.75	3,289.25	3,270.75	3,252.25	3,233.75	3,215.25	2,707.50	2,689.00	2,670.50	2,652.00	2,633.50	2,615.00	2,596.50	
94,101.00	94,500.00	3,426.50	3,343.25	3,324.75	3,306.25	3,287.75	3,269.25	3,250.75	3,232.25	2,721.50	2,703.00	2,684.50	2,666.00	2,647.50	2,629.00	2,610.50	
94,501.00	94,900.00	3,443.50	3,360.25	3,341.75	3,323.25	3,304.75	3,286.25	3,267.75	3,249.25	2,735.50	2,717.00	2,698.50	2,680.00	2,661.50	2,643.00	2,624.50	
94,901.00	95,300.00	3,460.50	3,377.25	3,358.75	3,340.25	3,321.75	3,303.25	3,284.75	3,266.25	2,749.50	2,731.00	2,712.50	2,694.00	2,675.50	2,657.00	2,638.50	
95,301.00	95,700.00	3,477.50	3,394.25	3,375.75	3,357.25	3,338.75	3,320.25	3,301.75	3,283.25	2,763.50	2,745.00	2,726.50	2,708.00	2,689.50	2,671.00	2,652.50	
95,701.00	96,100.00	3,494.50	3,411.25	3,392.75	3,374.25	3,355.75	3,337.25	3,318.75	3,300.25	2,777.50	2,759.00	2,740.50	2,722.00	2,703.50	2,685.00	2,666.50	
96,101.00	96,500.00	3,511.50	3,428.25	3,409.75	3,391.25	3,372.75	3,354.25	3,335.75	3,317.25	2,791.50	2,773.00	2,754.50	2,736.00	2,717.50	2,699.00	2,680.50	
96,501.00	96,900.00	3,528.50	3,445.25	3,426.75	3,408.25	3,389.75	3,371.25	3,352.75	3,334.25	2,805.50	2,787.00	2,768.50	2,750.00	2,731.50	2,713.00	2,694.50	
96,901.00	97,300.00	3,545.50	3,462.25	3,443.75	3,425.25	3,406.75	3,388.25	3,369.75	3,351.25	2,819.50	2,801.00	2,782.50	2,764.00	2,745.50	2,727.00	2,708.50	
97,301.00	97,700.00	3,562.50	3,479.25	3,460.75	3,442.25	3,423.75	3,405.25	3,386.75	3,368.25	2,833.50	2,815.00	2,796.50	2,778.00	2,759.50	2,741.00	2,722.50	

Annual Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
97,701.00	98,100.00	3,579.50	3,496.25	3,477.75	3,459.25	3,440.75	3,422.25	3,403.75	3,385.25	2,847.50	2,829.00	2,810.50	2,792.00	2,773.50	2,755.00	2,736.50	
98,101.00	98,500.00	3,596.50	3,513.25	3,494.75	3,476.25	3,457.75	3,439.25	3,420.75	3,402.25	2,861.50	2,843.00	2,824.50	2,806.00	2,787.50	2,769.00	2,750.50	
98,501.00	98,900.00	3,613.50	3,530.25	3,511.75	3,493.25	3,474.75	3,456.25	3,437.75	3,419.25	2,875.50	2,857.00	2,838.50	2,820.00	2,801.50	2,783.00	2,764.50	
98,901.00	99,300.00	3,630.50	3,547.25	3,528.75	3,510.25	3,491.75	3,473.25	3,454.75	3,436.25	2,889.50	2,871.00	2,852.50	2,834.00	2,815.50	2,797.00	2,778.50	
99,301.00	99,700.00	3,647.50	3,564.25	3,545.75	3,527.25	3,508.75	3,490.25	3,471.75	3,453.25	2,903.50	2,885.00	2,866.50	2,848.00	2,829.50	2,811.00	2,792.50	
99,701.00	100,100.00	3,664.50	3,581.25	3,562.75	3,544.25	3,525.75	3,507.25	3,488.75	3,470.25	2,917.50	2,899.00	2,880.50	2,862.00	2,843.50	2,825.00	2,806.50	
100,101.00	100,500.00	3,681.50	3,598.25	3,579.75	3,561.25	3,542.75	3,524.25	3,505.75	3,487.25	2,933.75	2,915.25	2,896.75	2,878.25	2,859.75	2,841.25	2,822.75	
										(Add 4.25% for amounts in excess of \$100,500)							

4. ...

D. Income Tax Withholding Formulas. The overall structure of the formulas used to compute the withholding tax is to calculate the tax on the total wage amount and then subtract the amount of tax calculated on the personal exemptions and dependency credits the taxpayer claims for withholding purposes. The correct withholding formula depends upon the number of personal exemptions claimed and annual wages.

1. Effective on or after January 1, 2022:

a. Withholding Formulas for Single or Married Taxpayers Claiming 0 or 1 Personal Exemption:

W is the withholding tax per pay period.
 S is employee's salary per pay period for each bracket.
 X is the number of personal exemptions; X must be 0 or 1.
 Y is the number of dependency credits; Y must be a whole number that is 0 or greater.
 N is the number of pay periods.
 A is the effect of the personal exemptions and dependency credits equal to or less than \$12,500;
 $A = .0185(((X * 4500) + (Y * 1000)) \div N)$.
 B is the effect of the personal exemptions and dependency credits in excess of \$12,500;
 $B = .0165(((X * 4500) + (Y * 1000)) - 12,500) \div N$.

If annual wages are less than or equal to \$12,500, then
 $W = .0185(S) - (A + B)$.

If annual wages are greater \$12,500, but less than or equal to \$50,000, then
 $W = .0185(S) + .0165(S - (12,500 \div N)) - (A + B)$.

If annual wages are greater than \$50,000, then
 $W = .0185(S) + .0165(S - (12,500 \div N)) + .0075(S - (50,000 \div N)) - (A + B)$.

b. Withholding Formulas for Married Taxpayers Claiming 2 Personal Exemptions:

W is the withholding tax per pay period.
 S is employee's salary per pay period for each bracket.
 X is the number of personal exemptions; X must be 2.
 Y is the number of dependency credits; Y must be 0 or greater.
 N is the number of pay periods.
 A is the effect of the personal exemptions and dependency credits equal to or less than \$25,000;
 $A = .0185(((X * 4500) + (Y * 1000)) \div N)$.
 B is the effect of the personal exemptions and dependency credits in excess of \$25,000;
 $B = .0165(((X * 4500) + (Y * 1000)) - 25,000) \div N$.

If annual wages are less than or equal to \$25,000, then
 $W = .0185(S) - (A + B)$.
 If annual wages are greater \$25,000, but less than or equal to \$100,000, then
 $W = .0185(S) + .0165(S - (25,000 \div N)) - (A + B)$.

If annual wages are greater than \$100,000, then
 $W = .0185(S) + .0165(S - (25,000 \div N)) + .0075(S - (100,000 \div N)) - (A + B)$.

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:

Kimberly J. Lewis
 Secretary

2201#007

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Rescinding the Supplemental Feeding Ban in Morehouse and Union Parishes

In accordance with the emergency provisions of R.S. 49:953.1 and under the authority of R.S. 56:6.1, 115 and 116, the Secretary of Wildlife and Fisheries Commission hereby adopts the following Emergency Rule.

On December 2, 2021, the Arkansas Game and Fish Commission announced that a chronic wasting disease (CWD) positive doe was discovered in Union County, Arkansas. The CWD positive doe was located just a few miles north of the Louisiana Border on Felsenthal National Wildlife Refuge.

In response to the discovery of CWD in Arkansas near the Louisiana Border, the Department of Wildlife and Fisheries (LDWF) implemented its CWD Response Plan to monitor the presence of CWD in Louisiana. The Wildlife and Fisheries Commission took emergency action resulting in an immediate cessation of all supplemental feeding, including mineral or salt licks in Union and Morehouse parishes effective December 6, 2021. The purpose of the feeding ban was to reduce the potential for the spread of CWD into Louisiana by reducing the risk of exposure for deer concentrated around feeding sites.

LDWF monitoring efforts resulted in 328 samples collected from hunter harvested deer in Morehouse and Union parishes, which were subsequently submitted to the LSU Animal Disease Diagnostic Laboratory. CWD was not detected.

In accordance with LDWF's CWD Response Plan, the supplemental feeding ban for deer in Morehouse and Union parishes is hereby rescinded.

This Declaration of Emergency shall become effective January 7, 2022, and will remain in effect for the maximum period allowed under the Administrative Procedure Act or until rescinded by the secretary.

Jack Montoucet
Secretary

2201#015

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Shrimp Season Closure in Portions of State Inside Waters

The secretary of the Department of Wildlife and Fisheries has been notified that recent biological sampling conducted by the department has indicated that average white shrimp size within these waters to be closed is smaller than the minimum possession count and this action is being taken to protect these small white shrimp and provide opportunity for growth to larger and more valuable sizes. R.S. 56:498 provides that the possession count on saltwater white shrimp for each cargo lot shall average no more than 100 (whole specimens) per pound except during the time period from October fifteenth through the third Monday in December.

In accordance with the emergency provisions of R.S. 49:953.1 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 5, 2021, 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 2021 fall inshore shrimp season shall close on December 20, 2021, at official sunset in all inside state waters, except for the following inside waters located east of the Mississippi River: Lake Pontchartrain, Chef Menteur and Rigolets Passes, Lake Borgne, Mississippi Sound, Mississippi River Gulf Outlet (MRGO), a section of the Gulf Intracoastal Waterway (GIWW) in Orleans Parish from the GIWW East Closure Sector Gate westward to the GIWW intersection with the Inner Harbor Navigation Canal, and the open waters of Breton and Chandeleur Sounds as bounded by the double-rig line described in R.S. 56:495.1(A)2.

Existing data do not currently support shrimping closures in additional state inside and outside waters. However, historic data suggest additional closures may be necessary and the department will continue monitoring shrimp populations in these waters. Notice of any opening, delaying or closing of a season by the secretary will be made by public notice at least 72 hours prior to such action.

Jack Montoucet
Secretary

2201#001

Rules

RULE

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences

Medical Marijuana Program (LAC 7:XLIX.Chapters 1-29)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Agriculture and Forestry (“Department”), has amended LAC 7:XLIX.Chapters 1 - 29 regarding the growing and production of medical marijuana. The rules are being amended pursuant to R.S. 40:1046 and the enactment of Act 424 of the 2021 Legislative Session which takes effect on January 1, 2022. Chapter 1 of the rules adds and amends definitions used in the medical marijuana rules. Chapter 5 of the rules adds the transfer of interest and prior approval for license issuance and also addresses suitability standards. Chapter 7 addresses fees charged by the department to the licensee. Chapter 9 addresses compliance by the licensee and permittees and inspections and duties of the inspectors of the department. Chapter 11 requires emergency procedures for outages. Chapter 15 addresses restricted areas of the permitted facility and also the use of pesticides on medical marijuana plants. Chapter 17 addresses surveillance and security requirements that the licensee must follow at the production facility and requires that they be operational 24 hours a day. Chapter 23 sets forth the requirements for the department’s laboratory testing, including which tests must be run. Chapter 25 sets forth requirements on the licensee and its employees when transporting medical marijuana or medical marijuana infused products to laboratories, pharmacies or research facilities. Chapter 27 addresses the disposal of waste. Finally, Chapter 29 addresses labeling and registering of products with the department. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XLIX. Medical Marijuana

Chapter 1. General Provisions

§101. Definitions

A. ...

B. The following words and terms shall have the following meanings.

* * *

Immature Plant—a nonflowering Medical Marijuana plant that is no taller than eight inches produced from a cutting, clipping or seedling.

Inspector—LDAF employee designated by the department to carry out an inspection under this Title.

* * *

Lot—the same product manufactured on the same day from the original mix.

Medical Marijuana—substances which are identified as including any parts of the plant *Cannabis*, and all derivatives or subspecies of all strains of cannabis, whether growing or not, the seeds thereof; the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC), Cannabidiol (CBD) and all other naturally occurring cannabinol derivatives, whether produced directly or indirectly by extraction. This term shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

* * *

Person—a producer, any individual, partnership, association, organization, corporation or any other legal entity.

* * *

Processing—any method used to prepare marijuana or its by products for commercial use, including but not limited to: drying, cleaning, curing, packaging, and extraction of active ingredients to create marijuana related products and concentrates.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1251 (July 2017), amended LR 48:23 (January 2022).

Chapter 5. License and Permits

§501. Procedure for Issuing the License

A. ...

B. Louisiana Revised Statute 40:1046 entitles the Louisiana State University Agricultural Center and the Southern University Agricultural Center to the right of first refusal to be licensed as the production facility. This entitlement carries a presumption of suitability and accordingly, the following Sections of this Chapter pertaining to licensing shall not apply to the Louisiana State University Agricultural Center and the Southern University Agricultural Center: §§505, 507, 509, 513.A, 515.A, 517, 519.A.3, 521, 701.A.

C. The presumption of suitability does not apply to any producer or subcontractor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1254 (July 2017), amended LR 48:23 (January 2022).

§512. Transfer of Interest; Prior Approval

A. No person shall transfer any interest in a license, permit or foreclose on a security interest in a license, permit or enter into or create a voting trust agreement without having first fully disclosed all facts pertaining to such transfer and representation to the department for approval.

B.1.No person shall transfer any interest in a license, permit to any person acting as an agent, trustee or in any other representative capacity for or on behalf of another person without having first fully disclosed all facts pertaining to such transfer and representation to the department for approval.

2. No person acting in a representative capacity shall hold or acquire any interest or invest or participate without having first fully disclosed all facts to the department and having obtained written approval from the department.

C. Except as otherwise provided in this Chapter and other than the transfer of securities in a publicly traded corporation, the transfer of the following interests shall receive prior written approval from the department:

- 1. an ownership or economic interest of 5 percent or more;
- 2. an ownership or economic interest of 5 percent or more in any person required to meet the qualification and suitability requirements of the Act;

D. The requirements of Subsection C of this Section shall apply should an accumulation of transfers occur wherein 5 percent or more ownership or economic interest or such other interest that otherwise leads to a change of control in a licensee, permittee, or producer is transferred.

E.1. No transfer of interest for which prior written approval is required pursuant to this Chapter may be completed unless the transfer and proposed transferee have been approved by the department.

2. Any transfer that occurs without the prior approval of the department is void and without effect.

3. Failure to obtain prior approval as required by this Section may be grounds for administrative action against a licensee, permittee, or producer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 48:24 (January 2022).

§513. Eligibility Suitability Standards

A. - B.4. ...

C. The department shall not grant a license or permit, or issue any other approval pursuant to the provisions of the Act or these rules to any person if an applicant has been convicted in any jurisdiction for any of the following offenses within the 10 years prior to the date of the application, and at least 10 years has not elapsed between the date of application and the successful completion of any service of a sentence.

1. - 1.c....

D. The department shall not grant a license or permit, or issue any other approval pursuant to the provisions of the Act or these rules to any person if there is a current prosecution, deferred adjudication, or period of probation or parole for any or pending charge against the person in any jurisdiction for any offense listed in Paragraph C of this Subsection.

E. The department shall not grant a license or permit, or issue any other approval pursuant to the provisions of the Act or these rules to any person who is disqualified based on of the following criteria:

- 1. a crime of violence as defined in R.S.14:2(B);
- 2. any offense involving schedule I narcotics, except marijuana (cannabis, THC); or
- 3. the failure to provide information and documentation to reveal any material fact to a suitability determination, or the supplying of information which is untrue or misleading as to a material fact pertaining to the suitability criteria.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1255 (July 2017), amended LR 48:24 (January 2022).

§525. Display of Identification Badge

A. ...

B. The permittee’s identification badge may be placed in clothing only when working near plants and during processing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1256 (July 2017), amended LR 48:24 (January 2022).

Chapter 7. Fees

§701. Fees

A. The licensee shall submit the following no-refundable fees with each license and permit, in the form of a certified check, Journal Voucher (J4), or money order payable to Louisiana Department of Agriculture and Forestry:

- 1. The license fee of \$100,000 shall be payable to the department upon issuance of the license and annually thereafter.
- 2. The fee for a permit shall be \$100 annually.

B. All fees collected by the department pursuant to this Section shall be collected from the licensee and shall be used to fund expenses relating to the regulation and control of the medical marijuana program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1256 (July 2017), amended LR 48:24 (January 2022).

Chapter 9. Compliance and Inspections

§907. Inspections and Observations

A. - A.3. ...

B. A licensee shall, upon request, immediately make available for inspection by the department all papers, documents, electronically stored media, books, records and electronically stored card access records used in the licensed operations.

C. - E.5. ...

F. An inspector shall:

- 1. prepare a report of:
 - a. the observations and findings of the inspection;
- and

- b. any suggestions or demands for corrective action;
- 2. provide a copy of the report to the inspected entity and obtain a receipt for the delivery; and
- 3. if possible, discuss the inspection and inspection report with the licensee.

G. If an inspection report contains a suggestion or demand for corrective action, the inspected entity shall:

- 1. respond in writing to every suggestion or demand for corrective action; and
- 2. set forth the plan for corrective action to be taken and the timetable for correction shall be 10 business days unless a written request for an extension is approved.

H. Upon request by the inspector, the video recording during the period of a violation of an observation of video recording shall be duplicated and provided to the department.

I. If an inspector finds evidence of operational failures or conditions that create a likelihood of diversion, contamination, or the risk to public health, an inspector may direct that the licensed premises may not distribute or participate in the distribution of any medical cannabis until the violation has been corrected and the premises pass re-inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1257 (July 2017), amended LR 48:24 (January 2022).

Chapter 11. Internal Controls

§1101. Internal Control for Production Facility

- A. - B.3.q. ...
 - r. procedures and records relating to all transport activities;
 - s. other information requested by the department; and
 - t. emergency procedures for outages.

B.4. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1258 (July 2017), amended LR 48:25 (January 2022).

Chapter 15. Production Facility

§1505. Restricted Areas

A. Only permittees, law enforcement while in the course and scope of their duties, LDAF authorized inspector(s) and the department authorized representative(s) may enter restricted areas except as otherwise provided herein. The licensee shall implement procedures to ensure compliance with this Section.

- 1. Department Agent may enter restricted areas for the sole purpose of identifying and collecting marijuana samples for the purposes of conducting laboratory testing;
- 2. Emergency personnel may enter restricted area when necessary to perform their duties.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1262 (July 2017), amended LR 48:25 (January 2022).

§1507. Pesticide Usage on Medical Marijuana Plants

A. - D. ...

E. A record of all pesticide applications shall be maintained at the production facility for at least five years, shall be maintained in the LMMTS and shall be made available to the department. The application record shall include the following information:

1. - 11. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1262 (July 2017), amended LR 48:25 (January 2022).

Chapter 17. Surveillance and Security

§1701. Required Surveillance Equipment

A. The licensee shall install a surveillance system on the entire premises of the production facility which shall be operational 24 hours, seven days a week. The surveillance system shall meet or exceed specifications established by the department and provide access to the department at all times.

B. - B.5. ...

C. All cameras at the entrances and exits to the production facility shall be equipped with lenses of sufficient magnification to allow the operator to clearly distinguish product identifiers, ID tags and facial and body images.

D. - L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1262 (July 2017), amended LR 48:25 (January 2022).

§1711. Security Alarm System

A. - B.6. ...

C. The electronic security system shall be available 24 hours per day, 7 days per week, to the Department via a secure web-based portal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1263 (July 2017), amended LR 48:25 (January 2022).

Chapter 23. Laboratory Approval and Testing

§2301. Laboratory Approval

A. The department may handle, test, and analyze medical marijuana or product in its laboratory in accordance with this Chapter. No other laboratory shall handle, test or analyze medical marijuana or product unless approved by the department in accordance with this Chapter. A list of approved laboratories will be made available by the department on its website.

B. No laboratory, other than the department's laboratory, shall be approved to handle, test or analyze medical marijuana or product unless the laboratory meets the

following qualification within 180 days following the notice of intent to award a contract for analytical services:

1. - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1266 (July 2017), amended LR 48:25 (January 2022).

§2303. Laboratory Testing

A. Each batch of medical marijuana concentrate, final product produced from concentrate, and final product not produced from concentrate (ex. dried and cured flower) shall be made available by the licensee for a department agent of an approved laboratory or otherwise independent sample collector to select a random and representative sample of sufficient volume to conduct required analyses, which shall be tested by the department's laboratory or an approved laboratory.

1. Medical marijuana concentrate shall not be used to produce any form of final product until it has passed all analysis limits for:

a. - e. ...

2. No product shall be released for delivery to a marijuana pharmacy for sale or consumption until it has passed all concentrate analysis limits and analysis limits for:

a. - c. ...

3. Final products not produced from concentrates (ex. dried and cured flower) shall not be released for delivery to a marijuana pharmacy for sale or consumption until it has passed all analysis limits for:

a. active ingredient analysis for characterization of potency;

b. pesticide active ingredients, including but not limited to, the most recent list of targeted pesticides published by the department;

c. heavy metals;

d. mycotoxins;

e. microbiological contaminants; and

f. homogeneity.

B. - D.2.e. ...

3. Every sample shall undergo a pesticide chemical residue test. For purposes of the pesticide chemical residue test, a sample shall be deemed to have passed if it does not contain any residues not appearing on the department's approved list and any approved residues present are less than the limits allowed by the department;

4. Every concentrate sample shall undergo a residual solvent test. For purposes of the residual solvent test, a sample shall be deemed to have passed if the following solvents are below the limits listed below:

4.a. - 5.d. ...

6. Every sample shall undergo an active ingredient analysis or potency analysis. For medical marijuana concentrate samples, the potency test is to establish the presence of active ingredients and their concentrations for accurate calculations of amounts needed for the production of products. For final product samples, the potency test is to establish the active ingredient composition for verification of labeling to ensure accurate dosing:

a. - a.iv. ...

b. for final product analysis, a variance of no more than plus or minus fifteen percent is allowed from the labeled amount of active ingredient. Thus a product labeled as containing 10 milligrams THC must contain no less than 8.50 milligrams THC and no more than 11.50 milligrams THC. For final products containing THCA, the Total THC determined shall also be within the variance allowed for the THC as labeled.

7. Every final product sample shall undergo a homogeneity test. For the purposes of the homogeneity test, a sample shall be deemed passed if each aliquot tested is within plus or minus fifteen percent of the total aliquots average finding for potency for each active labeled.

E. - K. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1266 (July 2017), amended LR 48:26 (January 2022).

Chapter 25. Transportation

§2501. Transportation

A. Prior to transporting an immature plant or seeds, or both, from a research facility, a manifest shall be generated from the LMMTS.

B. The licensee or its authorized permittee shall only be allowed to transport medical marijuana or product to the following locations:

1. from its production facility to dispensaries;

2. from its production facility to a laboratory for testing or research; and

3. when a specific non-routine transport request from the licensee is approved in writing by the department.

C. The licensee or its authorized permittee shall:

1. have a valid Louisiana driver's license and be insured above the legal requirements in Louisiana; and

2. be capable of securing (locking) medical marijuana and product items during transportation.

D. Prior to transporting medical marijuana or product, a licensee shall generate a transport manifest, utilizing LMMTS, that accompanies every transport of medical marijuana or product. Such manifests shall contain the following information:

1. the name, contact information of a licensee authorized representative, licensed premises address, and the authorized permittee transporting the medical marijuana or product;

2. the name, contact information, and premises address of the marijuana pharmacy or laboratory receiving the delivery;

3. medical marijuana or product name and quantities (by weight or unit) of each item contained in each transport, along with the requisite unique identification number for every item;

4. the date of transport and time of departure;

5. arrival date and estimated time of arrival;

6. delivery vehicle make and model and license plate number; and

7. name and signature of the authorized permittee accompanying the transport.

E. Only the licensee, its authorized permittee or a receiving marijuana pharmacy may transport medical marijuana or product from the production facility. Each transport manifest shall correctly reflect specific inventory in transit in case of multiple dispensaries delivery in a single trip.

F. Transport manifests shall be available for viewing through LMMTS, to the marijuana pharmacy, laboratory for testing, and the department before the close of business the day prior to transport.

G. The licensee or its authorized employees shall provide a copy of the transport manifest to law enforcement if requested to do so while in transit.

H. An authorized employee of the marijuana pharmacy or approved laboratory for testing shall verify that the medical marijuana or product are received as listed in the transport manifest by:

1. verifying and documenting the type and quantity of the transported medical marijuana or product against the transport manifest; and

2. returning a copy of the signed transport manifest to the production facility.

I. A receiving marijuana pharmacy or approved laboratory for testing shall separately document any differences between the quantity specified in the transport manifest and the quantities received. Such documentation shall be made in LMMTS and in any relevant business records.

J. The licensee shall ensure that all medical marijuana, plant material, or product transported on public roadways is:

1. only transported in a locked, safe and secure storage compartment that is part of the motor vehicle transporting the medical marijuana or product, or in a locked storage container that has a separate key or combination pad;

2. transported so it is not visible or recognizable from outside the vehicle; and

3. transported in a vehicle that does not bear any markings to indicate that the vehicle contains medical marijuana or bears the name or logo of the licensee.

K. Authorized permittees who are transporting medical marijuana or product on public roadways shall:

1. travel directly to the marijuana pharmacy or laboratory testing facility; and

2. document refueling and all other stops in transit, including:

- a. the reason for the stop;
- b. the duration of the stop;
- c. the location of the stop; and
- d. all activities of employees exiting the vehicle.

L. Every authorized permittee shall have access to a secure form of communication with the licensee and the ability to contact law enforcement through the 911 emergency systems at all times that the motor vehicle contains medical marijuana or product. If an emergency requires stopping the vehicle, the employee shall report the emergency immediately to law enforcement through the 911 emergency systems and the licensee, which shall

immediately notify the department. The employee shall also complete an incident report form provided by the department.

M. The licensee shall ensure that all delivery times and routes are randomized.

N. Under no circumstance shall any person other than a designated permittee have actual physical control of the motor vehicle that is transporting the medical marijuana or product.

O. The licensee shall staff all transport motor vehicles with a minimum of two employees. At least one employee must remain with the motor vehicle at all times that the motor vehicle contains medical marijuana or product.

P. A permittee shall carry his permittee identification card at all times when transporting or delivering medical marijuana or product and, upon request, produce the identification card to the department or to a law enforcement officer acting in the course of official duties.

Q. The licensee shall ensure that a vehicle containing medical marijuana or product in transit is not left unattended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1267 (July 2017), amended LR 48:26 (January 2022).

Chapter 27. Sanitation and Disposal

§2705. Disposal of Waste

A. - C. ...

D. The licensee shall provide the department, through the LMMTS, a minimum of seven days notice or written notice approved by the department prior to rendering the product unusable and disposing of the product.

E. - G.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1269 (July 2017), amended LR 48:27 (January 2022).

Chapter 29. Labeling

§2901. Labeling Requirements

A. Each product produced for sale shall be registered with the Department through the LMMTS for the Department's approval. Each product, as approved by the department, shall be labeled by the licensee prior to sale to a marijuana pharmacy. Each label shall be securely affixed to the package and shall include:

A.1. - D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1269 (July 2017), amended LR 48:27 (January 2022).

§2903. Packaging Requirements

A. - C.4. ...

D. All packaging shall be approved by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 43:1270 (July 2017), amended LR 48:27 (January 2022).

Mike Strain, DVM
Commissioner

2201#008

RULE

**Department of Culture, Recreation, and Tourism
Office of State Parks**

**Rosedown Plantation Admission Fee
(LAC 25:IX.500)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(A), the Department of Culture Recreation, and Tourism- Office of State Parks (DCRT-OSP) has amended LAC 25, Part IX, Office of State Parks, Chapter 5, §500.

DCRT-OSP is amending the current Louisiana Administrative Code Title 25, Part IX, Chapter 5, §500.B.3.a.i., to change the entrance fee for Rosedown Plantation State Historic Site from \$15 to \$12 per adult (ages 18-61). This Rule is hereby adopted on the day of promulgation.

Title 25

**CULTURAL RESOURCES
Part IX. Office of State Parks**

Chapter 5. Procedures and Fees

§500. Admission Fees and Exemptions

A. - B.2. ...

3. Rosedown Plantation State Historic Site

a. Charges for Admission to the plantation house and the gardens surrounding the house at the following rates:
i. \$12 per adult (ages 18 to 61);

B.3.a.ii. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1053 (December 1990), LR 19:309 (March 1993), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1986 (August 2005), LR 36:1228 (June 2010), LR 39:1266 (May 2013), LR 43:294 (February 2017), LR 48:28 (January 2022).

H. Brandon Burris
Assistant Secretary

2201#030

RULE

Board of Elementary and Secondary Education

**Bulletin 130—Regulations for the Evaluation and
Assessment of School Personnel
(LAC 28:CXLVII.323 and 905)**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 130—Regulations for the*

Evaluation and Assessment of School Personnel. The revisions update terminology to refer to “school guidance counselors” as “school counselors,” in accordance with Act 275 of the 2021 Regular Legislative Session. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

**Part CXLVII. Bulletin 130—Regulations for the
Evaluation and Assessment of School Personnel**

Chapter 3. Personnel Evaluation

§323. Job Descriptions

[Formerly §339]

A. The local personnel evaluation plan shall contain a copy of the job descriptions currently in use in the LEA. The LEA shall establish a competency-based job description for every category of teacher and administrator pursuant to its evaluation plan. The chart that follows identifies a minimum listing of the categories and titles of personnel for which job descriptions must be developed.

Personnel Category	Position or Title
Administration	<ol style="list-style-type: none"> 1. Superintendent 2. Assistant Superintendent 3. Director 4. Supervisor 5. Coordinator 6. Principal 7. Assistant Principal 8. Any employee whose position does not require certification but does require a minimal education attainment of a bachelor's degree from an accredited institution of higher learning 9. Any employee whose position requires certification, but whose title is not given in this list 10. Any employee who holds a major management position, but who is not required to have a college degree or certification
Instructional Personnel	<ol style="list-style-type: none"> 1. Teachers of Regular and Sp. Ed. students 2. Special Projects Teachers 3. Instructional Coaches and/or Master Teachers
Support Services	<ol style="list-style-type: none"> 1. Support Counselors 2. Librarians 3. Therapists <ol style="list-style-type: none"> 1. Any employee whose position does not require certification but does require a minimal educational attainment of a bachelor's degree from an accredited institution of higher learning 2. Any employee whose position requires certification, but whose title is not given in this list 3. Any employee who holds a major management position, but who is not required to have a college degree or certification

B. - C.8. ...

NOTE: Job descriptions must be reviewed annually. Current signatures must be on file at the central office in the single official file to document the annual review and/or receipt of job descriptions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10, R.S. 17:3871-3873, R.S. 17:3881-3884, and R.S. 1309-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2252 (October 2010), amended LR 38:1219 (May 2012), LR 38:2361 (September 2012), amended LR 48:28 (January 2022).

Chapter 9. General Provisions

§905. Definitions

A. In order that consistency in terminology be maintained on a statewide basis, the department has

established a list of terms and definitions. Careful consideration of each should be given during the training and implementation of personnel evaluation programs. The definitions below must be adopted by all LEAs. If additional terms are necessary in establishing a clear and concise understanding of evaluation procedures, they must be included in the LEA local personnel evaluation plan.

Accountability—shared responsibility for actions relating to the education of children.

Teacher—any person who provides direct instruction or direct instructional support to students, to whom he/she has been formally assigned. Classroom *teachers*, special education *teachers*, librarians, and school counselors shall be considered *teachers* according to this definition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1222 (May 2012), amended LR 38:2362 (September 2012), LR 39:1275 (May 2013), amended LR 48:28 (January 2022).

Shan N. Davis
Executive Director

2201#037

RULE

Board of Elementary and Secondary Education

Bulletin 133—Scholarship Programs
(LAC 28:CLIII.101, 303, and 1305)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 133—Scholarship Programs*. The revisions revise the eligibility criteria schools must meet in order to participate in the Student Scholarships for Educational Excellence Program, in accordance with Act 196 of the 2021 Regular Legislative Session. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CLIII. Bulletin 133—Scholarship Programs

Chapter 1. General Provisions

§101. Definitions

Department—the state Department of Education.

Provisionally Accredited Approved School—a school that is working toward meeting accreditation requirements and has met all other criteria for approval by the state Board of Elementary and Secondary Education.

1. eligible accrediting entities shall be:
 - a. Southern Association of Colleges and Schools accreditation organizations;
 - b. Cognia accreditation organizations;
 - c. National Association of Independent Schools accreditation organizations;
 - d. Louisiana Montessori Association; and

e. Diocese or Archdiocese in which the provisionally accredited approved school is located.

2. A provisionally accredited approved schools shall be removed from the program if it does not receive accreditation within four years of initial program approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:4025.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR: 38:3129 (December 2012), amended LR 40:2521 (December 2014), amended LR 48:29 (January 2022).

Chapter 3. Registration

§303. Student Enrollment Process

A. - A.6. ...

7. conduct site visits each school year at schools that receive a scholarship cohort index below 50 in the most recent accountability cycle.

B. - D.1.d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.17:6 and R.S. 17:4025.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:3130 (December 2012), amended LR 48:29 (January 2022).

Chapter 13. Criteria for School Participation in the Student Scholarships for Educational Excellence Program

§1305. Accountability System for Participating Nonpublic Schools

A. - D. ...

E. Nonpublic Schools that Receive Scholarship Cohort Indexes

1. There shall be three fundamental rules of the accountability system for participating nonpublic schools that receive scholarship cohort indexes. Starting with the 2012-2013 school year:

a. - b. ...

c. beginning with the 2021-2022 school year, a participating school that for three consecutive years receives a scholarship cohort index below 50 shall be ineligible to participate in the program.

2. The following exceptions shall exist.

a. The state superintendent shall waive each of the provisions in Paragraph 1 of this Subsection for a given school if likely new enrollees otherwise would predominantly be enrolled in schools performing at levels lower than or equivalent to the participating school.

b. The state superintendent may waive any of the above provisions for a given school if the school has improved by more than 15 points on the scholarship cohort index over the last four school years, with the 2012-2013 school year being the first such year.

c. The state superintendent may waive any of the above provisions for a given school if the school received a score higher than an equivalent school performance score correlating to a letter grade of an "F" according to the school performance score formula outlined in *Bulletin 111—the Louisiana School, District, and State Accountability System*.

3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:4025.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:83 (January 2013), amended LR 42:553 (April 2016), amended LR 48:29 (January 2022).

Shan N. Davis
Executive Director

2201#038

RULE

Board of Elementary and Secondary Education

Bulletin 137—Louisiana Early Learning Center Licensing Regulations (LAC 28:CLXI.1723 and 1815)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 137—Louisiana Early Learning Center Licensing Regulation*. The revisions allow for processing fees associated with Child Care Criminal Background Check (CCCBC) determinations of eligibility to be waived to the applicant and paid by the LDE utilizing COVID-19 funds while available. Additional revisions to Bulletin 137 align Board of Elementary and Secondary Education (BESE) policy with U.S. Department of Health and Human Services, Office of Child Care (OCC) mandates that require all staff members on the premises of an early learning center and who are accessible to children to have current CPR and first aid certification. This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

**Part CLXI. Bulletin 137—Louisiana Early Learning Center Licensing Regulations
Chapter 17. Minimum Staffing Requirements and Standards**

§1723. CPR and First Aid Certifications

A. Infant and Child CPR. All staff members on the premises of a center and accessible to children shall have current certification in infant and child CPR through training approved by the department.

B. Adult CPR. All staff members on the premises of a center and accessible to children shall have current certification in adult CPR through training approved by the department.

C. Pediatric First Aid. All staff members on the premises of a center and accessible to children shall have current certification in pediatric first aid through training approved by the department.

D. Certification. A copy of the certification for each such staff member shall be on-site at all times and available for inspection by the department.

E. First Responder. Staff members who maintain current certification as a first responder are considered to have current certification in CPR and pediatric first aid.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:636 (April 2015), effective July 1, 2015, amended LR 44:251 (February 2018),

effective March 1, 2018, LR 44:1866 (October 2018), LR 48:30 (January 2022).

Chapter 18. Child Care Criminal Background Checks (CCCBC)

§1815. Fees for CCCBC-Based Determinations of Eligibility for Child Care Purposes

A. ...

B. The department shall charge and collect a \$15 processing fee when it receives a request for a CCCBC-based determination of eligibility for child care purposes.

1. The processing fee may be waived and paid from COVID-19 recovery funds, where available.

C. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 98.43, R.S. 15:587.1, and R.S. 407.42.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:255 (February 2018), effective March 1, 2018, LR 48:30 (January 2022).

Shan N. Davis
Executive Director

2201#039

RULE

Board of Elementary and Secondary Education

Bulletin 139—Louisiana Child Care and Development Fund Programs (LAC 28:CLXV.103, 310, 509, 515 and 519)

In accordance with R.S. 17:6 and R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 139—Louisiana Child Care and Development Fund Programs*. The revisions allow for the CCAP reimbursement to be based on enrollment and allows for fees and family co-payments associated with Child Care Criminal Background Checks (CCCBC) based determinations of eligibility for child care purposes to be waived and paid from COVID-19 funds while available. This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

**Part CLXV. Bulletin 139—Louisiana Child Care and Development Fund Programs
Chapter 1. Child Care Assistance Program
§103. Definitions**

Automated Child Care Time and Attendance—an electronic system that provides accurate and timely capturing, tracking, and reporting of time and attendance data. This system may utilize an adult’s finger image or IVR interactive voice response (IVR) as a mechanism for capturing this data.

Excessive Absences—failure of a child to attend at least one day in the prior certified month.

Ineligibility Period for Providers—period of time following the termination or closure of a CCAP provider’s certification during which the provider is ineligible for certification.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR part 98 and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2109 (October 2015), amended LR 42:42 (January 2016), LR 42:1870 (November 2016), LR 43:1279 (July 2017), LR 44:257 (February 2018), effective March 1, 2018, LR 44:800 (April 2018), LR 47:1279 (September 2021), LR 48:30 (January 2022).

Chapter 3. CCAP Provider Certification

§310. Child Care Criminal Background Checks (CCCBCs) for Family Child Care Providers and In-Home Child Care Providers

A. - F.1. ...

2. The department shall charge and collect a \$15 processing fee when it receives a request for a CCCBC-based determination of eligibility for child care purposes.

a. The processing fee may be waived and paid from COVID-19 recovery funds, where available.

F.3. - G.5.b. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.43, R.S. 15:587.1, and R.S. 17:407.71.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:258 (February 2018), effective March 1, 2018, LR 48:31 (January 2022).

Chapter 5. CCAP Household Eligibility

§509. Certification Requirements for Non-Categorically Eligible Households

A. - A.5.e.iii. ...

6. A child must have attended at least one day of care with a certified provider during each month in order for the household to remain certified for that child.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.28. and 45 CFR Parts 98 and 99.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:43 (January 2016), amended LR 42:2175 (December 2016), LR 44:261 (February 2018), effective March 1, 2018, LR 45:900 (July 2019), LR 46:1373 (October 2020), LR 47:573 (May 2021), LR 48:31 (January 2022).

§515. Payments Made on Behalf of Households

A. - B.1. ...

2. The number of days or hours authorized for payment is based on full-time or part-time authorizations.

C. - C.1. ...

2. A non-categorically eligible household shall pay a portion of its monthly child care costs in accordance with the sliding fee scale, and this portion will be referred to as a “co-payment.”

a. Co-payments may be waived and paid from COVID-19 recovery funds, where available.

C.3. - E. ...

F. Payment will not be made to the provider for an unauthorized child.

G. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:6 and 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2116 (October 2015), amended LR 42:44 (January 2016), LR 42:1870 (November 2016), LR 44:801 (April 2018), LR 45:1745 (December 2019), LR 47:573 (May 2021), LR 48:31 (January 2022).

§519. Termination or Refusal of Renewal of Household Certification and Ineligibility Periods for Households

A. - A.4. ...

5. excessive absences;

A.6. - C. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:45 (January 2016), amended LR 44:801 (April 2018), LR 48:31 (January 2022).

Shan N. Davis
Executive Director

2201#040

RULE

Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators

(LAC 28:CXV.502, 901 911, 1103, 1111, 2305, 2317, 2318, 2320, 2363, 2397, and 3703)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 741—Louisiana Handbook for School Administrators*. The revisions are in response to Acts of the 2021 Louisiana Legislature. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 5. Personnel

§502. Staff Misconduct

A. - C. ...

1. interaction between a student and a school counselor as defined in R.S. 17:3002, or between a student and a social worker, a psychologist or other duly certified/licensed mental health or counseling professional.

C.2. - E.6.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:15; R.S. 17:81.9; R.S. 17:587.1; R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:431 (March 2007), LR 34:607 (April 2008), repromulgated LR 35:444 (March 2009), amended LR 35:1099 (June 2009), LR 37:1138 (April 2011), LR 38:41 (January 2012), amended LR 48:31 (January 2022).

Chapter 9. Scheduling

§901. Scheduling

A. - B.4. ...

5. By the end of the tenth grade, each student’s individual graduation plan or the student’s IEP, if applicable, shall outline the school graduation requirements relevant to the student’s chosen postsecondary goals based on the student’s academic record, talents, and interests.

a. Using information provided by the LDE and the Office of Student Financial Assistance, LEAs shall provide the student and the student’s parent or legal custodian information regarding state and federal need-based and merit-based financial aid programs to support postsecondary education and training. The LEA shall ensure that each student receives adequate support in completing and submitting an application for financial aid.

b. Using information developed by the Louisiana Workforce Commission, LEAs shall provide students with information about the top twenty high-demand jobs, in the state and in the student's region, with the highest typical annual salary. The student shall be shown how to access information on Louisiana Workforce Commission's website for the listed jobs and other high-demand, high-wage jobs and shown how to find educational programs offered in Louisiana that qualify the student for such jobs.

6. Each student, with the assistance of his parent or other legal custodian and school counselor shall choose the high school curriculum framework and related graduation requirements that best meet his postsecondary goals. Prior to revising a student's individual graduation plan, the school counselor shall meet with the student's parent or legal custodian, either in person or virtually, to explain the possible impacts the revisions to the plan might have on the student's graduation requirements and postsecondary education goals. Any revisions to a student's plan shall be approved in writing by the student's parent or legal custodian.

7. The individual graduation plan or the IEP, if applicable, shall be reviewed annually and updated as necessary to identify the courses to be taken each year until all required courses are completed. Each student, his parent or legal custodian, and his school counselor shall annually sign the student's individual graduation plan

C. - F.3. ...

G. Beginning with the 2021-2022 school year, each school with students in grades 8, 9, 10, 11, and/or 12 shall annually hold an informational meeting for parents and legal guardians on graduation requirements and school curriculum choices. The notice of the meeting is to be made through all means available, including the school automatic call system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:175 and R.S. 17:183.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 36:1498 (July 2010), LR 39:2204 (August 2013), LR 40:2522 (December 2014), LR 42:557 (April 2016), LR 43:2483 (December 2017), LR 46:1083 (August 2020), amended LR 48:31 (January 2022).

§911. Planning Time

A. LEAs shall provide a minimum of 45 minutes daily and uninterrupted planning time, or its weekly equivalent; for every teacher actively engaged in the instruction and supervision of students in the public schools. Implementation of planning time for teachers as required in this Section shall not result in a lengthened school day or a reduction in student daily instructional time.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:434.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1272 (June 2005), amended LR 48:32 (January 2022).

Chapter 11. Student Services

§1103. Compulsory Attendance

A. Through the 2020-2021 school year, students who have attained the age of seven years shall attend a public or

nonpublic day school or participate in an approved home study program until they reach the age of 18 years. Any child below the age of seven who legally enrolls in school shall also be subject to compulsory attendance. Refer to Chapter 33 for information on home study programs.

1. Beginning with the 2022-2023, students who have attained the age of five years by September thirtieth of the calendar year in which the school year begins shall attend a public or nonpublic day school or participate in an approved home study program until they reach the age of 18 years. Any child below the age of seven who legally enrolls in school shall also be subject to compulsory attendance. Refer to Chapter 33 for information on home study programs.

B. - N. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:112, R.S. 17:221.3-4, R.S. 17:226.1, and R.S. 17:233.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1273 (June 2005), amended LR 32:546 (April 2006), LR 32:1030 (June 2006), LR 33:2351 (November 2007), LR 35:641 (April 2009), LR 35:1097 (June 2009), LR 35:1475 (August 2009), LR 36:482 (March 2010), LR 36:1224 (June 2010), LR 37:1126 (April 2011), LR 37:2132 (July 2011), LR 38:1000 (April 2012), LR 38:1225 (May 2012), LR 38:1399 (June, 2012), LR 39:2205 (August 2013), LR 41:372 (February 2015), LR 41:2594 (December 2015), LR 42:1877 (November 2016), amended LR 48:32 (January 2022).

§1111. Age Requirements

A. - C.3. ...

4. For the 2021-2022 school year, every parent, tutor, or other person having control or charge of a child who is eligible to attend full-day kindergarten, as a prerequisite to enrollment in any first grade of a public school, shall:

a. send such child to attend public or nonpublic full-day kindergarten for a full school year; or

b. ensure that such child has been administered and has satisfactorily passed an academic readiness screening prior to the time established for the child to enter first grade;

c. each city, parish, or other local public school board shall establish the academic readiness level for entry into the first grade.

5. Beginning with 2022-2023 school year, every parent, tutor, or other person having control or charge of a child who is eligible to attend full-day kindergarten, as a prerequisite to enrollment in the first grade of a public school, shall:

a. send such child to attend a public or nonpublic full-day kindergarten for a full school year; and

b. ensure that such child has been administered and has satisfactorily passed an academic readiness screening administered by the LEA prior to the time of enrollment in the first grade;

c. each city, parish, or other local public school board shall establish the academic readiness level for entry into the first grade.

D. - D.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:151.3 and R.S. 17:222.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1275 (June 2005), amended LR 39:2206 (August 2013), amended LR 48:32 (January 2022).

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2305. Ancillary Areas of Instruction

A. - F.3. ...

4. Such programs will integrate an evidence-based, age-appropriate instructional component on opioid substance abuse prevention.

a. Any instruction relative to alcohol, tobacco, drug, and substance abuse prevention and education provided pursuant to this Subsection will include the information that mixing opioids and alcohol can cause accidental death and information on the health risks associated with vapor products as defined in R.S. 26:901.

G. - M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:81, 17:154, 17:261 et seq., 17:263, 17:270, 17:280, 17:281 et seq., 17:404, and 17:405 et seq., and 36 USC 106.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 33:2353 (November 2007), LR 39:2214 (August 2013), LR 39:3259 (December 2013), LR 40:2531 (December 2014), LR 44:1443 (August 2018), LR 44:1868 (October 2018), LR 45:36 (January 2019), LR 45:1746 (December 2019), amended LR 48:33 (January 2022).

§2317. High Schools

A. - G. ...

H. Prior to the beginning of the school year, students may switch diploma pathways provided they have the consent of their parent or guardian and have been advised by a school counselor. The student's parent or legal custodian will approve in writing any changes to the student's individual graduation plan.

I. - K.2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:154, 17:264, 17:1944, 17:1945, and 17:4073.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 36:1485 (July 2010), LR 37:1137 (April 2011), LR 38:754 (March 2012), LR 39:1038 (April 2013), LR 39:2216 (August 2013), LR 40:1328 (July 2014), repromulgated LR 40:1528 (August 2014), amended LR 40:2530 (December 2014), LR 45:37 (January 2019), LR 45:227 (February 2019), LR 46:1671 (December 2020), amended LR 48:33 (January 2022).

§2318. The TOPS University Diploma

A. - C.3.d.iii.(f). ...

(g). African American history.

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

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132

(November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), amended LR 48:33 (January 2022).

§2320. Career Diploma Pathway for Students Assessed on the Louisiana Alternate Assessment

A. - E.2. ...

3. The individual graduation plan shall be annually reviewed by the IEP team and any necessary adjustments shall be made. Each student, his parent or legal custodian, and his school counselor will annually sign the student's individual graduation plan. The student's parent or legal custodian will approve in writing any changes to the student's individual graduation plan.

4. - 4.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, 17:183.3, 17:274, 17:274.1, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:1483 (August 2015), amended LR 45:1455 (October 2019), amended LR 48:33 (January 2022).

Subchapter B. Academic Programs of Study

§2363. Social Studies

A. The social studies course offerings for the college diploma shall be as follows.

Course Title(s)	Units
American Government	1

African American History	1

B. - E.2.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.3, 17:274, 17:274.1, and 17:274-274.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1298 (June 2005), amended LR 31:3072 (December 2005), LR 33:431 (March 2007), LR 33:2606 (December 2007), LR 36:1495 (July 2010), LR 37:1131 (April 2011), LR 40:1000 (May 2014), LR 40:2529 (December 2014), LR 41:2595 (December 2015), LR 44:1869 (October 2018), amended LR 48:33 (January 2022).

Subchapter C. Career and Technical Education

§2397. Career Options

A. - A.1. ...

2. School counselors or others designated by the school principal, or both, shall be responsible for the completion of the individual graduation plan. The school counselors and others shall counsel each student with regard to high school graduation requirements and shall assist the student in developing his plan. Each student, his parent or legal guardian, and his school counselor shall annually sign the student's individual graduation plan.

a. When developing and reviewing his individual graduation plan, the student shall be provided information developed by the Louisiana Workforce Commission regarding the top 20 high-demand jobs, in the state and in the student's region, with the highest typical annual salary.

b. The student shall be shown how to access information on Louisiana Workforce Commission's website for the listed jobs and other high-demand, high-wage jobs and shown how to find educational programs offered in Louisiana that qualify the student for such jobs.

c. The counselor or designee shall provide the student a printed copy of the listing of the appropriate region's top 20 high-demand, high-wage jobs.

3. For a student with exceptionalities, except a student identified as gifted or talented and who has no other exceptionality, the student's IEP team, if applicable, will assist the student in developing the individual graduation plan.

4. Prior to revising a student's individual graduation plan, the school counselor shall meet with the student's parent or legal guardian, either in person or virtually, to explain the possible impacts the revisions to the plan might have on the student's graduation requirements and postsecondary education goals. The student's parent or legal guardian to approve in writing any changes to the student's individual graduation plan.

5. During the ninth and tenth grades, each student shall pursue the rigorous core curriculum required by his school for his chosen major. The core curriculum shall include required coursework as established by BESE and appropriate elective courses.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:183.1 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1303 (June 2005), amended LR 36:1996 (September 2010), LR 40:2524 (December 2014), amended LR 48:33 (January 2022).

Chapter 37. Glossary

§3703. Definitions

Academically-Able Student—a student who is functioning at grade level as determined by the local school system. For special education students identified in accordance with *Bulletin 1508—Pupil Appraisal Handbook*, the IEP committee shall determine the student's eligibility to receive foreign language instruction, provided the student is performing at grade level.

Individualized Education Program (IEP)—a written statement of specially designed instruction developed, reviewed and revised by a group of qualified education personnel and the parent/guardian for each student with an exceptionality in public schools.

Individual Graduation Plan—the plan developed by each student by the end of the eighth grade with the input of his/her family. The plan shall include a sequence of courses which is consistent with the student's stated academic and career goals. Each student individual graduation plan shall be reviewed annually thereafter by the student, parents and/or legal custodian, and school advisor, and revised as needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1316 (June 2005), amended LR 39:2231 (August 2013), LR 46:1673 (December 2020), amended LR 48:34 (January 2022).

Shan N. Davis
Executive Director

2201#041

RULE

Board of Elementary and Secondary Education

Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators—African American History (LAC 28:LXXIX.2109 and 2331)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators*. The revisions add African American History to the list of courses that satisfy social studies credit graduation requirements, in accordance with Act 334 of the 2021 Regular Legislative Session. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

Chapter 21. Curriculum and Instruction

Subchapter C. Secondary Schools

§2109. High School Graduation Requirements

A. - D.4.c.x. ...

xi. African American history.

D.5 - F.3.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 30:2776 (December 2004), LR 31:3081 (December 2005), LR 34:2099 (October 2008), LR 36:2849 (December 2010), LR 37:2142, 2144 (July 2011), repromulgated LR 37:2390 (August 2011), amended LR 37:2597 (September 2011), LR 38:769 (March 2012), LR 38:1008 (April 2012), LR 39:1444 (June 2013), LR 40:1682 (September 2014), LR 40:2535 (December 2014), LR 41:915 (May 2015), LR 41:1485 (August 2015), LR 41:2127 (October 2015), LR 42:1064 (July 2016), LR 43:1289 (July 2017), LR 45:38 (January 2019), LR 45:1456 (October 2019), LR 46:1084 (August 2020), amended LR 48:34 (January 2022).

Chapter 23. High School Program of Studies

§2331. Social Studies

A. Social studies course offerings shall be as follows.

Course Title	Unit(s)
African American History	1
African American Studies	1
American Government	1
U.S. History	1
Civics	1 (or 1/2)
Economics	1
Free Enterprise System	1/2
Law Studies	1
Psychology	1
Sociology	1
Western Civilization	1
World Geography	1
World History	1
AP European History	1
AP U.S. History	1
IB History of the Americas I	1
AP U.S. Government and Politics: Comparative	1

Course Title	Unit(s)
AP U.S. Government and Politics: United States	1
AP Macroeconomics	1
AP Microeconomics	1
AP Human Geography	1
IB Geography	1
AP World History	1
IB History of the Americas II	1
IB Economics	1

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2356 (November 2003), amended LR 31:3088 (December 2005), LR 34:2102 (October 2008), LR 37:2144 (July 2011), LR 37:2598 (September 2011), LR 38:771 (March 2012), LR 39:1450 (June 2013), LR 40:1686 (September 2014), LR 40:2539 (December 2014), LR 48:34 (January 2022).

Shan N. Davis
Executive Director

2201#042

RULE

Board of Elementary and Secondary Education

Bulletin 1566—Pupil Progression Policies and Procedures
(LAC 28:XXXIX.501)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 1566—Pupil Progression Policies and Procedures*. The revisions prohibit the use of statewide student assessments conducted during the 2020-2021 school year for the purposes making student placement decisions, in accordance with Act 53 of the 2020 Second Extraordinary Session. This Rule is hereby adopted on the day of promulgation.

Title 28 EDUCATION

Part XXXIX. Bulletin 1566—Pupil Progression Policies and Procedures

Chapter 5. Placement Policies—General Requirements

§501. General Requirements

A. - C. ...

D. No school board member, school superintendent, assistant superintendent, principal, school counselor, other teacher, or other administrative staff members of the school or the central staff of the parish or city school board shall attempt, directly or indirectly, to influence, alter, or otherwise affect the grade received by a student from his/her teacher.

E. For the 2020-2021 school year, student performance on the LEAP 2025 assessments shall not be considered in making placement decisions for fourth and eighth grade students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:24.4, and R.S. 17:414.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2171 (November 1999), amended LR 3:2062 (October 2007), LR 36:2003

(September 2010), LR 44:479 (March 2018), amended LR 48:35 (January 2022).

Shan N. Davis
Executive Director

2201#043

RULE

Board of Elementary and Secondary Education

Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act
(LAC 28:XLIII.101, 401, 450, 460, 461, 462, 463, 464, 466, 905, 1101, and 1904)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act*. The revisions align state policy with Acts of the 2021 Louisiana Legislature. This Rule is hereby adopted on the day of promulgation.

Title 28 EDUCATION

Part XLIII. Bulletin 1706—Regulations for Implementation of the Children with

Exceptionalities Act

Subpart 1. Students with Disabilities

Chapter 1. State Eligibility

Subchapter A. FAPE Requirements

§101. Authority and Scope

A. - A.1.a. ...

b. directly responsible for the provision of a free appropriate public education to students within the jurisdiction of the Special School District, the Recovery School District, or in a Louisiana Special School (the Louisiana School for the Visually Impaired or the Louisiana School for the Deaf).

B. - C.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2036 (October 2008), amended LR 46:180 (February 2020), amended LR 48:35 (January 2022).

Chapter 4. Special School District (SSD) and BESE Special Schools (BSS)

Subchapter A. Special School District

§401. Special School District (SSD)

A. The Special School District (SSD) Board of Directors is the governing authority of the SSD.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2065 (October 2008), amended LR 48:35 (January 2022).

Subchapter B. BESE Special Schools

§450. Louisiana Special Schools

A. In accordance with R.S. 17:1945, SSD Board of Directors will supervise and oversee the administration of the BESE special schools. The Louisiana special schools are Louisiana School for the Deaf (LSD) and Louisiana School for the Visually Impaired (LSVI), and are state-operated

schools providing educational programs and services for residential and/or day students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2066 (October 2008), amended LR 46:180 (February 2020), amended LR 48:35 (January 2022).

§460. Purpose and Jurisdiction

A. Louisiana special schools are designated to provide FAPE for students who have been evaluated and classified as having low-incidence impairments, including but not limited to deafness and/or hearing loss, visual impairments, or orthopedic impairments, that meet the criteria for admission for each such special school.

B.1. Each LSS, in recognition of its uniqueness and expertise in serving students with low incidence impairments, is designated as a specialized state-wide resource center and may assist LEAs in the provision of services as requested by LEAs.

2. Services may include, but are not limited to: student assessment; in-service training; curricular materials sharing; consultation; and program design, development, and evaluation.

C. Notwithstanding any other provision of these regulations, when a student with a disability is admitted to a LSS and receives the majority of educational services from the BSS, the student shall be under the jurisdiction of the LSS, even if the student receives some services from an LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2066 (October 2008), amended LR 43:2494 (December 2017), amended LR 48:36 (January 2022).

§461. Provision of Services

A. Special education services provided by LSS to students with disabilities shall be provided in compliance with these regulations. Provision of services to other (gifted, talented or regular education) students is not governed by these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2067 (October 2008), amended LR 48:36 (January 2022).

§462. LEA Request for Enrollment in a LSS

A. When an LEA requests that a student be enrolled in a LSS, the requesting LEA is to provide the LSS with documentation of the need for educating the student in the LSS, and

B. prior to and during the admission consideration, the requesting LEA will be responsible for providing:

1. documentation reflecting the student's educational/behavioral functioning in the LEA setting including the student's mode of communication to assist in determining a LSS's ability to provide an appropriate program. This includes, but is not limited to student's records, the most recent evaluation, most recent IEP, all records and reports regarding grades and high stakes testing, behavior incidents, audiometric data, vision data, educational progress, immunizations, special health concerns and relevant information from private providers; and

2. an LEA representative at the IEP conference, as appropriate;

C. if a student is not admitted to a LSS, the requesting LEA is responsible for providing services or causing services to be provided to the student.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq. including R.S. 17:1960

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2067 (October 2008), amended LR 48:36 (January 2022).

§463. Parent Request for Enrollment to LSD or LSVI

A. If an LEA does not request enrollment to a LSS, a parent may request admittance to LSD or LSVI. This request is referred to as parent option.

B. Prior to September 1 of each school year, LSD and LSVI shall determine starting enrollment/resource figures for:

1. the number of students enrolled to date through the referral process and previous parent option students who continue to meet enrollment standards;

2. the resources available to provide supplementary services beyond classroom instruction for those students (e.g., bus space availability; professional service contract limits for OT and PT, psychiatric and psychological services; residential staff/student ratio).

C. If the student is not admitted to LSD or LSVI, jurisdiction does not change.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq. including R.S. 17:1946 and R.S. 17:1960.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2067 (October 2008), amended LR 48:36 (January 2022).

§464. Admission and Release

A. Eligible students with disabilities, including those who can be served through regular education facilities, shall be admitted to and released from Louisiana Special Schools, according to procedures approved by BESE, which include the components listed below.

B.1. Each LSS shall develop and maintain operational procedures concerning the admission of students which incorporate the following:

a. each LSS shall make an annual determination of the number of additional students by grade, bus space availability, professional service contract limits for OT and PT, psychiatric and psychological services, and residential staff/student who may be admitted;

b. students shall be between 3 and 21 years of age, inclusive;

c. as permitted by statute, appropriate services, which need not comply with these regulations, may be provided at extended ages;

d. students must be residents of Louisiana;

e. students must possess a current evaluation with a disability classification that is germane to the services of the school; and

f. students who are not otherwise eligible for admission to a LSS may be admitted for educational purposes, including providing interaction with non-disabled peers and educating students who, based on a medical diagnosis, will likely be eligible for admission in the future.

2. Each LSS shall develop and maintain operational procedures concerning the release of students which incorporate the following circumstances:

a. when a student has received a regular high school diploma;

b. when a student has reached his/her twenty-second birthday by the completion of the current school session or an age extension is granted by law; unless:

i. the admissions and release committee of the LSS determines that the needs of the student are appropriate to continued educational services, in accordance with eligibility requirements stated above for educational services; and

ii. the board special school director authorizes an additional period of service to the student which includes cooperative inter-agency or postgraduate services;

iii. services provided to students over the age of 22 need not be in accordance with these regulations;

c. when the student's IEP Team determines that the LSS is not appropriate for the student or when the LSS determines that the LSS residential setting is not appropriate for the student;

d. when parental approval for placement is withdrawn;

e. when a student is removed in accordance with applicable law.

3. A BSS may deny admission or continued enrollment to a student and release a student from a LSS if the LSS determines that the LSS program is inappropriate for the student's individual needs.

4. The LSS shall notify the appropriate LEA when a student who is still eligible for a free appropriate public education is released from LSS.

5. Students not admitted or denied continued admission under Paragraph 3 may apply for admission to the school in the future.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2067 (October 2008), amended LR 35:1232 (July 2009), amended LR 48:36 (January 2022).

§465. Reserved.

§466. Transportation

A. Home visit transportation for residential students will be provided within the school calendar, which is updated and approved in accordance with BESE procedures. Additional home visit transportation costs will be borne by the parent unless otherwise provided in the IEP or school policy.

B. Each LSS may establish a policy to provide for transportation or to reimburse parents for transportation, at the option of the LSS, when the LSS requires that the student be sent home.

C. Daily transportation for commuter/day students will be the responsibility of the requesting LEA, unless the student was admitted via Parent Option. Nothing in these regulations would prohibit LEAs from providing transportation for a Parent Option student.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq. including R.S. 17:1946 and R.S. 17:1960.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2068 (October 2008), amended LR 48:37 (January 2022).

Chapter 9. General

Subchapter B. Definitions used in these Regulations

§905. Definitions

Adapted Physical Education—specially designed physical education for eligible students with disabilities.

Related Services ...

1. - 3.a.vi. ...

b. *Counseling Services*—services provided by qualified social workers, psychologists, school counselors, or other qualified personnel.

c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2089 (October 2008), amended LR 36:1505 (July 2010), LR 38:2368 (September 2012), LR 42:235 (February 2016), LR 43:2494 (December 2017), amended LR 48:37 (January 2022).

Subpart 2. Regulations for Gifted/Talented Students

Chapter 11. State Eligibility

§1101. Free Appropriate Public Education

A. ...

B. The state board will be directly responsible for the provision of a free appropriate public education (FAPE) to gifted and talented students, ages 3 through 21 years, who are within the jurisdiction of either the Special School District or in a Louisiana special school (Louisiana School for the Visually Impaired or Louisiana School for the Deaf) unless the student exits with a high school diploma.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 26:1576 (August 2000), amended LR 36:2011 (September 2010), LR 46:181 (February 2020), amended LR 48:37 (January 2022).

Shan N. Davis

Executive Director

2201#044

RULE

Board of Elementary and Secondary Education

High School Social Studies Assessment
(LAC 28:XI.5701, 6803; LXXIX.2111; CXV.2318, 2319)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 17:6(A)(10), the Board of Elementary and Secondary Education has amended LAC 28:XI, *Accountability/Testing*, Subpart 3, *Bulletin 118—Statewide Assessment Standards and Practices*; LAC 28: CXV in Bulletin 741—*Louisiana Handbook for School Administrators*; and LAC 28:LXXIX in Bulletin 741 (Nonpublic)—*Louisiana Handbook for Nonpublic School Administrators*. The aforementioned revisions provide for a shift of the requirement from U.S. History to Civics

beginning with incoming freshmen in the 2023-2024 school year and beyond. This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

Part XI. Accountability/Testing

**Subpart 3. Bulletin 118—Statewide Assessment
Standards and Practices**

Chapter 57. Assessment Program Overview

**§5701. Overview of Assessment Programs in Louisiana
[Formerly LAC 28:CXI.701]**

A. Norm-Referenced and Criterion-Referenced Testing Programs Since 1986

Name of Assessment Program	Assessment Population	Administered

Criterion-Referenced Tests (CRTs)		
National Assessment of Educational Progress (NAEP)	grades 4, 8, and 12	spring 1990-

LEAP 2025	Biology	fall 2018-
LEAP 2025	Civics	fall 2023-
Integrated NRT/CRT		

Academic Skills Assessment (ASA) and ASA LAA 2 form	Students pursuing a State-Approved Skills Certificate (SASC) or GED	spring 2012 (one administration only, spring 2012)

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

**Chapter 68. LEAP 2025 Assessments for High School
Subchapter A. General Provisions**

**§6803. Introduction
[Formerly LAC 28:CXI.1803]**

A. - B.5. ...

6. U.S. History.

a. Beginning with incoming freshmen in 2023-2024 and beyond, the LEAP 2025 Civics assessment will replace the LEAP 2025 U.S. History assessment as the Social

Studies assessment required for graduation. The LEAP 2025 U.S. History assessment will be available through 2025-2026 for those students requiring a retest to fulfill graduation requirements.

b. The biology 4-level end-of-course test will continue to be utilized through spring 2018; beginning in the 2018-2019 school year, student knowledge and skills of state academic standards in biology will be measured by the LEAP 2025 Biology assessment for students who are taking the course and are not graduating in 2018-2019; like US History in 2017-2018, students who are retesting and are not repeating the course, and students graduating in 2018-2019 will be allowed to complete the four-level Biology EOC for one more year. The end-of-course exam will continue to be available for students who entered a high school cohort in 2016-2017 or prior.

C. - E. ...

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).

**Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana
Handbook for Nonpublic School Administrators**

Chapter 21. Curriculum and Instruction

Subchapter C. Secondary Schools

§2111. State Diploma

A. - B.1.a. ...

b. For incoming freshmen in 2010-2011 through 2016-2017, students must pass three End-of-Course Tests in the following categories:

- i. English II or English III;
- ii. algebra I or geometry;
- iii. biology or American History

c. For incoming freshmen in 2017-2018 and beyond, students must pass three LEAP 2025 assessments in the following categories:

- i. English I or English II;
- ii. algebra I or geometry;
- iii. biology or U.S. History.

d. Beginning with incoming freshmen in 2023-2024 and beyond, the LEAP 2025 Civics assessment will replace the LEAP 2025 U.S. History assessment as the Social Studies assessment required for graduation. The LEAP 2025 U.S. History assessment will be available through 2025-2026 for those students requiring a retest to fulfill graduation requirements.

B.2. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 31:636 (March 2005), LR 31:3082 (December 2005), LR 36:1498 (July 2010), LR 39:1446 (June 2013), LR 48:38 (January 2022).

**Part CXV. Bulletin 741—Louisiana Handbook for
School Administrators**

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2318. The TOPS University Diploma

A. - B.1.c. ...

2. For incoming freshmen in 2010-2011 and beyond, students must meet the assessment requirements below to earn a standard diploma.

a. Incoming freshmen in 2010-2011 through 2016-2017 must pass three end-of-course tests in the following categories:

- i. English II or English III;
- ii. algebra I or geometry;
- iii. biology or American history.

b. Incoming freshmen in 2017-2018 and beyond must pass three LEAP 2025 assessments in the following categories:

- i. English I or English II;
- ii. algebra I or geometry;
- iii. biology or U.S. History.

c. Beginning with incoming freshmen in 2023-2024 and beyond, the LEAP 2025 Civics assessment will replace the LEAP 2025 U.S. History assessment as the Social Studies assessment required for graduation. The LEAP 2025 U.S. History assessment will be available through 2025-2026 for those students requiring a retest to fulfill graduation requirements.

d. Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language arts and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

B.3. - D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), LR 48:39 (January 2022).

§2319. The Career Diploma

A. - B.1.c. ...

2. For incoming freshmen in 2010-2011 and beyond, students must meet the assessment requirements below to earn a standard diploma.

a. Incoming freshmen in 2010-2011 through 2016-2017 must pass three end-of-course tests in the following categories:

- i. English II or English III;
- ii. algebra I or geometry;
- iii. biology or American History.

b. Incoming freshmen in 2017-2018 and beyond must pass three LEAP 2025 assessments in the following categories:

- i. English I or English II;
- ii. algebra I or geometry;
- iii. biology or U.S. History.

c. Beginning with incoming freshmen in 2023-2024 and beyond, the LEAP 2025 Civics assessment will replace the LEAP 2025 U.S. History assessment as the Social Studies assessment required for graduation. The LEAP 2025 U.S. History assessment will be available through 2025-2026 for those students requiring a retest to fulfill graduation requirements.

d. Students with disabilities identified under IDEA that entered high school during or prior to the 2013-2014 school year and meet the LAA 2 participation criteria may meet the assessment requirements by passing the English language arts and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

B.3. - C.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, 17:183.3, 17:274, 17:274.1, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 35:1230 (July 2009), LR 35:1876 (September 2009), LR 35:2321 (November 2009), LR 35:2750 (December 2009), LR 36:1490 (July 2010), LR 37:548 (February 2011), LR 37:1130 (April 2011), LR 37:2130 (July 2011), LR 37:3197 (November 2011), LR 38:761 (March 2012), LR 38:1005 (April 2012), LR 40:2522 (December 2014), LR 41:1482 (August 2015), LR 41:2594 (December 2015), LR 42:232 (February 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2484 (December 2017), LR 44:1868 (October 2018), LR 45:1747 (December 2019), LR 46:557 (April 2020), LR 46:1086 (August 2020), LR 48:39 (January 2022).

Shan N. Davis
Executive Director

2201#045

RULE

**Office of the Governor
Crime Victims Reparations Board**

Compensation to Victims (LAC 22:XIII.303 and 503)

In accordance with the provisions of R.S. 49:950 et seq., which is the Administrative Procedure Act, and R.S. 46:1801 et seq., which is the Crime Victims Reparations Act, the Crime Victims Reparations Board has promulgated rules and

regulations regarding the awarding of compensation to applicants. There will be no impact on family earnings or the family budget as set forth in R.S. 49:972. This Rule is hereby adopted on the day of promulgation.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part XIII. Crime Victims Reparations Board

Chapter 5. Awards

§503. Limits on Awards

A. - L.1. ...

M. Crime Scene Evidence

1. - 1.c. ...

2. Medical Examination of Sexual Assault Victims

a. - d. ...

3. Healthcare providers shall be reimbursed for expenses associated with providing a forensic medical exam in the same amount as provided for in the fee schedule in §503.M.4. The total amount reimbursable to all providers per forensic medical exam (FME) is limited to \$1000. All x-rays, ultrasounds, CT scans, extensive dental work, and lab/diagnostic test not listed in the schedule below related to the sexual assault must have supporting documentation to support testing.

4. Non scheduled FME expenses will be reimbursed at a rate of 55 percent. (eff. 1/1/22).

5. Forensic Medical Exam Reimbursement for Sexual Assault Cases

6. The reimbursement schedule above is not a physician's order, nor does it replace one. Reimbursement may vary based on the information received from the treating facility, physician, and/or victim.

N. - O.3.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1801 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Crime Victims Reparations Board, LR 20:539 (May 1994), amended LR 22:710 (August 1996), LR 24:328 (February 1998), LR 25:26 (January 1999), LR 26:1019 (May 2000), LR 29:577 (April 2003), LR 31:1330 (June 2005), LR 32:242 (February 2006), LR 35:65 (January 2009), LR 37:1605 (June 2011), LR 39:1042 (April 2013), LR 41:1668 (September 2015), LR 42:570 (April 2016), LR 42:743 (May 2016), LR 44:270 (February 2018), LR 48:40 (January 2022).

Amanda Tonkavitch
Chairman

2201#005

RULE

**Department of Health
Bureau of Health Services Financing
and**

Office for Citizens with Developmental Disabilities

Home and Community-Based Services Waivers
Children's Choice Waiver
Direct Support Worker Wages
(LAC 50:XXI.12101)

The Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities have amended LAC 50:XXI.12101 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 XXI. Home and Community-Based Services
Waivers**

Subpart 9. Children's Choice

**Chapter 121. Reimbursement Methodology
§12101. Unit of Reimbursement**

A. - B.4.a. ...

5. Direct Support Worker Wages

a. Establishment of Direct Support Worker Wage Floor for Medicaid Home and Community-Based Services for Intellectual and Developmental Disabilities

i. Effective October 1, 2021, providers of Medicaid home and community-based waiver services operated through the Office for Citizens with Developmental Disabilities employing defined direct support workers will receive the equivalent of a \$2.50 per hour rate increase.

ii. Effective October 1, 2021, this increase or its equivalent will be applied to all service units provided by direct support workers with an effective date of service for the identified home and community-based waiver services provided beginning October 1, 2021.

Examination Fee	Maximum Reimbursement
Forensic Medical Exam Incl. Rate Kit, MD/SANE Nurse Exam, Anogenital Exam, Supplies, Toxicology Kit, Facility Fee	\$1000
Physician Fees	Maximum Reimbursement
Anogenital Exam	\$150
Anoscopy	\$120
Follow-Up Office Visit	\$150
Mental Health Office Visit-Initial Eval	\$150
Mental Health Office Visit-Follow-Up	\$90
Laboratory Testing	Maximum Reimbursement
CBC	\$65
Chlamydia	\$110
CMP	\$90
Gonorrhea	\$80
Hepatitis Panel	\$160
Herpes	\$30
HIV	\$80
Lab Pregnancy Test	\$30
Syphilis/RPR/Treponema Pallium	\$25
Trichomonas	\$40
Urinalysis	\$30
Urine Culture	\$50
Venipuncture	\$50
Wet Mount	\$50
Medications	Maximum Reimbursement
Antimicrobials	\$100
Antiretroviral/HIV/nPEP	\$500/5 Doses
Emergency Contraception	\$50.00
Hepatitis B Vaccine	\$70/Dose {up to 3 doses}
HPV Vaccine-Females age 9-26 and Males age 9-21	\$150/Dose {up to 3 doses}
Injection Fee	\$50
Tetanus Vaccine with injury	\$40

iii. The minimum hourly wage floor paid to direct support workers shall be \$9.00 per hour.

iv. All providers of services affected by this rate increase shall be subject to a direct support worker wage floor of \$9.00 per hour. This wage floor is effective for all affected direct support workers of any work status (full-time, part-time, etc.)

v. The Department of Health reserves the right to adjust the direct support worker wage floor as needed through appropriate rulemaking promulgation consistent with the Louisiana Administrative Procedure Act.

b. Establishment of Audit Procedures for Direct Support Worker Wage Floor

i. The wage enhancement payments reimbursed to providers shall be subject to audit by the department.

ii. Providers shall provide to the department or its representative all requested documentation to verify compliance with the direct support worker wage floor.

iii. This documentation may include, but not be limited to, payroll records, wage and salary sheets, check stubs, etc.

iv. Providers shall produce the requested documentation upon request and within the time frame provided by the department.

v. Noncompliance or failure to demonstrate that the wage enhancement was paid directly to direct support workers may result in:

- (a). sanctions; or
- (b). disenrollment in the Medicaid Program.

c. Sanctions

i. The provider will be subject to sanctions or penalties for failure to comply with this Rule or with requests issued by LDH pursuant to this Rule. The severity of such action will depend on:

- (a). failure to pay I/DD HCBS direct support workers the floor minimum of \$9.00 per hour;
- (b). the number of employees identified as having been paid less than the \$9.00 per hour floor;
- (c). the persistent failure to pay the floor minimum of \$9.00 per hour; or
- (d). failure to provide LDH with any requested documentation or information related to or for the purpose of verifying compliance with this Rule.

d. New Opportunities Waiver Fund

i. The department shall deposit civil fines and the interest collected from providers into the New Opportunities Waiver Fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 28:1987 (September 2002), LR 33:1872 (September 2007), amended by the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities, LR 34:250 (February 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 36:324 (February 2010), LR 36:2280 (October 2010), LR 37:2157 (July 2011), LR 39:2504 (September 2013), LR 40:68 (January 2014), LR 41:128 (January 2015), LR 42:896 (June 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 48:40 (January 2022).

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.

Dr. Courtney N. Phillips
Secretary

2201#026

RULE

Department of Health Bureau of Health Services Financing and Office for Citizens with Developmental Disabilities

Home and Community-Based Services Waivers
New Opportunities Waiver
Direct Support Worker Wages
(LAC 50:XXI.14301)

The Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities have amended LAC 50:XXI.14301 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 XXI. Home and Community-Based Services Waivers

Subpart 11. New Opportunities Waiver

Chapter 143. Reimbursement §14301. Unit of Reimbursement

A. - E. ...

F. Direct Support Worker Wages

1. Establishment of Direct Support Worker Wage Floor for Medicaid Home and Community-Based Services for Intellectual and Developmental Disabilities

a. Effective October 1, 2021, providers of Medicaid home and community-based waiver services operated through the Office for Citizens with Developmental Disabilities employing defined direct support workers will receive the equivalent of a \$2.50 per hour rate increase.

b. Effective October 1, 2021, this increase or its equivalent will be applied to all service units provided by direct support workers with an effective date of service for the identified home and community based waiver services provided beginning October 1, 2021.

c. The minimum hourly wage floor paid to direct support workers shall be \$9.00 per hour.

d. All providers of services affected by this rate increase shall be subject to a direct support worker wage floor of \$9.00 per hour. This wage floor is effective for all affected direct support workers of any work status (full-time, part-time, etc.)

e. The Department of Health reserves the right to adjust the direct support worker wage floor as needed

through appropriate rulemaking promulgation consistent with the Louisiana Administrative Procedure Act.

2. Establishment of Audit Procedures for Direct Support Worker Wage Floor

a. The wage enhancement payments reimbursed to providers shall be subject to audit by the department.

b. Providers shall provide to the department or its representative all requested documentation to verify compliance with the direct support worker wage floor.

c. This documentation may include, but not be limited to, payroll records, wage and salary sheets, check stubs, etc.

d. Providers shall produce the requested documentation upon request and within the time frame provided by the department.

e. Noncompliance or failure to demonstrate that the wage enhancement was paid directly to direct support workers may result in:

- i. sanctions; and
- ii. disenrollment in the Medicaid Program.

3. Sanctions

a. The provider will be subject to sanctions or penalties for failure to comply with this Rule or with requests issued by LDH pursuant to this Rule. The severity of such action will depend on:

- i. failure to pay I/DD HCBS direct support workers the floor minimum of \$9.00 per hour;
- ii. the number of employees identified as having been paid less than the \$9.00 per hour floor; or
- iii. the persistent failure to pay the floor minimum of \$9.00 per hour.
- iv. failure to provide LDH with any requested documentation or information related to or for the purpose of verifying compliance with this Rule.

4. New Opportunities Waiver Fund

a. The department shall deposit civil fines and the interest collected from providers into the New Opportunities Waiver Fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Community Supports and Services, LR 30:1209 (June 2004), amended by the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities, LR 34:252 (February 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 35:1851 (September 2009), LR 36:1247 (June 2010), LR 37:2158 (July 2011), LR 39:1049 (April 2013), LR 40:80 (January 2014), LR 42:898 (June 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 44:58 (January 2018), LR 45:44 (January 2019), LR 46:1682 (December 2020), LR 48:41 (January 2022).

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.

Dr. Courtney N. Phillips
Secretary

2201#027

RULE

**Department of Health
Bureau of Health Services Financing
and
Office for Citizens with Developmental Disabilities**

Home and Community-Based Services Waivers
Residential Options Waiver
Direct Support Worker Wages
(LAC 50:XXI.16903)

The Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities have amended LAC 50:XXI.16903 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 XXI. Home and Community-Based Services
Waivers**

Subpart 13. Residential Options Waiver

Chapter 169. Reimbursement

§16903. Direct Support Professional Wages

A. Establishment of Direct Support Worker Wage Floor for Medicaid Home and Community Based Services for Intellectual and Developmental Disabilities

1. Effective October 1, 2021, providers of Medicaid home and community-based waiver services operated through the Office for Citizens with Developmental Disabilities employing defined direct support workers will receive the equivalent of a \$2.50 per hour rate increase.

2. Effective October 1, 2021, this increase or its equivalent will be applied to all service units provided by direct support workers with an effective date of service for the identified home and community based waiver services provided beginning October 1, 2021.

3. The minimum hourly wage floor paid to direct support workers shall be \$9 per hour.

4. All providers of services affected by this rate increase shall be subject to a direct support worker wage floor of \$9.00 per hour. This wage floor is effective for all affected direct support workers of any work status (full-time, part-time, etc.)

5. The Department of Health reserves the right to adjust the direct support worker wage floor as needed through appropriate rulemaking promulgation consistent with the Louisiana Administrative Procedure Act.

B. Establishment of Audit Procedures for Direct Support Worker Wage Floor

1. The wage enhancement payments reimbursed to providers shall be subject to audit by the department.

2. Providers shall provide to the department or its representative all requested documentation to verify compliance with the direct support worker wage floor.

3. This documentation may include, but not be limited to, payroll records, wage and salary sheets, check stubs, etc.

4. Providers shall produce the requested documentation upon request and within the time frame provided by the department.

5. Noncompliance or failure to demonstrate that the wage enhancement was paid directly to direct support workers may result in:

- a. sanctions; or
- b. disenrollment in the Medicaid Program.

C. Sanctions

1. The provider will be subject to sanctions or penalties for failure to comply with this rule or with requests issued by LDH pursuant to this rule. The severity of such action will depend on:

- a. failure to pay I/DD HCBS direct support workers the floor minimum of \$9.00 per hour;
- b. the number of employees identified as having been paid less than the \$9.00 per hour floor;
- c. the persistent failure to pay the floor minimum of \$9.00 per hour; or
- d. failure to provide LDH with any requested documentation or information related to or for the purpose of verifying compliance with this rule.

D. New Opportunities Waiver Fund

1. The department shall deposit civil fines and the interest collected from providers into the New Opportunities Waiver Fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities, LR 33:2456 (November 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 41:2169 (October 2015), LR 42:900 (June 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities LR 48:42R (January 2022).

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.

Dr. Courtney N. Phillips
Secretary

2201#028

RULE

**Department of Health
Bureau of Health Services Financing
and
Office for Citizens with Developmental Disabilities**

Home and Community-Based Services Waivers
Supports Waiver—Direct Support Worker Wages
(LAC 50:XXI.6101)

The Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities have amended LAC 50:XXI.6101 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 XXI. Home and Community-Based Services

Waivers

Subpart 5. Supports Waiver

Chapter 61. Reimbursement

§6101. Unit of Reimbursement

A. - G. ...

H. Direct Support Worker Wages

1. Establishment of Direct Support Worker Wage Floor for Medicaid Home and Community-Based Services for Intellectual and Developmental Disabilities

a. Effective October 1, 2021, providers of Medicaid home and community-based waiver services operated through the Office for Citizens with Developmental Disabilities employing defined direct support workers will receive the equivalent of a \$2.50 per hour rate increase.

b. Effective October 1, 2021, this increase or its equivalent will be applied to all service units provided by direct support workers with an effective date of service for the identified home and community-based waiver services provided beginning October 1, 2021.

c. The minimum hourly wage floor paid to direct support workers shall be \$9.00 per hour.

d. All providers of services affected by this rate increase shall be subject to a direct support worker wage floor of \$9.00 per hour. This wage floor is effective for all affected direct support workers of any work status (full-time, part-time, etc.)

e. The Department of Health reserves the right to adjust the direct support worker wage floor as needed through appropriate rulemaking promulgation consistent with the Louisiana Administrative Procedure Act.

2. Establishment of Audit Procedures for Direct Support Worker Wage Floor

a. The wage enhancement payments reimbursed to providers shall be subject to audit by the department.

b. Providers shall provide to the department or its representative all requested documentation to verify compliance with the direct support worker wage floor.

c. This documentation may include, but not be limited to, payroll records, wage and salary sheets, check stubs, etc.

d. Providers shall produce the requested documentation upon request and within the time frame provided by the department.

e. Noncompliance or failure to demonstrate that the wage enhancement was paid directly to direct support workers may result in:

- i. sanctions; or
- ii. disenrollment in the Medicaid program.

3. Sanctions

a. The provider will be subject to sanctions or penalties for failure to comply with this Rule or with requests issued by LDH pursuant to this Rule. The severity of such action will depend on:

- i. failure to pay I/DD HCBS direct support workers the floor minimum of \$9.00 per hour;
- ii. the number of employees identified as having been paid less than the \$9.00 per hour floor;

- iii. the persistent failure to pay the floor minimum of \$9.00 per hour; or
- iv. failure to provide LDH with any requested documentation or information related to or for the purpose of verifying compliance with this rule.

4. New Opportunities Waiver Fund

a. The department shall deposit civil fines and the interest collected from providers into the New Opportunities Waiver Fund.

I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Office for Citizens with Developmental Disabilities, LR 32:1607 (September 2006), amended LR 34:662 (April 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 36:2281 (October 2010), LR 37:2158 (July 2011), LR 39:1050 (April 2013), LR 40:82 (January 2014), LR 40:2587 (December 2014), LR 42:900 (June 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 48:43 (January 2022).

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.

Dr. Courtney N. Phillips
Secretary

2201#029

RULE

**Department of Natural Resources
Office of Conservation**

Water Well Registration
(LAC 56:I.117 and 119)

The Department of Natural Resources, Office of Conservation has amended LAC 56 I.117.A, B, E, M and LAC 56 I.119.A, B, C.6, C.8 in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana. The amendment clarifies the existing water well requirements and provides instructions on how to submit the electronic registration forms to the agency in LAC 56 I.117.A, B, E, M and LAC 56 I.119.A, B, C.6, C.8. This Rule is hereby adopted on the day of promulgation.

Title 56

PUBLIC WORKS

Part I. Water Wells

Chapter 1. Registering Water Wells

§117. Water Well Registration (Long Form)

A. The Water Well Registration Long Form (DNR-GW-1) and detailed instructions for properly completing and distributing the form are available by contacting department staff at (225) 342-8244 or by accessing the department’s website at www.dnr.louisiana.gov/gwater. A copy is to be

mailed, or delivered by an Office of Conservation approved electronic delivery system, by the water well contractor within 30 days after the well has been completed. If by mail, send to:

Department of Natural Resources
Office of Conservation
P.O. Box 94275
Baton Rouge, LA 70804-9275

B. A copy of the form is to be retained by the water well contractor for their files, and another copy is to be given to the well owner immediately upon completion of the work. The commissioner will consider and encourages the electronic submission of registration, data or reports required under this section.

C - D.2 ...

E. Well Location. List the parish where the well is located, including the nearest town, city, physical address, etc., and give directions to the well site. The location of the well should be described in detail and as accurately as possible so that the well can be easily located by the department's staff or field inspector. Please include a detailed map or sketch on the back of the original form, or provide a legible attachment to the original form, showing location of well with reference to roads, railroads, buildings, etc. Use an (X) to indicate location of the well. Show location of nearest existing well(s), if any nearby, by marking (Os), and approximate distance between wells. If submitting the registration form by an Office of Conservation approved electronic delivery system, follow the instructions on the electronic form for including a detailed location map. Determine the well’s Global Positioning System (GPS) location and record the GPS longitude and latitude coordinates onto the form.

F - L. ...

M. Driller's Log. Give a description of the materials encountered and depth as detailed in the form instructions. If space on front of the form is insufficient, continue driller's log on reverse side of original form or attach a copy of the driller's log to the original form to be transmitted to the department. If submitting the registration form by an Office of Conservation approved electronic delivery system, follow the instructions on the electronic form for including the Driller’s Log information.

1 - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3098-38:3098.8.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 1:249 (May 1975), amended LR 11:971 (October 1985), repromulgated by the Department of Transportation and Development, Office of Public Works, LR 31:942 (April 2005), amended by the Department of Natural Resources, Office of Conservation, LR 37:907 (March 2011), LR 48:44 (January 2022).

§119. Water Well Registration (Short Form)

A. The Water Well Registration Short Form (DNR-GW-1S) and detailed instructions for properly completing and distributing the form are available by contacting department staff at (225) 342-8244 or by accessing the department’s website at www.dnr.louisiana.gov/gwater. A copy is to be mailed, or delivered by an Office of Conservation approved electronic delivery system, by the water well contractor

within 30 days after the well has been completed. If by mail, send to:

Department of Natural Resources
Office of Conservation
P.O. Box 94275
Baton Rouge, LA 70804-9275

B. A copy of the form shall be retained by the water well contractor for their files and another copy shall be given to the well owner immediately upon completion of the work. The commissioner will consider and encourages the electronic submission of registration, data or reports required under this section.

C. - C.5. ...

6. Well Location. List the parish where the well is located, including the nearest town, city, physical address, etc., and give directions to the well site. The location of the well should be described in detail and as accurately as possible so that the well can be easily located by the department's staff or field inspector. Please include a detailed map or sketch on the back of the original form, or provide a legible attachment to the original form, showing the location of the well with reference to roads, railroads, buildings, etc. Use an (X) to indicate location of the well. Show location of nearest existing well(s), if any nearby, by making (Os) and approximate distance between wells. If submitting the registration form by an Office of Conservation approved electronic delivery system, follow the instructions on the electronic form for including a detailed location map. Determine the well's Global Positioning System (GPS) location and record the GPS longitude and latitude coordinates onto the form. For rig-supply wells, attach a "registered" permit plat (see §105.I) and for monitoring wells, complete spaces provided for the section, township and range (see §105.J).

7. ...

8. Driller's Log. List in the space provided a description of the materials encountered and depth as detailed in the form instructions. If space on front of the form is insufficient, continue driller's log on reverse side of original form or attach a copy of the driller's log to the original form to be transmitted to the department. If submitting the registration form by an Office of Conservation approved electronic delivery system, follow the instructions on the electronic form for including the Driller's Log information.

C.9. - E. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3098-38:3098.8.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Public Works, LR 1:249 (May 1975), amended LR 11:974 (October 1985), repromulgated by the Department of Transportation and Development, Office of Public Works, LR 31:942 (April 2005), amended by the Department of Natural Resources, Office of Conservation, LR 37:908 (March 2011), LR 48:44 (January 2022).

Richard P. Ieyoub
Commissioner

2201#058

RULE

Department of Public Safety and Corrections Gaming Control Board

Sports Wagering
(LAC 42:III.102, 104, 105, 107,
120, 2737 and VI.Chapters 1-13)

The Department of Public Safety and Corrections, Louisiana Gaming Control Board, in accordance with R.S. 27:15, R.S. 27:24, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., has adopted Part VI of Title 42 of the Administrative Code, amended §§102, 104, 105, 107, and 120 of Chapter 1 of Part III of Title 42 of the Administrative Code, and amended §2737 of Chapter 27 of Part III of Title 42 of the Administrative Code.

These Rule changes clarify practices already required to take place in the industry and create uniformity with the amended statutes and the newly enacted statutes as a result of Acts 80, 435, and 440 of the 2021 Legislative Session and Act 215 of the 2020 Regular Legislative Session. The Rule change allows for the conducting, application, licensing, permitting, enforcement, collection of fees and taxes, and regulation of sports wagering. This Rule is hereby adopted on the day of promulgation.

Title 42

LOUISIANA GAMING

Part III. Gaming Control Board

Chapter 1. General Provisions

§102. Issuance and Renewal of Licenses by the Department

A. The department is authorized to issue to qualified applicants, non-key gaming employee permits and non-gaming vendors' licenses, and to renew licenses for the operation of video draw poker devices at facilities with no more than three video draw poker devices at their licensed establishment. The department is authorized to determine the applicants' qualifications in accordance with law, including but not limited to the provisions of the Louisiana Riverboat Economic Development and Gaming Control Act, R.S. 27:41 et seq., the Video Draw Poker Devices Control Law, R.S. 27:401 et seq., the Louisiana Economic Development and Gaming Corporation Act, R.S. 27:201 et seq., or the Louisiana Fantasy Sports Contests Act, R.S. 27:301, the Louisiana Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act, R.S. 27:351 et seq., the Louisiana Sports Wagering Act, R.S. 27:601, and rules promulgated in accordance therewith, when such provisions and rules are not in conflict with any provisions of the Louisiana Gaming Control Law, 1996 Acts, First Extraordinary Session, Number 7, enacting R.S. 27:1 et seq., and rules promulgated in accordance therewith.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 22:1140 (November 1996), amended LR 47:256 (February 2021), amended LR 48:45 (January 2022).

§104. Delegation to Chairman

A. - A.3. ...

4. issue a riverboat gaming operator license, a sports wagering license, a sports wagering platform provider, or a fantasy sports contest operator license, provided that the chairman may determine that conditions imposed on a conditionally licensed riverboat gaming operator, sports wagering licensee, sports wagering platform provider, or licensed fantasy sports contest operator have been met;

5. ...

6. approve transfers of ownership interests in a riverboat gaming operator licensee, the casino gaming operator, a sports wagering licensee, sports wagering platform providers, a fantasy sports operator or a qualified video poker truck stop facility.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15, R.S. 27:24 and R.S. 27:220.

HISTORICAL NOTE: Promulgated by the Louisiana Gaming Control Board, LR 22:1140 (November 1996), amended LR 25:80 (January 1999), amended LR 47:256 (February 2021), amended LR 48:46 (January 2022).

§105. Civil Penalties

A. The department is authorized to take enforcement action by imposing civil penalties against any entity that has a license, permit or casino contract, for violation of the provisions of the Louisiana Riverboat Economic Development and Gaming Control Act, R.S. 27:41 et seq., the Video Draw Poker Devices Control Law, R.S. 27:401 et seq., the Louisiana Economic Development and Gaming Corporation Act, R.S. 27:201 et seq., the Louisiana Fantasy Sports Contests Act, R.S. 27:301, the Louisiana Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act, R.S. 27:351 et seq., the Louisiana Sports Wagering Act, R.S. 27:601, or rules promulgated in accordance therewith, provided that such provisions and rules are not in conflict with any provisions of the Louisiana Gaming Control Law, 1996 Acts, First Extraordinary Session, Number 7, enacting R.S. 27:1 et seq., and rules promulgated in accordance therewith.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 22:1138 (November 1996), amended LR 47:256 (February 2021), amended LR 48:46 (January 2022).

§107. Standards of Conduct and Ethical Rules

A.1. - B.3. ...

C. As used in this Part, and for the purposes of R.S. 27:13, *Licensee* or *Permittee* shall mean any person who holds a license or permit issued pursuant to the provisions of the Louisiana Riverboat Economic Development and Gaming Control Act, R.S. 27:41 et seq., the Louisiana Economic Development and Gaming Corporation Act, R.S. 27:201 et seq., the Video Draw Poker Device Control Law, R.S. 27:401 et seq., the Louisiana Fantasy Sports Contests Act, R.S. 27:301, the Louisiana Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act, R.S. 27:351 et seq., the Louisiana Sports Wagering Act, R.S. 27:601, or the Louisiana Gaming Control Law, R.S. 27:1 et seq., specifically including, but not limited to, manufacturers, distributors, suppliers, vendors, device

owners, service entities, persons furnishing services or goods material and integral to the operation of a riverboat, gaming employees, key employees, non-key employees, equity owners, contractors, and all establishments regardless of the number of gaming devices in operation at the facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 22:1139 (November 1996), amended LR 47:256 (February 2021), amended LR 48:46 (January 2022).

§120. Application and Reporting Forms

A. - A.7.xix. ...

8. Sports Wagering

a. Sports Wagering License Application, DPSSP 6760, including, but not limited to:

- i. instructions;
- ii. application for sports wagering license;
- iii. applicant information;
- iv. ownership interests and organizational information;
- v. general information;
- vi. records/books information;
- vii. vendor information;
- viii. gaming information (miscellaneous);
- ix. general applicant information;
- x. financial disclosure information;
- xi. affidavit of full disclosure;
- xii. applicant's request to release information;
- xiii. verification;
- xiv. release of all claims;
- xv. business tax information authorization request;
- xvi. federal business, trusts, estates, etc., consent to disclosure of tax information;
- xvii. Federal Internal Revenue Service gaming tax clearance certificate;
- xviii. state business, trusts, estates, etc., consent to disclosure of tax information;
- xix. Louisiana Department of Revenue and Taxation tax clearance certificate;
- xx. affidavit for temporary certificate of authority;
- xxi. business affidavit;
- xxii. individual affidavit.

b. Sports Wagering Platform Provider Permit Application, DPSSP 6761 including, but not limited to:

- i. instructions;
- ii. application for sports wagering platform provider permit;
- iii. applicant information;
- iv. ownership interests and organizational information;
- v. general information;
- vi. records/books information;
- vii. vendor information;
- viii. gaming information (miscellaneous);
- ix. general applicant information;
- x. financial disclosure information;
- xi. affidavit of full disclosure;
- xii. applicant's request to release information;
- xiii. verification;
- xiv. release of all claims;
- xv. business tax information authorization request;

- xvi. federal business, trusts, estates, etc., consent to disclosure of tax information;
- xvii. Federal Internal Revenue Service gaming tax clearance certificate;
- xviii. state business, trusts, estates, etc., consent to disclosure of tax information;
- xix. Louisiana Department of Revenue and taxation tax clearance certificate;
- xx. affidavit for temporary certificate of authority;
- xxi. business affidavit;
- xxii. Individual Affidavit.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR. 26:340 (February 2000), amended LR 40:1379 (July 2014), LR 41:2176 (October 2015), LR 42:575 (April 2016), amended LR 47:256 (February 2021), amended LR 48:46 (January 2022).

Chapter 27. Accounting Regulations

§2737. Casino Gaming Payment Interception

A. The Department of Children and Family Services (DCFS) shall provide real-time or immediate electronic access to a database containing current information for persons having child support arrearages or overpayments. This access shall be available to the entities licensed or permitted under chapters 1, 4, 5, 7, or 10 of title 27 of the *Revised Statutes*.

1. Upon the availability of a single-point inquiry system, which allows for searches of one or more real-time databases containing debt information to entities licensed or permitted under chapters 1, 4, 5, 7, or 10 of title 27 of the *Revised Statutes* the requirements of this Section will apply to that system. Debts owed to DCFS maintain priority over debts from this system in accordance with R.S. 47:1676(D)(4)(d).

B.1. Prior to issuing payment of winnings (either cash [including any sports wagering winnings] or a second or later progressive slot machine annuity payment) in an amount requiring the filing of a W-2G or substantially equivalent form, the payor shall access the DCFS database and/or any other system implemented in accordance with Subsection A of this Section to determine if the winning patron is recorded as owing overdue child support or receiving child support overpayments, or owing other debts to the state.

2. If the patron is recorded as owing a debt in the system(s), the payor may deduct up to \$35 as an administrative fee and shall then intercept the amount noted from the patron's winnings. Any amount remaining following the deduction of the administrative fee, intercept amount, and any other deductions required by law shall then be paid to the winning patron.

3. If the winning patron's information is not recorded in the database, a licensee shall maintain a record of the negative search results for each payment made to a cash prize winner by attaching a print out of the negative results or similar "No Record Found" page generated by the database to the jackpot payout slip. A generated log of all searches made may be printed and maintained in the licensee's accounting records in lieu of attaching the negative results record to each jackpot payout slip.

4. If the winning patron's information is not recorded in the database(s), a permittee who issues a second or later progressive slot annuity payment shall maintain a copy of the negative results or other "No Record Found" page generated by the database for each payment made to a progressive slot jackpot annuitant.

5. If the winning patron's information is not recorded in the database(s), a sports wagering operator shall maintain a record of the negative search results for each payment made to a sports wagering winner via electronic record or by attaching a printout of the negative results or similar "No Record Found" page generated by the database to the winning ticket or some other division approved report listing all winners issued a W2-G. A generated log of all searches made may be created and maintained in the sports wagering operator's accounting records in lieu of attaching the negative results record to each ticket. If available, the log shall be retained with the division approved report of winners issued a W2-G.

C.1. - 2. ...

D.1. Licensee's and sports wagering operator's internal controls shall include, but not be limited to, the following:

a. - b. ...

c. procedures designed to prevent employees from willfully failing to withhold intercept payments identified in one or more state systems providing access to the casino or sports book operation or platform;

d. - k. ...

l. procedures for attaching or maintaining a copy of the winning patron's interception receipt to the jackpot slip, ticket, or division approved W2-G report maintained by the cashier or sports wagering operator;

m. procedures for attaching the documentation required by Subsection F of this Section to the jackpot slip, ticket or division approved W2-G report in the event the database is inaccessible;

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

F. Any licensee or permittee searching the database or withholding money in accordance with R.S. 27:24(A), R.S. 47:1676(D)(4), and this Section, shall submit a monthly report to the division by the twentieth day of the month detailing the total number of searches of the databases, the number of matches found, the amount of winnings withheld, the amount of administrative fees retained for the preceding month, and a breakdown of the amount withheld for each database.

G.1. In the event the database is off-line when a search is made, a licensee or sports wagering operator shall not be responsible for intercepting cash winnings provided it prints a copy of the screen notification that the system is inaccessible, records the name and prize amount for the winning patron, and timely notifies the appropriate database contact for each database down, of the error to ensure the technical difficulty is not with the licensee or sports wagering operator. The unavailability of the database shall not affect interception requirements for second or later progressive slot machine annuity payments.

2. Licensees and sports wagering operators may notify the appropriate database operator that the database is either off-line or experiencing other technical difficulties by

electronic mail sent to an address provided by the appropriate database operator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 37:1415 (May 2011), amended LR 41:1494 (August 2015), amended LR 48:47 (January 2022).

Part VI. Sports Wagering

Chapter 1. General Provisions

§101. Statement of Policy

A. The rules contained herein are promulgated for the purpose of facilitating implementation of the sports wagering act referred to as the Louisiana Sports Wagering Act, R.S. 27:601 et seq., to achieve the effective regulation of sports wagering, and to maintain the health, welfare, and safety of the public. These considerations shall control the application and interpretation of the rules. Any subsequent restatement, repeal, or amendment of these regulations shall be in accordance with the aforementioned considerations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:48 (January 2022).

§103. Definitions

A. The provisions of the Act relating to definitions, words and terms are hereby incorporated by reference and made a part hereof and will therefore apply and govern the interpretation of these regulations, unless the context otherwise requires or unless specifically redefined in a particular Section. Any word or term not defined in these regulations shall have the same meaning ascribed to it in the Act. Any word not defined by the Act or these regulations shall be construed in accordance with its plain and ordinary meaning.

B. As used in this Chapter, the following words and terms shall have the following meanings:

Act—the provisions of the Louisiana Gaming Control Law, R.S. 27:1 et seq. and all provisions of the Louisiana Sports Wagering Act, R.S. 27:601 et seq.

Applicant—the same meaning as the term has in R.S. 27:602.

Application—the same meaning as the term has in R.S. 27:602.

Associated Persons—any person required by the Act or these regulations including, but not limited to, R.S. 27:28 and §2107 of Part III of this Title to submit to and meet suitability and any persons the board or division determines needs to submit to and meet suitability on the license including, but not limited to: directors; officers; and managers.

Board—the same meaning as that term in R.S. 27:11.

Business Year—the same meaning as the term has in §1701 of Part III of this Title.

Canceled Wager—a sports wager canceled by the operator due to an issue preventing the completion of the event or causing the subject of the bet to cease to exist.

Chairman—the chairman of the board.

Collegiate Sport or Athletic Event—a sport or athletic event offered or sponsored by or played in connection with a public or private institution that offers educational services beyond the secondary level.

Confidential Information—information related to the play of sports wagering by players that is obtained as a result of or by virtue of a person's employment.

Division—the same meaning as the term has in R.S. 27:3.

Economic Interest—any interest in a licensee or permittee from which a person receives or is entitled to receive, by agreement or otherwise, a profit, gain, thing of value, loss, credit, security interest, ownership interest or other benefit. Economic interest includes voting shares of stock or otherwise exercising control of the date to day operations. Economic interest does not include a debt unless upon review of the instrument, contract, or other evidence of indebtedness, the board or division determines a finding of suitability is required based upon the economic relationship with the licensee or permittee.

Financial Statements or Financial Records—the same meaning as the term has in §1701 of Part III of this Title.

Gaming Employee—the same meaning as the term has in §1701 of Part III of this Title.

Gaming Employee Permit or Employee Permit—the same meaning as the term has in §1701 of Part III of this Title.

Gaming Equipment—the same meaning as the term has in §1701 of Part III of this Title, plus any equipment or devices that the board or division finds or determines to be used or expended in sports wagering operations or activities.

Gaming Supplier—the same meaning as the term has in R.S. 27:3.

Gaming Supplier Permit—the same meaning as the term has in §1701 of Part III of this Title.

Gaming Supplies—the same meaning as the term has in §1701 of Part III of this Title, plus services provided to the licensee or permittee that the board or division finds or determines to be used or expended in sports wagering operations or activities.

Geofence or Geofencing—a virtual geographic boundary defined by global positioning system (GPS) or radio-frequency identification (RFID) or other technology that enables software to trigger a response when a mobile device enters or leaves a particular area.

Geolocation—the process or technique of identifying the geographical location of a person or device by means of digital information processed by digital means.

In-Game Wagering—a sports wager placed on the outcome of a sports event after the sports event has started and can continue during the course of live play of the sports event.

In-Play Bet or Live Bet—a sports wager placed after the sports event has started on some specific action during the game that does not include the final outcome of the event.

Inactive Account—a sports wagering account that has not been logged into or has had no activity for a period of three years.

Independent Integrity Monitoring Provider—an independent individual or entity permitted as a sports wagering service provider and approved by the board to receive reports of unusual wagering activity from an operator for the purpose of assisting in identifying suspicious wagering activity.

Key Gaming Employee—the same meaning as that term in §1701 of Part III of this Title.

Layoff Bet—a sports wager placed by an operator with another operator for the purpose of offsetting sports wagers made by players pursuant to the Act.

Non-Gaming Supplier or Supplier of Goods or Services Other than Gaming Devices or Gaming Equipment—the same meaning as the term has in §1701 of Part III of this Title.

Non-Gaming Supplier Permit—the same meaning as the term has in §1701 of Part III of this Title.

Non-Key Gaming Employee—the same meaning as the term has in §1701 of Part III of this Title.

Non-Key Gaming Employee Permit—the same meaning as the term has in §1701 of Part III of this Title.

Parlay Bet—a sports wager that involves two or more sports wagers combined into one wager.

Prohibited Parish—a parish in which, at the election held pursuant to R.S. 18:1300.24, a majority of the qualified electors in the parish voting on the proposition to authorize sports wagering activities and operations in the parish voted against the proposition.

Prohibited Player—a person who is prohibited from placing a sports wager for reasons including, but not limited to: prohibited by R.S. 27:608; is under the age of 21; has self-restricted or self-excluded from the platform or operator or licensee; is employed by a sports wagering licensee or permittee; or is excluded or prohibited for any other reason.

Prohibited Sports Event—a sports event prohibited by R.S. 27:602 or by the board.

Promotional Play—non-cashable vouchers, promotional chips, coupons, electronic credits, electronics promotions, scrips, or any other cash equivalent that is provided to the patron by the operator or licensee used for sports wagering.

Proposition Bet—a sports wager made regarding the occurrence or non-occurrence during a sports event of an event that does not directly affect the final outcome of the sports event.

Segregated Account—a financial account that segregates the funds of players such that the operator's operational funds may not be commingled.

Sports Governing Body—an organization that performs a regulatory or sanctioning function over the conduct of a sports event as recognized by the board (e.g. NFL, NBA, NCAA, Olympic Committee).

Sports Wagering Lounge or Sports Book Lounge—an approved area on the premises of a sports wagering licensee where it offers wagering on sports events.

Sports Wagering Ticket or Ticket—a printed record issued or an electronic record maintained by the sports wagering platform that evidences a sports wager.

Spread—the predicted scoring differential between two persons or teams engaged in a sports event.

Straight Bet—a sports wager on a single game or single sports event that will be determined by a point spread, money line, or total score.

Suspicious Wagering Activity—unusual betting activity that cannot be explained and is indicative of match fixing, the manipulation of a sports event, misuse of inside information, money laundering, or other prohibited activity.

Unusual Wagering Activity—abnormal sports wagering activity exhibited by players and deemed by an operator as a potential indicator of suspicious wagering activity. Unusual wagering activity may include the size of a player's sports

wager or increased sports wagering volume on a particular event or sports wager type.

Voided Wager—a sports wager voided by an employee of the licensee or operator and approved by a supervisor or higher pursuant to the internal controls or house rules.

Voucher—a printed sports wagering instrument, or digital representation thereof, used in a cashless wagering system that has a fixed dollar wagering value and is redeemable for cash or cash equivalents approved by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:49 (January 2022).

§105. Gaming Control Board; Duties and Powers

A. The board shall perform the duties and functions as authorized by the provisions of these regulations and the regulatory authority with respect to the regulation of sports wagering as provided by R.S. 27:1 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:49 (January 2022).

§107. Construction of Regulations

A. Severability

1. Nothing contained in these regulations shall be so construed as to conflict with any provision of the Act or any other applicable statute. If any regulation is held invalid by a final order of a court of competent jurisdiction at the state or federal level, such provision shall be deemed severed and the court's finding shall not be construed to invalidate any other regulation.

B. Captions, Pronouns, and Gender

1. Captions appearing at the beginning of regulations are descriptive only, are for convenient reference to the regulations and in no way define, limit or describe the scope, intent or effect of the regulation. Masculine or feminine pronouns or neuter gender may be used interchangeably and the plural shall be substituted for the singular form and vice versa, in any place or places in the regulations where the context requires such substitution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:49 (January 2022).

Chapter 3. Licensing

§301. Licenses, General

A. No person, business, or legal entity shall operate a sports book without first being licensed by the board.

B. Sports wagering licenses shall be applied for, issued, and regulated according to the Act, including, but not limited to R.S. 27:1 et seq., Part III of this Title, and this Part.

C. A license shall be issued in the name of the person responsible for a sports book.

D. Any license issued by the board or division is deemed to be a revocable privilege, and no person holding such a license is deemed to have acquired any vested rights therein.

E. All licenses shall be surrendered to the board or division upon their expiration or revocation at which time they will be destroyed unless needed for a pending investigation.

F. Licenses are not transferable or assignable. If the status of the sports wagering licensee should change such that the person no longer needs or is entitled to the license, then the license shall be canceled and any tangible item which evinces such a license shall be surrendered to the board or division within five days of the change of status. Any license surrendered shall be marked canceled or destroyed.

G. Application Process and Notification

1. Bid Process after Initial Licensing Period if more Applicants than Licenses Available

a. Consideration for licensure shall be in accordance with R.S. 27:604.

b. No application shall be accepted after the close of the applicable application period.

c. Applicants and associated persons who are required to submit to suitability shall submit fingerprints and all required forms within 30 days after the close of the application period. An applicant may request an extension of up to 30 days for good cause shown. If all required forms and fingerprints are not submitted timely, the applicant shall be deemed ineligible and disqualified from that application period.

d. Applicants shall be notified in writing if they are deemed eligible or ineligible.

e. After every applicant that submitted during the applicable application period has been either deemed eligible or ineligible, the eligible applicants shall be evaluated and the board shall consider the following factors:

i. greatest potential for revenue generation for the state;

ii. the character, reputation, experience, and financial integrity of the applicant and its associated persons who are required to submit to suitability;

iii. whether the applicant has adequate capitalization to establish and maintain a sports wagering operation for the duration of the license;

iv. the design of the sports book lounge; and

v. any other factor relevant to the security and integrity of the sports wagering industry in Louisiana.

f. The division shall conduct an investigation of the applicant and its associated persons to determine whether the applicant and its associated persons are suitable for licensure under the Act and these regulations.

g. Available licenses will be awarded at a public meeting of the board.

2. Notification of Available License after Initial Issuance

a. Notification required by R.S. 27:604(B)(3)(a) to those entities listed in R.S. 27:604(B)(1) shall be satisfied by the board upon notifying the general manager(s) of said licensee(s) in writing.

b. Notification required by R.S. 27:604(B)(3) to those entities listed in R.S. 27:604(B)(2)(a) shall be satisfied by the board upon posting a statement about the availability of a license and the time period in which to apply on the board's website and in a public meeting of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:49 (January 2022).

§303. Permits, General

A. Permits for gaming suppliers, non-gaming suppliers, key gaming employees, and non-key gaming employees shall be applied for, issued, and regulated according to the Act, including, but not limited to R.S. 27:1 et seq., Part III of this Title, and this Part.

B. Permits are not transferable or assignable. If the status of the sports wagering permittee should change such that the person no longer needs or is entitled to the permit, then the permit shall be canceled and any tangible item which evinces such a permit shall be surrendered to the board or division within five days of the change of status. Any permit surrendered shall be marked canceled or destroyed.

C. Any permit issued by the board or division is deemed to be a revocable privilege, and no person holding such a permit is deemed to have acquired any vested rights therein.

D. All permits shall be surrendered to the board or division upon their expiration or revocation at which time they will be destroyed unless needed for a pending investigation.

E. Sports Wagering Platform Providers

1. An applicant for a sports wagering platform provider permit shall submit its contract to operate all or a portion of a sports book on behalf of a licensee with the application. Any such contract must be contingent upon the permitting of the entity as a sports wagering platform provider.

2. A contract between a licensee and a sports wagering platform provider shall:

a. require the sports wagering platform provider to comply with the Act, these regulations, federal and state laws, and all internal controls applicable to the sport's book; and

b. require the sports wagering platform provider comply with all requests of the board and division and grant the division access to all records, etc.

3. A sports wagering platform provider permittee shall provide the division with a readily available point of contact to ensure compliance.

F. Sports Wagering Service Providers

1. Sports wagering service provider permits shall be a type of a gaming supplier permit in accordance with R.S. 27:29.2 and the fee for such a permit shall be in accordance with R.S. 27:623.

2. Entities that must submit as a sports wagering service provider include, but are not limited to, those providing geolocation, geofencing, patron identification, risk management, player account system, and integrity monitoring services.

3. An entity shall not engage in or provide support services for the operation of a sports book on behalf of an operator in this state without a sports wagering service provider permit and a contract to provide support services.

G. Sports Wagering Distributor

1. An entity may apply for a sports wagering distributor permit if it intends to market, buy, sell, lease, service, or repair sports wagering mechanisms in this state. Any such contract must be contingent upon the permitting of the entity as a sports wagering distributor.

2. An entity shall not market, buy, sell, lease, service, or repair sports wagering mechanisms in this state without a sports wagering distributor permit.

3. A sports wagering distributor permit shall be a type of gaming supplier permit in accordance with R.S. 27:29.2 and the fee for such a permit shall be in accordance with R.S. 27:624.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:50 (January 2022).

§305. Transfers of Interest; Loans and Restrictions

A. Any transfer of interest in a licensee or permittee shall be governed by and in accordance with the provisions of Chapter 25 of Part III of this Title.

B. All debt transactions shall be entered into in accordance with the provisions of Chapter 25 of Part III of this Title.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:51 (January 2022).

§307. Applications

A. General Authority of Board or Division

1. The securing of a license, permit or approval required under the Act is a prerequisite for conducting, operating, or performing any activity regulated by the Act. Each applicant must file a complete application as prescribed by the board or division.

2. An applicant for a license or permit authorized by the Act is seeking the granting of a privilege, and the burden of proving qualification and suitability to receive the license or permit is at all times on the applicant.

3. Applicants shall demonstrate experience, reputation, competence, and financial responsibility consistent with the best interest of the Louisiana gaming industry and in compliance with the laws of this state.

4. An applicant accepts the risk of adverse public notice, embarrassment, criticism, or other action or financial loss that may result from action with respect to an application and expressly waives any claim for damages as a result thereof, except relating to willful misconduct by the board or division.

5. The filing of an application under the Act or these regulations constitutes a request for a decision upon the applicant's general suitability, character, integrity, and ability to participate or engage in or be associated with a licensee or permittee. By filing an application, the applicant specifically consents to the making of such a decision by the board or division.

6. Any false statement, including improperly notarized documents, contained in any report, disclosure, application, permit form, or any other document required by the Act or these regulations shall be a violation of these regulations and the Act.

7. Incomplete applications, including failure to pay fees may result in a delay or denial of a license.

B. Submission and Filing of Application

1. All original and renewal applications shall be submitted to the division by the United States Postal Service certified or registered mail, return receipt requested, private or commercial interstate carrier, electronic submission in accordance with Chapter 4 of Part III of this Title, hand delivery or other board-approved method of delivery.

2. Each application, including renewal applications, shall be deemed filed with the board or division when the application and fee have been received by the division, as evidenced by the date stamp on the application.

3. Renewal applications for licenses to conduct sports wagering shall be submitted to the division no later than 120 days prior to the expiration of the license.

4. Failure to timely file or submit an application may constitute grounds for delaying consideration of the application or for denial of the application or imposition of a civil penalty.

5. Entities currently licensed under R.S. 27:44, R.S. 27:205, or R.S. 27:353 who are applying for a sports wagering license must submit a sports wagering license application, upon which its application for sports wagering shall be deemed complete for the purposes of the Act. The division reserves the right to request any other submissions that it deems necessary for these entities and their associated persons after the completed application is received.

C. Contents

1. An application is not complete nor is it considered filed with the division unless it is submitted with the required fee, is signed by the applicant, and contains all required information and documentation.

2. The applicant shall notify the division in writing of all changes to any information in the application within 15 business days of the effective date of the change.

3. An application may be amended upon approval of the board or division. A request to amend an application shall be in writing. A request to amend an application may have the effect of establishing the date of such amendment as the filing date of the application with respect to the time requirements for action on the application.

4. All applicants shall disclose any violation of law or regulation from any jurisdiction.

5. Applications shall be in accordance with the board's regulations and shall include all of the following:

a. the name of the applicant;

b. the applicant's primary place of business;

c. the names of all persons listed in, or required to submit to suitability pursuant to, the Act or these regulations including, but not limited to, R.S. 27:28(H)(1) and §2107 of Part III of this Title;

d. the names of employees and persons with substantial control of the applicant;

e. complete information and details with respect to the applicant and associated persons antecedents, habits, character, business activities, financial affairs, criminal history and business associates;

f. audited financial statements from the three most recently completed years;

g. company documents including, but not limited to, articles of organization, amendments, operating agreement, corporate certificates, charters and bylaws, amended & reinstated, meeting minutes, and Louisiana Secretary of State filings;

h. for operator applicants, a certification report from a designated gaming laboratory specified by the division or board indicating the sports wagering platform is in compliance with the Act, these regulations, division technical guidelines, Gaming Laboratories International Standard 33, and internal controls:

i. if an operator applicant does not have the certification report required in Subparagraph h of this Paragraph, an applicant may submit a sports wagering platform certification report from a jurisdiction in the United States where the applicant is currently licensed or permitted. The report must certify the platform to either the GLI 33 V1.1 standard or, at the discretion of the board, a standard deemed to be the equivalent of GLI-33 v1.1. This alternative certification report must include a list of all critical files and associated signatures and an appendix which lists the differences of any controlled items or processes required to be certified in Louisiana which were not certified in the jurisdiction in which the report was issued. Upon review of the certification report, the board will make a determination on whether to accept the certification or require additional information or documentation or testing;

(a). if an applicant submits the alternative certification report from another jurisdiction with its application, the applicant must, upon receipt, submit the certification report required in Subparagraph h of this Paragraph to the division in order to be eligible for licensing or permitting;

ii. additional information, documentation, testing, or certifications may be required by the division prior to operating the sports wagering platform or prior to licensing and permitting;

i. for sports wagering license applications, a detailed plan of design of its sports book lounge and other areas of its establishment where sports wagering mechanisms may be placed. If operating initially out of a temporary sports book lounge, the applicant shall also submit a construction schedule for its sports book lounge; and

j. such other information and details as the board or division may require in order to properly discharge its duties.

6. All applications shall contain a certification signed by a duly authorized representative of the applicant wherein the applicant certifies that:

a. the information contained therein is true and correct;

b. the applicant has read the Act and these regulations, and any other informational materials supplied by the division that pertain to sports wagering; and

c. the applicant agrees to comply with these regulations and the Act.

7. All applications shall contain an email address, a telephone number and permanent mailing address for receipt of correspondence and service of documents by the division.

8. A complete ownership chart with ownership percentage equaling 100 percent. Define all shareholders, parent companies, subsidiaries, holding companies, partnerships, and any joint ventures.

9. A corporate structure flow chart illustrating all directors, key officers, positions and title for each person listed on their ownership chart.

D. Associated Persons

1. The provisions of R.S. 27:27 [institutional investors or institutional lenders] and R.S. 27:28 [suitability standards] apply to applicants, licensees, and permittees.

2. Any person who has or controls directly or indirectly 5 percent or more ownership, income, or profit or economic interest in an entity which has or applies for a

license or permit pursuant to the provisions of this Title, or who receives 5 percent or more revenue interest in the form of a commission, finder's fee, loan repayment, or any other business expense related to the sports wagering operation, or who has the ability or capacity to exercise significant influence over a licensee, a permittee, or other person required to be found suitable pursuant to the provisions of this Title, shall meet all suitability requirements and qualifications pursuant to the provisions of this Title.

3. In determining whether a person has significant influence for purposes of this Chapter, the board or division may consider, but is not limited to the following: management and decision-making authority; operational control; financial relationship; receipt of gaming revenue or proceeds; financial indebtedness; and gaming related associations.

4. Personal history questionnaires, personal financial questionnaires, and all other required forms shall be submitted for all associated persons along with the application.

5. Submissions will be required by, but not limited to, the following:

a. if the applicant is a corporation, each officer, director, and shareholder having a 5 percent or greater ownership interest;

b. if the applicant is a limited liability company, each officer, managing member, manager and any member having a 5 percent or greater ownership interest;

c. if the applicant is a general partnership or joint venture, each individual partner and co-venturer;

d. if the applicant is a limited partnership, the general partner and each limited partner having a 5 percent or greater ownership interest;

e. if the applicant is a registered limited liability partnership pursuant to R.S. 9:3431 et seq., the managing partner and each partner having a 5 percent or greater ownership interest; and

f. if such shareholder, owner, partner, or member from Paragraphs a through e of this Subsection is a legal entity, each officer, director, manager or managing member and each person with an indirect ownership or economic interest equal to or greater than 5 percent in the applicant.

6. Submissions may be required by any person who in the opinion of the board or division:

a. has significant influence over an applicant, licensee, or permittee;

b. receives or may receive any share or portion of the revenues associated with or generated from sports wagering or generated by gaming activities subject to the limitations provided in R.S. 27:28(H)(2)(b);

c. receives compensation or remuneration as an employee of an applicant, licensee or permittee in exchange for any service or thing provided to the applicant, sports wagering licensee or permittee; or

d. has any contractual agreement with applicant, licensee or permittee.

7. Failure to submit the documents required by this Section may constitute grounds for delaying consideration of the application or for denying the application.

E. Tax Clearances

1. The applicant and all persons required to submit to suitability pursuant to the Act or this Title shall provide tax

clearances from the appropriate state agencies prior to the granting of a license or permit.

2. Failure to provide the tax clearances required by Subsection A of this Section may constitute grounds for delaying consideration or for denial of the application.

F. Fingerprinting

1. An initial application is not complete unless all persons required by the division have submitted to fingerprinting by or at the direction of the division.

2. Failure to submit to fingerprinting may constitute grounds for delaying consideration of the application or for denial of the application.

G. Truth of Information

1. All information included in an application shall be true, correct and a complete, accurate account of the information requested to the best of the applicant's knowledge as of the date submitted.

2. No applicant shall make any untrue statement of material fact in any application, form, statement, report or other document filed with the board or division.

3. An applicant shall not omit any material fact in any application, form, statement, report or other document filed with the board or division. The applicant shall provide all information that is necessary to make the information supplied in an application complete and accurate.

4. No applicant shall make any untrue statement in any written or verbal communication with the board or division.

H. Additional Information

1. All applicants shall provide all additional information requested by the division. If applicants fail to provide all additional information requested by the division, the application shall be considered incomplete.

2. Upon request of the board or division for additional information, the applicant shall provide the requested information within 10 days of receipt of written notice of the request or within such additional time as allowed by the board or division.

I. Application, Fees

1. All costs associated with conducting an investigation for suitability shall be borne by the applicant, licensee or permittee or the person who is the subject of the investigation.

2. An applicant shall pay all fees and costs associated with the application and investigation of the application as may be determined by the board.

3. Application fees for a sports wagering license or permit shall be charged and paid in accordance with the Act.

4. All costs associated with the application for and the investigation, granting, or renewal of licenses and enforcement of this Part shall be paid by the applicant.

J. Renewal Applications

1. The renewal application shall contain a statement made, under oath, by the applicant that any and all changes in the history and financial information provided in the previous application have been disclosed. This statement shall also be provided by each officer or director, each person with a 5 percent or greater economic interest in the applicant, and any person who, in the opinion of the board or division, has the ability to exercise significant influence over the activities of the applicant.

2. Renewal applications shall further contain:

a. a list of all civil lawsuits to which the applicant is a party instituted since the previous application;

b. a current list of all stockholders of the applicant, if the applicant is a corporation, or a list of all partners, if applicant is a partnership or limited partnership, or a list of all members if the applicant is a limited liability company, or a list of persons with a 5 percent or greater economic interest in the applicant. Applicants who are publicly traded corporations need not provide this information for any shareholder owning less than 5 percent of the applicant unless requested by the board or division;

c. a list of all administrative actions instituted or pending in any other jurisdiction against or involving the applicant, parent company of the applicant, or an affiliate related to gaming operations, sports wagering operations, fantasy sports operations, or alleged criminal actions or activities;

d. prior year's corporate or company tax return of the applicant;

e. a list of all charitable and political contributions made by the applicant during the last three years, indicating the recipient and amount contributed.

f. a complete ownership chart with ownership percentage equaling 100 percent. Define all shareholders, parent companies, subsidiaries, holding companies, partnerships, and any joint ventures; and

g. a corporate structure flow chart illustrating all directors, key officers, positions and title for each entity(s) listed on their ownership chart.

K. Withdrawal of Application

1. A request to withdraw an application shall be made in writing to the chairman or division at any time prior to issuance of the determination with respect to the application. The board or division may deny or grant the request.

2. If a request to withdraw an application is granted, any temporary certificate of authority issued to the applicant shall be automatically rescinded without notice or further action of the board or division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:51 (January 2022).

§309. Suitability and Requirements

A. An applicant and its associated persons shall be required to submit to an investigation to determine suitability, and shall meet and maintain the suitability standards provided for the Act or these regulations, including, but not limited to, R.S. 27:28 and §2901 of Part III of this Title.

B. The board or division shall not issue a license, permit or finding of suitability to any person who fails to prove by clear and convincing evidence that he is suitable and qualified in accordance with the provisions of the Act and these regulations.

C. The applicant must prove by clear and convincing evidence that it has the competence and experience to conduct sports wagering, by demonstrating through training, education, business experience, or a combination thereof, the

adequate business probity, competence, experience, and capability to conduct sports wagering.

D. The applicant shall demonstrate that the proposed financing of the applicant and business operation is adequate for the nature of operating sports wagering and is from a source suitable and acceptable to the board. Any lender or other source of money or credit that the board finds does not meet the standards set forth in this Subsection may be deemed unsuitable.

E. An application for a license to conduct sports wagering constitutes a request for a suitability determination, as described in R.S. 27:28, of the general character, honesty, integrity, and ability of any person associated with the applicant to participate or engage in, or be associated with sports wagering.

F. Before obtaining a license to offer sports wagering in this state, an applicant shall:

1. be a person domiciled in Louisiana or a domestic business entity with a certificate of existence from the secretary of state and in good standing or a foreign corporation with a certificate of authority to transact business in this state from the secretary of state and in good standing;

2. obtain and maintain all required local licenses and permits; and

3. provide the board with financial statements indicating any sports wagering revenues or gaming revenues for the previous three years.

G. An applicant, licensee, permittee, and all associated persons shall remain current in filing all applicable tax returns and in the payment of all taxes, interest and penalties owed to the state of Louisiana and the Internal Revenue Service, excluding items under formal appeal in accordance with applicable statutes and regulations, and items for which the Department of Revenue and Taxation or the Internal Revenue Service has accepted a payment schedule for taxes owed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:53 (January 2022).

§311. Continuing Suitability, Duty to Report

A. Suitability is an ongoing process. An applicant, licensee or permittee, or person required to submit to suitability by the Act or these regulations has a continuing duty to inform the board and division of any action which could reasonably be believed to constitute a violation of the Act or these regulations. This obligation to report is to be construed in the broadest possible manner; any question that exists regarding whether a particular action or circumstance constitutes a violation shall be decided in favor of reporting. The board and division shall be notified no later than 15 days from the date the applicant, licensee or permittee, or person knew or should have known of the possible violation. No person who so informs the board and division shall be discriminated against by an applicant, licensee or permittee because of supplying such information.

B. An applicant, licensee or permittee, or person required to submit to suitability by the Act or these regulations shall also have a continuing duty to inform the board and division of material changes in their affiliations,

businesses, financial standing, operations, ownership relationships, corporate management personnel, officers or directors within 15 days of the change. However, in the case of a publicly traded company, this obligation shall be satisfied if such company files with the board and division copies of all form 10Ks, 10Qs, and 8Ks filed with the Securities and Exchange Commission within 15 days of the filing with the Securities and Exchange Commission.

C. An applicant, licensee or permittee, or person required to submit to suitability by the Act or these regulations shall also have a continuing duty to inform the board and division of all administrative actions instituted or pending in any other jurisdiction against or involving the applicant, licensee, permittee, or the parent corporation or affiliate of the applicant, licensee or permittee, within 15 days of receipt of notice of the administrative actions instituted or pending in any other jurisdiction.

D. Failure to report or provide notice required by this Section may constitute grounds for delaying consideration of the application or denial of the application, revocation, suspension, administrative action, or the imposition of a civil penalty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:54 (January 2022).

§313. Other Considerations for Licensing

A. The board may consider the following criteria when deciding whether to issue a license or a finding of suitability to conduct sports wagering or whether to continue licensing or finding a person suitable to participate in sports wagering. The various criteria set forth may not have the same importance in each instance. Other factors may present themselves in the consideration of licensing and a finding of suitability. The following criteria are not listed in order of priority:

1. applicant or licensee or permittee and its operation is properly financed;

2. adequate security. The board may consider whether the sports wagering platform is designed and secured in a manner that provides adequate security for all aspects of its operation and for players;

3. character and reputation. The board may consider the character and reputation of all persons identified with the ownership and operation of the applicant or licensee or permittee and their capability to comply with regulations and the Act; and

4. miscellaneous. The board may consider such other factors as may arise in the circumstances presented.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:54 (January 2022).

§315. Surrender of a License

A. A license may not be surrendered without the prior approval of the board.

B. If a request to surrender a license is approved, the person is immediately eligible to apply for a license, unless the board or division has placed a condition that the applicant shall have to fulfill in order to reapply.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:54 (January 2022).

§317. Temporary Certificate of Authority

A. The board may issue a temporary certificate of authority to an applicant for a sports wagering license, a sports wagering platform provider permit, or a sports wagering service provider permit pursuant to the Act and these regulations, if all of the following conditions are met:

1. the applicant has filed a complete application and all required fees to the board;

2. the applicant has substantially demonstrated to the satisfaction of the board that the applicant meets the requirements of the Act, these regulations, the board's rules including emergency rules, and the board's or division's orders;

3. for applicants for a sports wagering license, the applicant must be issued a Louisiana gaming license that is in good standing;

4. for applicants for a sports wagering platform provider or sports wagering service provider permit, the applicant must be issued a gaming license or permit for similar activity in Louisiana or another state of the United States of America and that license or permit must be in good standing; and

5. the applicant must agree in writing to the following conditions of the temporary certificate of authority issued pursuant to this Section:

a. the temporary certificate of authority does not create a right or privilege;

b. the board may rescind the temporary certificate of authority issued under this Section at any time, with or without notice to the applicant/holder and without a hearing if any of the following occur:

i. the board is informed that the suitability of the applicant or anyone required to submit to suitability in conjunction with the application may be at issue; or

ii. the applicant or anyone required to submit to suitability in conjunction with the application fails to cooperate with the investigation into the qualifications and suitability of the applicant and its associated persons.

B. An applicant issued a temporary certificate of authority shall comply with all federal and state laws, the Act, these regulations, and its internal controls.

C. A temporary certificate of authority shall expire six months after issuance, unless the board issues a ninety-day extension of the certificate upon a showing of good cause. Only one extension may be issued.

D. An applicant desiring a ninety-day extension of the expiration of the temporary certificate of authority shall submit a written request to the board setting forth the factors, with supporting documentation, showing good cause for the extension. Factors that may be considered include, but are not limited to:

1. the reason for any delay that was not the fault of the applicant or its associated persons;

2. the investigation is almost concluded; and

3. the applicant and division have reason to believe the application will be considered within the extension period.

E. The chairman may act on behalf of the board for purposes of this Section and may issue all ancillary approvals not inconsistent with the Act and these regulations that are necessary to properly effectuate the operation of sports wagering under a temporary certificate of approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:55 (January 2022).

Chapter 5. Rules; Operations

§501. Sports Wagering Operator Requirements and Restrictions; Internal Controls; Comprehensive Rules

A. Licensees and operators may only conduct sports wagering expressly authorized by the Act, these regulations, or its internal controls.

B. Sports wagering authorized by the Act shall be conducted pursuant to the Act, these regulations, and a licensee's and operator's internal controls.

C. Licensees and operators shall comply with all provisions of the Act, these regulations, and its internal controls regarding child support arrearages including, but not limited to, R.S. 27:24 and Part III of this Title, particularly §2737 of Part III of this Title.

D. Licensees and operators shall not accept a sports wager from a prohibited player.

E. An applicant shall submit its internal controls with its application for licensing as a sports wagering licensee or for permitting as a sports wagering platform provider. Whenever internal controls are updated, they shall be immediately submitted to the division for approval to ensure the division is in possession of the current internal controls at all times.

F. Licensees and operators shall implement internal controls and commercially reasonable procedures for sports wagering to ensure compliance with all requirements of the Act and these regulations including, but not limited to:

1. prohibit a player from sports wagering while the player is located in a prohibited parish;

2. comply with all applicable tax laws and regulations including, without limitation, laws and regulations applicable to winnings and tax withholdings;

3. preventing the sharing or prohibited release of personal patron data and confidential information that could affect sports wagering with third parties until the information is made publicly available;

4. not knowingly accept a wager from a prohibited player, and shall comply with the limitations listed in R.S. 27:608;

5. verifying that a player is 21 years of age or older;

6. providing players with access to information on responsible play;

7. providing players with access to the player's play history and account details that are not confidential;

8. allowing individuals to restrict themselves from placing a sports wager upon request and provide reasonable steps to prevent the person placing a sports wager offered by an operator;

9. maintaining a reserve in an amount of not less than the greater of one hundred thousand dollars or the amount necessary to ensure the ability to cover the outstanding

sports wagering liability, which is the sum of wagers on future events, unpaid winnings, and sports wagering account balances. Reserve funds may take the form of cash, cash equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, or a combination thereof. The reserve funds shall not be used for operational activities. The reserve may be satisfied by the licensee or the operator, but the reserve for sports wagering may not be used for or encumbered by other gaming activity;

a. if an operator chooses to utilize a special purpose segregated account for the purpose of segregation or reserve funds, it shall submit to the division all information and documentation regarding the account and shall receive approval prior to using the account for such purposes;

10. ensuring that commercially reasonable measures are in place to deter, detect, and, to the extent reasonably possible, prevent cheating, collusion, and the use of cheating devices;

11. not offer sports wagering on any prohibited sports events;

12. withholding all winnings from players determined to be under the age of 21 or determined to have participated in sports wagering from within a prohibited parish;

13. allowing players to file complaints regarding the sports wagering operation and the handling of the player's sports wagering account;

14. requiring patrons to establish a sports wagering account prior to accepting wagers through a website or mobile application. Verifying the following for players requesting to open an account, in accordance with the information provided by players under §507.B.2 of this Chapter:

a. identity; and

b. date of birth.

15. publishing and facilitating parental control procedures to allow parents or guardians to exclude minors from access to a sports wagering platform;

16. determining the geographical location of a player when placing a sports wager;

17. reporting of problem gamblers;

18. operational controls for sports wagering accounts;

19. surveillance plans for all sports book lounges and other areas where sports wagering mechanisms are located;

20. setting up and maintaining user access control for a sports wagering platform and ensuring proper segregation of duties at the sports book and sports wagering platform;

21. procedures for identifying and reporting fraud and suspicious wagering activity;

22. anti-money laundering compliance standards, including limitations placed on anonymous sports wagering at sports wagering mechanisms;

23. detailing procedures for W-2G issuance when triggered, review of the DCFS arrearages database, the withholding of amounts owed, submission of amounts withheld to DCFS, and reporting requirements;

24. automated and manual risk management procedures;

25. process for submitting and receiving approval for all types of sports wagers available to be offered by the operator;

26. description of process for accepting sports wagers and issuing payouts, including additional controls for accepting sports wagers and issuing payouts in excess of \$10,000;

27. description of process for accepting multiple sports wagers from one player within a 24 hour cycle, including process to identify player structuring of sports wagers to circumvent recording and reporting requirements; and

28. detailed procedures for reconciliation of assets and documents contained in a sports book lounge, cashier's drawer, sports wagering mechanism, and online sports wagering, which shall include the drop, fill, and count procedures for sports wagering mechanisms.

G. Operators shall report all winnings withheld and remit all withheld amounts to the division. Winnings withheld from underage and excluded patrons shall be sent to the division immediately for submission to the Problem Gambling Fund. Unclaimed winnings that expire after 180 days shall be paid to the division in the same manner as expired tickets at the next quarterly due date.

H. Operators shall provide information regarding the player's ability to file a complaint with the division, provide the information necessary to file such a complaint.

I. Operators shall ensure that all information required by the Act, these regulations, or its internal controls to be provided to players is easily accessible through the sports wagering platform or printed copies, is clear and concise in language, and provides methods to contact the operator with questions.

J. Operators shall adopt comprehensive rules governing sports wagering transactions with its patrons. The operator's rules shall comply with R.S. 27:607(C) and shall be submitted to the division for approval. The comprehensive rules shall include, at a minimum:

1. the method for calculation and payment of winning wagers;

2. the effect of schedule changes for sports events;

3. the method of notifying players of odds or proposition changes;

4. acceptance of wagers at terms other than those posted;

5. expiration dates for winning tickets in accordance with the Act;

6. circumstances under which the operator will cancel a bet;

7. treatment of errors, late bets, and related contingencies;

8. method of contacting the operator with complaints or questions;

9. description of those persons who are prohibited from wagering with the operator;

10. instructions on how to self-restrict, self-limit, and self-exclude, including hyperlinks to such;

11. the method and location and posting and publishing the comprehensive rules; and

12. the methods for redeeming a winning ticket, including by mail if the operator allows such.

K. Operator may allow layoff bets in accordance with R.S. 27:611. The operator placing a layoff bet shall inform the operator accepting the layoff bet that it is being placed by another operator and shall disclose its identity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:55 (January 2022).

§503. Sports Wagering Platforms; Identification of Licensee; Duties of Licensee and Operators

A. To ensure the protection of players, a sports wagering platform shall identify the person that is the operator and, if different, the person that is the licensee.

B. Operators shall provide a set of terms and conditions readily accessible to the player on its sports wagering platforms.

C. Operators shall provide a readily accessible privacy policy to the player on its sports wagering platforms. The privacy policy shall state the information that is required to be collected, the purpose for information collection, and the conditions under which information may be disclosed. Any information about a player's sports wagering account that is not subject to disclosure pursuant to the privacy policy shall be kept confidential, except where the release is required by law or requested by the board or division. Player information shall be securely erased from hard disks, magnetic tapes, solid state memory, and other devices before the device is decommissioned. If erasure is not possible, the storage device must be destroyed.

D. An operator shall ensure that wagering on its sports wagering platform complies with the Act, these regulations, and any orders of the board. An operator shall comply with AML standards, federal and state law, and the limitations set forth in R.S. 27:608.

E. Operators shall have procedures that do all of the following prior to operating in this state:

1. prevent unauthorized withdrawals from a sports wagering account by the operator or others;
2. make clear that funds in a sports wagering account are not the property of the operator and are not available to the operator's creditors;
3. ensure any amounts won by a player from a sports wager is deposited into the player's account immediately upon verifying the results of the wager. In no case shall it take over 48 hours to apply the patron's winnings to their sports wagering account, unless the wager is part of an investigation;
4. ensure players can withdraw the funds maintained in their sports wagering accounts in accordance with the Act and these regulations;
5. allows a player to permanently close his sports wagering account at any time for any reason;
6. offers players access to their play history and account details;
7. provide a secure location the placement, operation, and play of sports wagering equipment; and
8. prevent all persons from tampering with or interfering with the operation of sports wagering or sports wagering equipment.

9. ensure that a surveillance system covers all areas of the licensed facility in which sports wagering is conducted.

F. An operator shall establish procedures for a player to report complaints to the operator regarding whether his sports wagering account has been misallocated, compromised, or otherwise mishandled, and a procedure for

the operator to respond to those complaints. Operators shall maintain a record of all complaints for a period of five years.

1. A player who believes his account has been misallocated, compromised, or otherwise mishandled may notify the board or division. Upon notification, the board or division shall investigate the claim and may take any action the board deems appropriate pursuant to the provisions of the Act or these regulations.

G. If a session is terminated due to player inactivity, the player's device must display to the player that the session has timed out and inform him of the steps needed to be taken to reestablish the session. If the session is terminated due to a player inactivity timeout, no further participation is permitted unless and until a new session is established by the player. This process shall include, at a minimum, the manual entry of the player's secure password or an alternate form of authentication approved by the board.

H. With the approval of the board, operators shall cooperate with investigations conducted by sports governing bodies or law enforcement agencies. However, an operator shall not share any information that would interfere or impede a criminal investigation or an investigation of the board or division. Information shared under this Subsection by an operator or a sports governing body is confidential, unless disclosure is required by the board or division or court order for enforcement or legal purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:57 (January 2022).

§505. Prohibited Parish; Geolocation, Geofencing; Proxy Servers

A. No operator nor any operator's employee shall allow a player to place a sports wager while located in a prohibited parish.

B. Operators shall implement and abide by protocols and procedures to ensure a player is not utilizing remote desktop software, rootkits, virtualization, proxy servers, virtual private network, spoofing, or other means to disguise their physical location or their computer or device's physical location when conducting a sports wagering transaction. Operators shall use, at a minimum:

1. geolocation and geo-fencing techniques and capability; and
2. commercially reasonable standards for the detection and restriction of remote desktop software, rootkits, virtualization, proxy servers, virtual private networks, spoofing, or other means of disguising one's location.

C. Operators shall prohibit the placing of a sports wager if a player is utilizing any means to disguise his identity or physical location or his computer or device's physical location or attempting to act as a proxy for another player.

D. Operators shall detect and block patrons that make malicious or repeated unauthorized attempts to access the online sports wagering system. This includes players utilizing any means to disguise their identity or physical location or their computer's or device's physical location or acting as a proxy for another player in order to place a sports wager. The player's sports wagering account shall be flagged and reviewed, and the operator shall follow protocols to reach a final determination about the player's sports

wagering account and future access and account privileges. Operators shall maintain a record of all information, documentation, or evidence of such activity.

E. Operators shall immediately notify the division of any sports wagers made when the player was located in a prohibited parish and shall provide the division with all information, documentation, and other evidence of such sports wager.

F. Operators who send or receive sports wagers through electronic means shall ensure that any transfer of that sports wager is initiated and received and completed within the state of Louisiana, and that only incidental intermediate routing of the sports wager, if any, occurs outside of the state, unless otherwise determined by the board in accordance with applicable federal and state laws. Operators shall be responsible for periodically reviewing their information and technology systems and networks to ensure compliance with this Subsection.

G. Operators who violate this Section shall be subject to administrative action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:57 (January 2022).

§507. Sports Wagering Account; Player Registration Required

A. A person shall register with an operator prior to placing a sports wager on a sports wagering platform through a website or mobile application. Operators shall not allow any person to place a sports wager on its sports wagering platform through a website or mobile application unless that person is registered and maintains a sports wagering account. Nothing in this Section shall prohibit an operator from accepting anonymous wagers at a sports wagering mechanism on the licensed premises in accordance with the Act, these regulations, and internal controls.

1. Operators shall include sports wagering account procedures necessary to setup and register for an account in the internal controls submitted for approval prior to implementation.

B. With respect to registration, an operator shall do all of the following:

1. implement security standards to prevent the placing of sports wagers by a person whose identity have not been verified in accordance with the Act, these regulations, or internal controls;

2. ensure that all persons provide the following information before establishing a sports wagering account and placing a sports wager;

- a. legal name;
- b. date of birth;
- c. Social Security number, or the last four digits thereof, or an equivalent identification number for a noncitizen person such as a passport or taxpayer identification number;
- d. residential address; a post office box is unacceptable;
- e. electronic mail address;
- f. telephone number; and

g. any other information necessary to verify the person's identity.

3. utilize commercially reasonable steps to confirm that a person registering for an account is at least 21 years of age before such person places a sports wager; and

4. clearly and conspicuously publish parental control procedures to facilitate parents or guardians to exclude minors from access to a sports wagering platform.

5. maintain a patron file including, at a minimum, the information obtained in establishing a sports wagering account, the method used to verify the person's identity; and the date of verification. The person's Social Security or identification number, passwords, PINs, and personal financial information shall be encrypted.

C. During the registration process, a person shall agree to the privacy policy and the following applicable terms and conditions of service:

1. registration information provided by the person to the operator is accurate;

2. the person has been informed, and acknowledges, that as a player he is prohibited from allowing any other person access to or use of his sports wagering account;

3. specify the handling of funds where the sports wager is canceled;

4. specify the handling of funds for sports events that are voided or canceled;

5. clearly define the rules by which any unrecoverable malfunctions of hardware or software are addressed;

6. advise the player to keep his password and login ID secure;

7. advise the player on requirements regarding forced password changes, password strength, and other related items;

8. no individual less than 21 year of age is permitted to maintain a sports wagering account or place a sports wager;

9. the method by which players will be notified of updates to the terms and conditions and privacy policy;

10. the conditions under which an account is declared inactive and explain what actions will be undertaken on the account once this declaration is made including the forfeiting of any monies remaining in the sports wagering account; and

11. clearly define what happens to any winnings from a sports wager prior to and after any self-imposed, licensee-imposed, or operator-imposed exclusion.

D. An operator shall not allow any business entity or any entity other than an individual person to register for a sports wager account or to place a sports wager.

E. Players may fund a sports wagering account through:

1. cash or check at the licensee's premises;

2. online and mobile payment systems that support online money transfers;

3. winnings remaining in the player's sports wagering account;

4. adjustments or refunds pursuant to these regulations;

5. promotional play;

6. reloadable prepaid card, issued in accordance with the Act, these regulations, and internal controls; and

7. any other method approved by the board or division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:58 (January 2022).

§509. Limitation on Active Accounts; Obligations to Players

A. An operator shall:

1. limit each authorized player to one active and continuously used account and username;

2. implement rules procedures to suspend all accounts of any player that establishes or seeks to establish more than one username or more than one account, whether directly or by use of another person as a proxy;

3. publish parental control procedures to facilitate parents or guardians to exclude minors from access to a sports wagering platform. The procedures shall include a link or toll-free number to call for help in establishing such parental controls;

4. make clear conspicuous statements that are not inaccurate or misleading concerning the conduct of sports wagering;

5. permit any player to permanently close an account registered to the player, on any and all sports wagering platforms supported by the operator, at any time and for any reason;

6. implement measures to protect the privacy and online security of players, their sports wagering account, and their personal financial information and personal patron data per §2811 of Part III of this Title;

7. not allow a player to transfer funds from a sports wagering account to another player's sports wagering account;

8. employ a mechanism that can detect and prevent any sports wagering or withdrawal activity initiated by a player that would result in a negative balance of a sports wagering account; and

9. allow a player to withdraw the funds maintained in his sports wagering account within five business days of the request being made. For purposes of this Paragraph, a request for withdrawal is considered honored if it is processed by the operator but delayed by a payment processor, credit card issuer, or by the custodian of a financial account through no fault, action or inaction of the operator. If an operator has requested documentation from a player in order to facilitate the withdrawal, the time waiting for such documentation shall not be factored into the five business days for approval.

a. An operator may decline to honor a player's request to withdraw funds only if the operator believes in good faith that the player engaged in fraudulent conduct or other conduct that would put the licensee or operator in violation of the Act or these regulations. In such cases, the operator may withhold the funds for a reasonable investigatory period until the investigation is resolved, if the operator conducts its investigation in a reasonable and expedient fashion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:59 (January 2022).

§511. Credit and Checks

A. Operators shall comply with Part III of this Title, specifically including §2729, and these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:59 (January 2022).

§513. Charging for Inactive Accounts

A. An operator shall not charge a player for an inactive sports wagering account.

B. No player shall be charged for failure to deposit certain amounts of cash or cash equivalent into a sports wagering account.

C. Operators shall follow state law as it regards unclaimed property for inactive accounts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:59 (January 2022).

§515. Protection for Problem or Compulsive Gamblers

A. Self-Restriction

1. Operators shall allow a player to restrict themselves from placing a sports wager or accessing a sports wagering account for a specific period of time, minimum of which shall be 30 days, as determined by the player and shall implement procedures to prevent the person from placing sports wagers.

2. Operators shall develop and maintain an online self-restriction form and a process to exclude any person from placing a sports wager who completes and submits the form to the operator or licensee and shall provide a mechanism on its sports wagering platforms to the online self-restriction form. Operators shall retain each submitted online self-restriction form and restrict such persons from placing a sports wager and may close the player's sports wagering account for the specified time.

3. Online self-restriction is different than submitting for the state's self-exclusion list. When a player chooses the option of self-restriction, the operator shall notify the requester of the option to also self-exclude with the state and the link to the self-exclusion form on the board's website.

B. Self-Imposed Limits

1. Operators shall implement and maintain procedures that allow players to limit themselves from:

a. placing a sports wager for a set period of time;

b. paying more than a certain amount of money for a sports wager; and

c. depositing more than a set amount of funds into their sports wagering account.

2. Players shall have the option to adjust the self-limits to make them more restrictive as often as they choose, but shall not have the option to make the time period or limits less restrictive within 72 hours of setting. Any change

must provide a prompt to ensure the player is aware of the change and the player must then confirm the change.

C. Operators shall enforce the limitations placed upon sports wagering accounts by:

1. providing a plan to honor requests from players to self-restrict or self-limit or self-excluding;
2. providing a plan to ensure that, immediately upon a player self-restricting or self-excluding, no sports wagers or deposits are accepted from that player until the self-restriction expires or is removed or the self-exclusion is terminated;
3. providing a plan to allow a player that self-restricts or self-excludes to access and withdraw remaining funds from his sports wagering account; and
4. ensuring self-restricted and self-excluded persons do not receive marketing or advertisement during the period of self-restriction or self-exclusion.

D. Operators shall train employees on problem and compulsive gambling. Such training shall include, but not be limited to: training on policies and best practices for assisting players who may be problem or compulsive gamblers.

E. Operators shall provide the information necessary for a person to self-exclude.

F. Operators shall provide quarterly reports to the division as to how many persons have self-restricted or self-exclude.

G. Operators shall comply with all requirements of the Act, these regulations, and internal controls and, specifically, Chapter 3 of Part III of this Title.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:59 (January 2022).

§517. Advertising, Mandatory Signage

A. Licensees and operators shall not advertise sports wagering to a person by phone, email, or any other form of individually targeted advertisement or marketing material if the person has self-restricted or is excluded pursuant to the provisions of the Act or these regulations, or if the person is otherwise barred from participating in sports wagering (including, but not limited to, advertisements targeted to persons under the age of 21).

B. Advertisements and marketing material shall not depict minors.

C. Licensees and operators shall not advertise or run promotional activities at any primary or secondary schools, as defined by Louisiana law and including elementary, middle, and high schools, or sports venues exclusively used for primary or secondary schools.

D. Licensees and operators shall ensure that all advertisements of sports wagering do not target prohibited players, persons under the age of 21, or self-restricted or excluded persons.

E. Licensees and operators shall not misrepresent the frequency or extent of winning in any advertisement.

F. Licensees and operators shall provide on its sports wagering platform, any websites, and in any print advertisement of sports wagering for such the toll-free telephone number available for information and referral

services regarding compulsive or problem gambling as required in R.S. 27:27.3.

G. Licensees and operators shall comply with the provisions of §2927 of Part III of this Title.

H. Operators shall ensure that all advertising, public relations activities, and marketing campaigns comply with this Section and do not: contain false or misleading information; fail to disclose conditions or limiting factors associated with the advertisement; use a font, type size, location, lighting, illustration, graphic depiction or color obscuring conditions or limiting factors associated with the advertisement; consist of indecent or offensive graphics or audio, or both; encourage players to chase their losses or re-invest their winnings; or suggest that sports wagering is a means of solving financial problems.

I. Advertisements, public relations activities, and marketing campaigns shall provide information on compulsive gambling treatment or counseling; promote a problem gambling hotline; be socially responsible; and give a balanced message with regard to winning and losing.

J. Licensees or operators shall delete or modify any advertisement which does not confirm to the requirements of this Section or is necessary for the immediate preservation of public peace, health, safety, and welfare of Louisiana residents.

K. Licensees or operators shall retain a copy of all advertising and marketing materials intended to promote any sports wagering operation in the state of Louisiana, which shall be made available to the division upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:60 (January 2022).

§519. Promotions

A. Licensees and operators shall comply with §2953 of Part III of this Title.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:60 (January 2022).

§521. Sports Events

A. Operators shall not offer sports wagering on sports events or subjects prohibited by the Act, these regulations, or the board.

B. Special event or competition of relative skill.

1. An operator shall not accept sports wagers on any other event unless the board has approved the other event in writing, the other event has been sanctioned by an organization included on the list of sanctioning organizations maintained by the board, or the other event is listed on the list of pre-approved other events.

2. A request for approval to accept wagers on any other event shall be made by an operator at least 7 days prior to such event on such forms approved by the board, and shall include:

a. a full description of the event and the manner in which wagers would be placed and winning wagers would be determined

b. a list of jurisdictions where the event is currently approved for wagering;

c. a full description of any technology which is necessary to determine the outcome of the event;

d. such other information or documentation which demonstrates that the sports event meets the requirements of §523 of this Chapter and that:

- i. the event would be effectively supervised;
- ii. there are integrity safeguards in place;
- iii. the outcome of the event would be verifiable;
- iv. the outcome of the event would be generated

by a reliable and independent process;

v. the outcome of the event would be unlikely to be affected by any sports wager placed;

vi. the event would be conducted in compliance with any applicable laws; and

vii. the granting of the request for approval would be consistent with the Act, these regulations, internal controls, and the public policy of the state;

e. the name of the sports governing body or sanctioning organization in charge of administering the sports event and any integrity commissions responsible for oversight of the event; and

f. such additional or supplemental information as the board or division may require.

3. The decision whether to grant approval to accept wagers on any other event shall be based on all relevant information including, but not limited to, the factors in this Section or determined by the board or division and shall be at the sole discretion of the board.

4. Operators shall submit updated house rules, as necessary, for each newly approved sports event prior to offering it to the public for wagering.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:60 (January 2022).

§523. Sports Wagers

A. An operator shall not accept any sports wager on a sports event unless it has received approval from the board to conduct that type or category of sports wager. The chairman has the authority to approve, reject, and unapprove categories and types of sports wagers on behalf of the board. A type of sports wager refers to the method of determining the outcome of the sports wager. The category refers to the kind of event being wagered on. For all particular categories or sports wager types approved by the Act or these regulations or later approved by the board for its first use may be used on multiple events by all operators without further approval.

1. If an operator would like to offer a new category of sports event, it must submit the request to the board on the approved form at least seven days in advance of the proposed date of accepting sports wagers on such a category. The request shall include a full description of the sports event and the manner which sports wagers would be placed and winning wagers would be determined; a full description of any technology which would be utilized to offer the sports event; information or documentation that demonstrates that the sports event meets the requirements of Subsection B of this Section and any other information requested by the board or division.

2. If an operator accepts a sports wager on an unapproved sports event, the operator shall void and refund

all sports wagers associated with that sports event. If any sports wagers for unapproved sports events cannot be refunded in full, the operator shall immediately provide the board with a report detailing such sports wagers and the reasons therefore.

3. The board and division maintain the right to disapprove of the source of data for any reason including, but not limited to, the type of sports wager and method of data collection.

B. Sports Wagers; Restrictions

1. Operators shall only offer and accept sports wagers in accordance with the Act and these regulations and on sports events where:

a. the outcome of the event can be verified, and the operator shall disclose the source of verification;

b. the event would be effectively supervised;

c. there are integrity safeguards in place;

d. the outcome can be generated by a reliable and independent process;

e. the outcome of the event is unlikely to be affected by any sports wager placed; and

f. the outcome is conducted in conformity with all applicable federal and state laws, the Act, these regulations, and internal controls.

2. Sports wagers shall only be made through a player's sports wagering account, cash, cash equivalents, or promotional play.

3. Operators shall adopt procedures to obtain personally identifiable information from any person who places any single sports wager in an amount of \$10,000 or greater on a sports event. Subsequent to accepting a sports wager in excess of \$10,000 or making a payout in excess of \$10,000 on a winning sports wager, the Operator shall record or maintain records that include: the date and time of the sports wager or payout; the amount of the sports wager or payout; the player's legal name; the ticket number or other identifying number for the sports wager or payout; and the name and signature of the employees accepting or approving the sports wager or payout on the sports wager.

4. Operators shall not knowingly allow, and shall take reasonable steps to prevent, the circumvention of reporting requirements through a player making a structured sports wager, including multiple sports wagers or a series of sports wagers that are designed to accomplish indirectly that which could not be accomplished directly. A sports wager or wagers need not exceed the dollar thresholds at any single operator in any single day in order to constitute prohibited structuring. No operator shall encourage or instruct the player to structure or attempt to structure sports wagers. This Section does not prohibit an operator from informing a player of the regulatory requirements imposed upon the operator, including the definition of structured sports wagers. An operator shall not knowingly assist a player in structuring or attempting to structure sports wagers.

5. Operators shall prohibit an employee who is serving alcoholic beverages to customers from taking sports wagers during the same work shift. Operators shall take reasonable steps to prevent an intoxicated or impaired person from placing a sports wager.

6. Available sports wagers shall be displayed in a manner visible to the public and the operator's closed circuit television system. The display shall include the event

date/time; event participants; the odds; and a brief description of the event.

C. Categories

1. The board shall maintain a list of approved categories for which an operator may accept a sports wager.

D. Types

1. The board shall maintain a list of approved types of sports wagers that an operator may accept.

2. Parlay Bets

a. Each operator that offers to accept parlay card wagers shall fully, accurately, and unambiguously disclose on all parlay card wagering forms:

i. the amounts to be paid to winners or the method by which such amounts are to be determined and, if the operator limits payouts to an aggregate amount under Subsection B of this Section, the aggregate amount and the establishments to which it applies;

ii. the effect of ties;

iii. the minimum and maximum betting limits, if any;

iv. the procedure for claiming winnings, including but not limited to the documentation players must present to claim winnings, time limits, if any, for claiming winnings, whether winnings may be claimed and paid by mail and, if so, the procedure for claiming winnings by mail;

v. the effects of a sports event wagered on not being played on the date specified and of other events that will cause selections to be invalid;

vi. the rights, if any, reserved by the operator, including but not limited to reservation of the right to refuse any wager or delete or limit any selection prior to the acceptance of a wager, or to withhold payouts of specified amounts until the outcome of each proposition offered by the parlay card has been determined;

vii. the requirement that the point spreads printed on the parlay card wagering form when the wager is accepted will be used to determine the outcomes of the wagers; and

viii. that the operator's comprehensive rules apply to parlay cards unless otherwise stated on the parlay card wagering form.

b. As used in this Subsection, *parlay card* means a sports wagering form offering exactly the same propositions on exactly the same terms.

i. An operator may limit the aggregate amount to be paid to winners on a parlay card in proportion to the amounts won, provided that the aggregate limit must not be less than the amount disclosed on the parlay card (the "base amount") plus twice the amount wagered on the parlay card at all establishments to which the aggregate limit applies.

ii. When an operator knows or reasonably should know that actual payouts on a parlay card will be limited by an aggregate amount, the operator shall cease accepting sports wagers and making payouts on the parlay card. After the outcome of the final game, match, or event covered by the parlay card has been determined, the operator shall pay each winner at least that proportion of the payout amount stated on the parlay card that the aggregate limit bears to total payouts (including payouts made prior to the suspension of payouts) that would otherwise have been made but for the limit.

iii. When an operator ceases accepting sports wagers and making payouts on a parlay card, the operator may accept wagers on the parlay card on those propositions whose outcomes have not been determined if the parlay card, patron receipts, and related documentation are distinguishable from the card, receipts, and documentation as to which the book has ceased accepting wagers, in which case the parlay card shall be considered a different parlay card for purposes of this Subsection.

iv. If an operator pays the winner of a parlay card wager more than 10 percent of the base amount established before the outcome of every proposition offered by the parlay card has been determined, the operator must pay every winner of a wager on that parlay card the proper payout amount stated on the parlay card in full and without regard to any aggregate limit established.

v. In specific cases the board may waive or impose requirements more restrictive than the requirements of this Subsection.

c. Prior to adopting or amending parlay card rules, a book shall submit such rules to the chairman for approval.

3. Proposition Bets

a. No sports wagers may be accepted or paid by an operator on the occurrence of injuries or penalties or the outcome of an athlete's disciplinary rulings, or replay reviews.

E. Tickets

1. Upon placing a sports wager, the player shall receive an unalterable virtual or printed wager record (ticket) which shall contain the information required in these regulations and, specifically, §901 of this Part.

2. Any sports wager placed with a sports wagering mechanism shall be evidenced by a ticket indicating: the information required in R.S. 27:609(B)(4)(a); the name of the licensee if different than the operator; and a statement that the patron must redeem the ticket at the establishment of the licensee that booked the wager within 180 days of the date of the event, that the failure to present a winning ticket within such time shall constitute a waiver of the right to the payment, and that the holder of the ticket shall thereafter have no right to enforce payment of the ticket.

F. Canceled Wagers

1. The operator's comprehensive rules shall clearly state what is to occur when a sports event is canceled or the subject of the bet ceases to exist. Any such cancellations of a sports wager shall be made available to the division.

2. Canceled wagers may only be made at the system level and in accordance with the requirements of this Subsection and these regulations.

3. All canceled wagers shall be refunded to the player as soon as practical and deducted from the adjusted gross sports wagering revenue if already included.

G. Voided Wagers

1. A sports wager is deemed void if the player is a prohibited person or located in a prohibited parish at the time the sports wager was made. An operator shall void sports wagers made by prohibited persons or a persons located in a prohibited parish immediately upon becoming aware or when the operator should have become aware the player is a prohibited person or located in a prohibited

parish. The operator shall follow the Act and these regulations for the handling of any monies.

2. A sports wager is deemed void if the subject of the wager was not approved by the board prior to accepting the wager.

3. An operator may void a sports wager if the operator has reasonable basis to believe there was obvious error in the placement or acceptance of the sports wager. Errors include, but are not limited to the sports wager was placed with incorrect odds; human error in the placement of the sports wager; the ticket does not correctly reflect the sports wager; or equipment failure rendering a ticket unreadable. Wagers voided in this case must be approved by a supervisor or higher, pursuant to the internal controls or house rules.

4. Licensees and operators shall include procedures and conditions on which they will void wagers in their internal controls.

5. All voided wagers shall be refunded to the player and deducted from the adjusted gross sports wagering revenue if previously included. However, should a player self-exclude after placing a wager, the player shall not be entitled to a refund or any winnings; the monies shall be handled in accordance with internal controls.

6. No wagers shall be rescinded except in compliance with the Act, these regulations, internal controls, and house rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:61 (January 2022).

§525. Unusual and Suspicious Wagering Activity

A. Operators shall employ a system to identify irregularities in volume or odds and swings that could signal suspicious wagering activities that should require further investigation.

B. Operators shall have internal controls in place to identify unusual wagering activity and report such to an independent integrity monitoring provider or the division.

C. All independent integrity monitoring providers shall share information with each member and shall disseminate all reports of unusual activity to all member operators. All operators shall review such reports and notify the independent integrity monitoring provider whether they have experienced similar activity.

D. If an independent integrity monitoring provider finds that previously reported unusual wagering activity rises to the level of suspicious wagering activity, it shall immediately notify all other independent integrity monitoring providers, their member operators, the division, and all other regulatory agencies as directed by the division. All independent integrity monitoring providers receiving a report under this Section shall share such report with their member operators.

E. An operator must submit a yearly report to the division, which details its integrity monitoring system and summarizes any unusual wagering activity or other suspicious wagering activity notifications issued during that time period.

F. An operator receiving a report of suspicious wagering activity shall be permitted to cancel related wagers after receiving approval from the board or division and in

accordance with approved procedures as set forth in internal controls.

G. If the division receives a suspicious wagering activity report from an independent integrity monitoring service provider, the division shall notify the relevant sports governing body as expeditiously as possible.

H. The division may require an operator to provide any hardware necessary to the division for evaluation of its sports wagering offering or to conduct further monitoring of data provided by its system.

I. All information and data received pursuant to this Section by the board or division related to unusual or suspicious wagering activity shall be considered confidential and shall not be revealed in whole or in part, except upon the lawful order of a court of competent jurisdiction or, with any law enforcement entity, member club, sports governing body, or regulatory agency that the board deems appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:63 (January 2022).

§527. Sports Book Lounge or Sports Wagering Lounge

A. An applicant for a sports wagering operator license shall submit a detailed plan of design of its sports book lounge and other areas of its establishment where sports wagering mechanisms may be placed. If operating initially out of a temporary sports book lounge, the applicant shall also submit a construction schedule for its sports book lounge.

B. A licensee shall inform the board and division of any plans to alter, update, renovate, or otherwise change the sports book lounge from that detailed with the application or subsequently approved.

C. A sports book lounge shall:

1. be limited to persons who are 21 years of age or older who are not prohibited persons;

2. be of a such a design and size deemed acceptable by the board;

3. contain an area where the odds at which sports wagers may be placed are displayed;

4. if not located in an area restricted to person who are 21 and over, contain a conspicuously posted sign that includes a statement similar to "It is unlawful for any individual who is under 21 years of age to enter the sports book lounge or place a sports wager;"

5. contain a conspicuously posted sign providing the National Council on Problem Gambling's 24 hour toll-free number or a similar toll-free number approved by the board, as well as separately providing information regarding the prevention, treatment, and monitoring of compulsive gambling; and

6. include a sports book lounge booth that:

a. shall be designed and constructed to provide maximum security for the materials stored and the activities performed therein. Such design and construction shall be approved by the division;

b. includes manually triggered silent alarm systems, which shall be connected directly to the monitoring rooms of the licensed premises and security departments;

c. includes one or more ticket writer stations, each of which shall contain:

- i. a writer's drawer and terminal through which financial transactions related to sports wagering will be conducted; and
- ii. a permanently affixed number, which shall be visible to the CCTV surveillance system;
- d. includes closed circuit television cameras capable of accurate visual monitoring and recording of any activities, including the capturing of the patron's facial image when conducting transactions at the counter;
- e. has an alarm for each emergency exit door that is not a mantrap;
- f. includes a secure location for the purpose of storing funds issued by a cage to be used in the operation of sports wagering. The secure location shall:
 - i. be located in an area not open to the public;
 - ii. have a door with a locking mechanism that shall be maintained and controlled by the sports wagering lounge booth supervisor; and
 - iii. have closed circuit television cameras capable of accurate visual monitoring and taping of all activities in the secure location; and
- g. a sports book lounge booth shall maintain a funds operating balance as necessary to operate the booth. Funds transferred to and from the cage shall be secured and transferred in accordance with internal controls for funds movement on the casino floor. Prior to transporting the funds, security shall notify surveillance of the movement of funds. If movement does not require security, the employee transferring the funds shall notify surveillance. The funds will be transferred with appropriate documentation.

D. A sports book lounge located in the designated gaming area of a licensed premise of an entity licensed pursuant to R.S. 27:44, R.S. 27:205, or R.S. 27:353 may have slot machines or other authorized games with the approval of the division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:63 (January 2022).

§529. Sports Wagering Mechanisms

A. Sports wagering mechanisms may only be located on a licensee's premises in areas restricted to persons who are 21 years of age or older.

B. Sports wagering mechanisms shall be linked to a sports wagering operator's sports wagering platform.

C. Sports wagering mechanisms or the platform shall be capable of generating a transaction report which documents each completed transaction. Unless otherwise approved by the board, the report shall include, at a minimum:

- 1. the date and time;
- 2. a description of the transaction;
- 3. the value of non-cash transactions;
- 4. the value of currency inserted;
- 5. the value of all vouchers dispensed and redeemed;
- 6. the value of all promotional play dispensed and inserted; and
- 7. the value of all sports wagering tickets dispensed and inserted.

D. A licensee or operator shall remove the bill validator boxes from all sports wagering mechanisms on a schedule approved by the division.

1. Any changes to the schedule require notification to the division at least five days prior to the change.

2. The licensee or operator shall notify the division within 24 hours of any drop occurring outside the approved schedule.

3. The sports wagering mechanism drop shall be monitored and recorded by surveillance in accordance with internal controls.

E. A licensee or operator's accounting department shall reconcile the sports wagering mechanisms on a daily basis pursuant to internal controls. Licensees or operators shall document all variances and investigate variances in an amount as declared in the licensee's approved internal controls. The report shall indicate the cause of the variance and shall contain any documentation required to support the stated explanation.

F. Sports wagering mechanisms shall not dispense cash; allow deposits to a sports wagering account of more than \$10,000; issue or redeem promotional play or voucher with a value of more than \$3,000; accept wagers of \$3,000 or more unless made using funds in a sports wagering account; or redeem a ticket with a value of more than \$3,000.

G. If a sports wagering mechanism redeems vouchers, the kiosk or kiosk system shall be able to generate a "sports voucher redemption machine report" or similar approved report by the division for each gaming day. The report shall include the voucher's unique identifier, the date and time of redemption, and the value of the voucher.

H. If used to redeem wagering tickets, the kiosk or kiosk system shall be able to generate a "sports ticket redemption machine report" or similar approved report by the division for each gaming date. The report shall include the ticket's unique identifier, the date and time of redemption, and the value of the ticket.

I. If used to issue sports vouchers, the kiosk or kiosk system shall be able to generate a "sports voucher issuance report" or similar approved report by the division for each gaming day. The report shall include the voucher's unique identifier, the date and time of issuance, and the value of the voucher.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:64 (January 2022).

Chapter 7. Records; Accounting; Confidentiality

§701. Financial Statements and Records

A. Each operator, in such manner as the division may approve or require, shall keep accurate, complete, legible, and permanent records of all transactions pertaining to revenue that is taxable or subject to fees under the Act.

B. Each operator shall keep general accounting records on a double entry system of accounting, with transactions recorded on a basis consistent with generally accepted accounting principles, maintaining detailed, supporting, subsidiary records, including but not limited to:

- 1. records identifying:
 - a. revenues by day;
 - b. expenses;
 - c. assets; and
 - d. liabilities;

2. records required by the internal controls;
3. journal entries and all work papers, electronic or manual, prepared by the operator and their independent accountant;
4. financial statements and supporting documents; and
5. any other records the division requires.

C. Each licensee or its operators shall create and maintain records sufficient to accurately reflect income and expenses relating to its operations.

D. If a licensee or its operators fail to keep the records used to calculate gross revenue, net gaming proceeds, winnings paid out to patrons, and the amount of eligible promotional play wagers, or if the records are not adequate to determine these amounts, the division may compute and determine the amount of gross revenue, net gaming proceeds, winnings paid out to patrons, and the amount of eligible promotional play wagers based on an audit and statistical analysis conducted by the division.

E. Reporting net gaming proceeds.

1. Each licensee or its operators shall report the net gaming proceeds by providing the total gross revenue of all wagers placed by patrons, the total amount of all winnings paid out to patrons, and the total amount of all eligible promotional play wagers in accordance with requirements provided by the division. This report is due monthly by the tenth of the following month. Daily records shall be maintained, including those providing revenues by event type (for example: NFL, NBA, MLB, NCAA by sports, parlay, etc.).

2. The payment of taxes in accordance with R.S. 27:625 shall be paid monthly and is due by the twentieth of the following month.

3. Taxes shall be deposited electronically in accordance with guidelines provided by the division. Overpayments may be deducted from future taxes owed, but shall not result in a refund to the licensee or operator unless caused by the division or if the licensee or operator is withdrawing from the state and returning its license or permit to operate.

F. Each licensee or its operators shall submit accounting controls to the division for review and approval prior to conducting sports wagering. These accounting controls shall include, at a minimum:

1. a process for documenting and verifying beginning of day cash balance;
2. processes for recording collection of sports wagers, payment of sports wager, and cancellation of sports wagers issued;
3. processes for handling cash within a sports book lounge or from a sports wagering mechanism, including segregation of duties related to counting and storage of cash;
4. the establishment of a segregated account related to sports wagering activities in the state of Louisiana; and
5. any other requirements as required by the division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:64 (January 2022).

§703. Record Retention and Backup

A. Upon request and at a location designated by the division, each licensee and permittee shall provide the division with the records required to be maintained by this

Chapter. Licensees and permittees shall retain all such records for a minimum of five years in a location approved by the division. In the event of a change of ownership, records of prior owners shall be retained in a location approved by the division for a period of five years unless a different period is authorized by the division. Electronic records may be maintained in other locations if access to the records is available on computers located at the principal place of business or other location approved by the division.

B. Each licensee or its operators shall conduct a complete system data backup to a primary off-site location a minimum of once a month. For purposes of this Section, the licensee or operator shall submit the name, location, and security controls of the primary off-site storage facility to the division. Licensees and operators shall submit changes to the location and security controls of the primary off-site storage facility at least 30 days prior to the change. Any changes less than 30 days in advance must include justification for the late submission. For licensees and operators using managed cloud service backups, the name of the cloud service and region where the primary copy of the data shall be provided at the time of licensure and at the time of any change thereafter. A complete system data backup includes, but is not limited to:

1. all revenue reports;
2. all sports wagers and results;
3. sports wagering account information; and
4. the geographical location of every player placing a sports wager on a sports wagering platform of the licensee or operator.

C. Each licensee or its operators shall have a written contingency plan in the event of a system failure or other event resulting in the loss of system data. The plan shall address backup and recovery procedures and shall be sufficiently detailed to ensure the timely restoration of data in order to resume operations after a hardware or software failure or other event that results in the loss of data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:65 (January 2022).

§705. Funds; Segregation of Funds

A. Operators shall:

1. segregate sports wagering account funds from operational funds; or
2. maintain a reserve in an amount of not less than the greater of one hundred thousand dollars or the amount necessary to ensure the ability to cover the outstanding sports wagering liability, which is the sum of wagers on future events, unpaid winnings, and sports wagering account balances. Reserve funds may take the form of cash, cash equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, or a combination thereof. The reserve funds shall not be used for operational activities. The reserve may be satisfied by the licensee or the operator, but the reserve for sports wagering may not be used for or encumbered by other gaming activity.

B. The requirements of Subsection A of this Section may be satisfied by establishing a special purpose segregated account that is maintained and controlled by a properly constituted corporate entity that has a governing board that includes one or more independent corporate directors. The

corporate entity must require a unanimous vote of all corporate directors to file bankruptcy and must have articles of incorporation that prohibit commingling of funds with those of the operator, except as necessary to reconcile the accounts.

1. Any and all information and documentation regarding its special purpose segregated account shall be provided to the division and each such account must be approved by the division prior to the implementation of such.

C. Documentation of the amount in cash reserves as of the last day of each month shall be provided to the division by the tenth day of the following month.

D. Each licensee or its operators shall continuously monitor and maintain a record of all sports wagering liabilities and its cash reserves to ensure compliance with the cash reserves requirement. If at any time the operator's total available cash and cash equivalent reserve is less than the amount required, the operator shall notify the division within 48 hours of the deficiency, the reason, and the resolution to correct the deficiency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:65 (January 2022).

§707. Audits, Annual Review, and Periodic Reporting

A. Licensees or their operators shall comply with the provisions of the Act, Part III of this Title, and these regulations.

B. Annual financial statements shall be provided to the division not later than May 1 each year or 120 days after the end of the fiscal year if not December 31.

C. A licensee or operator shall submit to the division one copy of any report required to be filed with the Securities and Exchange Commission or other domestic or foreign securities regulatory agency by the licensee or operator, and their holding company, intermediate company, or parent company. These reports shall be delivered to the division within 15 days of the time of filing with such commission or agency or within 15 days of the due date prescribed by such commission or regulatory agency, whichever comes first.

D. Each operator shall submit to the division annual audited financial statements reflecting all financial activities of the sports book operations subjected to an examination conducted according to generally accepted auditing standards by an independent certified public accountant (CPA).

1. All audits and reports required by this Section shall be prepared at the sole expense of the operator.

E. Annual Review of Operations

1. Each licensee or, as applicable, their operator shall require the independent CPA, engaged for purposes of examining the financial statements, to submit to the operator two signed copies of a written report detailing the continuing effectiveness and adequacy of the internal controls.

2. Using the division's standard Minimum Internal Control questionnaire and guidelines, the auditor shall include in this report any items discovered by the auditor or brought to the auditor's attention where the operator does not act in accordance with the internal controls and

procedures provided to the division. The report should also include notification and explanation for all occasions when the operator denies a player's request to withdraw funds and all occasions when the operator discovers the use of unauthorized scripts on its sports wagering platform.

a. Denial of a withdrawal means the operator or its agent issues the decision to deny a player's request to withdraw. Issues not controlled by the operator, such as banking system issues, incorrect deposit account numbers, or other issues not controlled by the operator are not included.

b. Reportable script items includes unauthorized scripts discovered on the sports wagering platform whether used or not.

3. This report is due no later than 30 days after the due date of the audited financial statements required in Subsection C of this Section.

F. Each licensee or operator shall engage an independent certified public accountant (CPA). The CPA shall examine the statements in accordance with generally accepted auditing standards. The CPA is prohibited from providing internal audit services. Should the CPA previously engaged as the principal accountant to audit the licensee's or operator's financial statements resign or be dismissed as the principal accountant, or if another CPA is engaged as principal accountant, the licensee or operator shall file a report with the division within 10 days following the end of the month in which the event occurs, setting forth the following:

1. the date of the resignation, dismissal, or engagement;

2. any disagreements with a former accountant, in connection with the audits of the two most recent years, on any matter of accounting principles, or practices, financial statement disclosure, auditing scope or procedure, which disagreements, if not resolved to the satisfaction of the former accountant, would have caused him to make reference in connection with his report to the subject matter of the disagreement; including a description of each such disagreement; whether resolved or unresolved;

3. whether the principal accountant's report on the financial statements for any of the past two years contained an adverse opinion or a disclaimer of opinion or was qualified. The nature of such adverse opinion, disclaimer of opinion, or qualification shall be described; and

4. a letter from the former accountant furnished to the licensee or operator and addressed to the division stating whether the CPA agrees with the statements made by the licensee or operator in response to this Section.

G. Unless the division approves otherwise in writing, the statements required must be presented on a comparative basis. Consolidated financial statements may be filed by commonly owned or operated operations, but the consolidated statements must include consolidating financial information or consolidated schedules presenting separate financial statements for each licensee or operator. The CPA shall express an opinion on the consolidated financial statements as a whole and shall subject the accompanying consolidating financial information to the auditing procedures applied in the examination of the consolidated financial statements.

H. Each licensee or their operator shall submit to the division two originally signed copies of its audited financial statements and the applicable CPA's letter of engagement not later than May 1 or 120 days after the last day of the operator's business year if not December 31.

I. If an licensee or their operator changes its fiscal year, the licensee or their operator shall prepare and submit to the division audited financial statements covering the period from the end of the previous business year to the beginning of the new business year not later than 120 days after the end of the period.

J. Each operator shall submit a quarterly financial report including gross sports wagering revenues, net revenues, and taxes paid on net revenues. The report shall be forwarded to the division not later than 30 days after the last day of the applicable quarter.

K. The division may request additional information and documents from either the licensee, operator, or their CPA, regarding the financial statements or the services performed by the CPA. The division may review any and all work papers of the CPA at a time and place determined by the division. These requirements shall be included in agreements between the licensee, the operator, or its affiliates and the CPA.

L. The licensee or operator shall submit to the division, postmarked by the United States Postal Service or deposited for delivery with a private or commercial interstate carrier, or in another manner approved by the division, any audit report prepared by the Internal Revenue Service (IRS) and issued to the licensee or operator. The report is due within 30 days of receipt from the IRS.

M. Impairments to the independence of a CPA to perform a financial audit include, but are not limited to:

1. during the period of professional engagement to perform an audit, or at the time the opinion was issued, the auditing person:

a. had or was committed to acquire any direct or indirect financial interest in the licensee or operator;

b. was a trustee of any trust or executor or administrator of any estate if the trust or estate had or was committed to acquire any direct or indirect financial interest in the licensee or operator;

c. had any joint closely held business investment with the licensee or operator or any key person or owner thereof that was material in relation to the auditing person or the auditing person's firm's net worth; or

d. had any loan to or from the licensee or operator or any key person or owner thereof, when made under normal lending procedures, terms, and requirements, except:

i. loans that are not material to the net worth of the borrower;

ii. home mortgages; or

iii. other secured loans, except loans guaranteed by the auditing person's firm that are otherwise unsecured;

2. during the period covered by the licensee's or operator's financial statements, during the period of the professional engagement to perform an audit, or at the time the opinion is issued, the auditing person was:

a. connected with the licensee or operator as a promoter, underwriter, voting trustee, key employee, or in any capacity equivalent to that of a key employee; or

b. a trustee for any pension or profit-sharing trust of the licensee or operator;

3. functioning as if a key employee of the licensee or operator;

4. performing an audit of the independent CPA or independent CPA's firm's own work;

5. advocacy for the licensee or operator; or

6. having any other role with the licensee or operator or its affiliates other than as independent auditor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:66 (January 2022).

§709. Public and Confidential Records

A. Except as provided in R.S. 44:1 et seq. and R.S. 27:21, records of the board and division shall be public records.

B. R.S. 44:1 et seq., R.S. 27:21, and Chapter 39 of Part III of this Title shall govern this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:67 (January 2022).

Chapter 9. Computer Systems and Sports Wagering Platforms; Security

§901. Computer Systems and Sports Wagering Platforms

A. Operators shall use a sports wagering platform to offer, conduct, or operate sports wagering in accordance with the Act and regulations set forth by the board.

1. Operators shall comply with, and the division or board adopts and incorporates by reference, the Gaming Laboratories International, LLC Standard, GLI-33: Standards for Event Wagering systems and its Appendices, version 1.1 and any future amendments and updates thereto. The GLI-33 standards are intended to supplement rather than supplant other technical standards and requirements under these rules.

2. A sports wagering platform utilized to conduct sports wagering shall meet the specifications of these rules and any additional technical specifications prescribed by the board or the division. Failure to comply with the approved specifications, internal controls, or technical specifications may be grounds for administrative action by the board.

B. Operators shall submit all equipment and software utilized with the sports wagering platform to a designated gaming laboratory approved by the division for an initial certification to ensure the sports wagering platform is in operational compliance with the Act, these regulations, division technical guidelines, and internal controls. The certification report shall, at a minimum, identify system interfaces of service providers and the applicable methods, programs, protocols and security measures implemented by the operator to ensure compliance.

C. At the discretion of the division, additional testing or re-certification of the entire sports wagering platform may be required and shall be completed by a designated gaming laboratory approved by the division. The licensee or operator shall incur all costs associated with the testing of the sports wagering platform. Failure on the part of the licensee or

operator to incur these costs may be grounds for administrative action by the division.

D. Upon placing a sports wager at a cashier or sports wagering mechanism, the player shall receive an unalterable virtual or printed wager record (ticket) which shall contain, at a minimum:

1. name and address of the operator, and licensee if different, issuing the ticket;
2. the date and time the sports wager was placed;
3. the date and time the sports event is expected to occur;
4. any patron choices involved in the sports wager including, but not limited to:
 - a. sports wager selection(s);
 - b. type of sports wager and line postings;
 - c. any special condition(s) applying to the sports wager;
 - d. pay out, applicable at the time the sports wager is placed;
5. total amount wagered, including any promotional play if applicable;
6. sports event and market identifiers;
7. a barcode or similar symbol or marking as approved by the division, corresponding to the unique wager identifier; and
8. the cashier or self wagering mechanism that generated the ticket.

E. If the sports wagering platform issues and redeems a sports book voucher, the system shall be capable of recording the following information for each voucher:

1. amount of voucher;
2. date, time, and location of issuance;
3. unique voucher identifier used for redemption, at least three digits of which shall be masked on all system menus, printed reports, and displays, except when accessed by users with supervisor or higher authority, for all unredeemed and unexpired vouchers;
4. expiration date of the voucher; and
5. date, time, and location of redemption, if applicable.

F. Sports book vouchers issued by a sports wagering platform shall contain the following information:

1. date, time, and location of issuance;
2. amount of the voucher;
3. unique voucher identifier;
4. expiration date of the voucher;
5. name of permit holder; and
6. an indication that the voucher can only be redeemed in exchange for a sports wager or cash.

G. A sports wagering platform system that offers in-play wagering shall be capable of the following:

1. the accurate and timely update of odds for in-play wagers;
2. the ability to notify the patron of any change in odds after a wager is attempted that is not beneficial to the patron;
3. the ability for the patron to confirm the wager after notification of the odds change; and
4. the ability to freeze or suspend the offering of wagers, when necessary.

H. A sports wagering platform shall be capable of performing the following functions:

1. creating wagers;
2. settling wagers;
3. reprinting tickets;
4. resettling wagers;
5. voiding wagers;
6. cancelling wagers; and
7. preventing the acceptance of wagers on prohibited sports events.

I. When a sports wager is voided or cancelled, the operator shall clearly indicate that the ticket is voided or cancelled, render it nonredeemable, and make an entry in the system indicating the void or cancellation and identity of the cashier or automated process.

J. A sports wagering platform shall prevent past posting of wagers and the cancellation of wagers after the outcome of an event is known.

K. In the event a patron has a pending sports wager and then the licensee or its operator becomes aware of the patron self-excluding, the wager shall be governed in accordance with the Act, these regulations, and internal controls.

L. A sports wagering platform shall, at least once every 24 hours, perform a self-authentication process on all software used to offer, record, and process wagers to ensure there have been no unauthorized modifications. In the event of an authentication failure, the sports wagering platform operator shall notify the appropriate casino licensee employees as provided in the internal controls using an automated process. The licensee shall notify the division of the authentication failure within 24 hours. The results of all self-authentication attempts shall be recorded by the system and maintained for a period of 90 days.

M. A sports wagering platform shall have controls in place to review the accuracy and timeliness of any data feeds used to offer or settle wagers. In the event that an incident or error occurs that results in a loss of communication with data feeds used to offer or redeem wagers, such error shall be recorded in a log capturing the date and time of the error, duration of the error, the nature of the error, and a description of its impact on the system's performance. Such information shall be maintained for a period of two years.

N. The sports wagering platform operator shall provide access to wagering transaction and related data as deemed necessary by the division in a manner approved by the division.

O. A sports wagering platform shall be capable of preventing any wager in excess of \$10,000 or making a payout in excess of \$10,000 until authorized by a supervisor, unless pre-approved and in accordance with internal controls or house rules.

P. A sports wagering platform shall be capable of recording and storing the following information for each wager made:

1. description of the event;
2. wager selection;
3. type of wager;
4. amount of wager;
5. amount of potential payout or an indication that it is a pari-mutuel wager;

6. date and time of wager;
7. identity of the cashier accepting the wager;
8. unique wager identifier, which shall be masked on all system menus, printed reports, and displays, except when accessed by users with supervisor or higher authority, for all unredeemed and unexpired wagers;
9. expiration date of ticket;
10. patron name, if known;
11. date, time, amount, and description of the settlement;
12. location where the wager was made;
13. location of redemption; and
14. identity of cashier settling the wager if applicable.

Q. For all lost tickets that are redeemed, a sports wagering platform shall record and maintain the following information:

1. date and time of redemption;
2. employee responsible for redeeming the ticket;
3. name of patron redeeming the wager;
4. unique ticket identifier; and
5. location of the redemption.

R. For all sports wagering accounts, a sports wagering platform shall record and maintain the following information:

1. a unique player identification;
2. the player's identity details including, but not limited to: player's legal name; date of birth; and residential address;
3. any self-restrictions;
4. any previous accounts; and
5. the date and location from which the sports wagering account was registered or accessed.

S. Operators shall provide the following information upon demand by the board or division. As appropriate, the information shall include, at a minimum, month to date and year to date:

1. total sports wagering account deposits for the requested period;
2. total sports wagering account withdrawals for the requested period;
3. total sports wagers collected from players; and
4. total winnings paid to players.

T. A sports wagering platform shall be capable of recognizing valid tickets and vouchers that contain a duplicate unique wager identifier used for redemption and require the redemption by a ticket writer.

U. A sports wagering platform shall be capable of preventing the redemption of any vouchers or tickets when the data related to the vouchers or tickets has been manually altered outside of the approved system procedures.

V. All servers necessary for the processing of sports wagers, other than backup servers, shall be physically located in Louisiana, and shall be located in a restricted area with adequate security and surveillance in accordance with internal controls and as approved by the division. Other servers used in the operation of the sports book may be located outside of the state as long as they are not used to process sports wagers. The board may approve of the use of internet or cloud-based hosting of duplicate data or data not related to transactional wagering data upon written request of an operator or licensee.

W. All sports wagering mechanisms shall be submitted to a designated gaming laboratory for testing and required certification prior to being placed at a licensed premise. A designated gaming laboratory shall certify that the sports wagering mechanism meets or exceeds the most current board approved version of standards for sports wagering mechanisms, or equivalent standards as approved by the board, and the standards established by the board or the division.

X. System Integrity and Security Assessment

1. Operators of online sports wagering shall, within 90 days of commencing sports wagering operations in this state and annually thereafter, perform a system integrity and security assessment of sports wagering platforms and systems which shall be conducted by an independent professional selected by the licensee and subject to approval of the division. The scope shall include, at a minimum: a vulnerability assessment of digital platforms, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities of all devices, the sports wagering platform, and applications transferring, storing, and/or processing personal identifying information and other sensitive information connected to or present on the networks; a penetration test of all digital platforms, mobile applications, internal, external, and wireless networks to confirm if identified vulnerability of all devices, the sports wagering platform, and applications are susceptible to compromise; a review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets performed on all the perimeter firewalls and the internal firewalls; a technical security control assessment against the provisions adopted in these rules with generally accepted professional standards and as approved by the board; an evaluation of information security services, cloud services, payment services (financial institutions, payment processors, etc.), location services, and any other services which may be offered directly by the operator or involve the use of third parties; and any other specific criteria or standards for the sports wagering platform integrity and security assessment as prescribed by the board. The assessment report shall be submitted to the division no later than 30 days after the assessment is conducted (and in no event later than July 1) and shall include, at a minimum: scope of review; name and company of affiliation of who conducted the assessment; date of assessment findings; recommended corrective action, if any; and the operator's response to the findings and recommended corrective action.

2. Consistent with Chapter 28 of Part III of this Title, licensees conducting sports wagering at its licensed premises shall perform a system integrity and security assessment of sports wagering platforms and systems used for conducting retail sports wagering, which shall be completed by an independent professional selected by the licensee and subject to approval of the division. No later than 36 months from its last assessment, the licensee shall submit the results of an independent system integrity and security assessment to the division for review, subject to the following requirements:

- a. the testing organization must be independent of the licensee and casino operator;

b. results from the network security risk assessment shall be submitted to the division no later than 90 days after the assessment is conducted;

c. at the discretion of the division, additional network security risk assessments may be required; and

d. a licensee shall periodically, but no later than 36 months from its last assessment, assess the risk to operations, assets, patrons, employees, and other individuals or entities resulting from the operation of the casino's computer systems and the processing, storage, or transmission of information and data. The assessment shall be documented and recorded in a manner that can be displayed or printed upon demand by the board or division and shall be maintained for a period of five years. Licensees shall assess the collection of personnel and patron data annually to ensure that only information necessary for the operation of the business is collected and maintained. No unnecessary personal information shall be retained.

3. The licensee may submit for approval a request to the division to leverage the results of prior assessments within the past year conducted by the same independent professional against standards such as ISO/IEC 27001, ISO/IEC 27017, ISO/IEC 27018, the NIST Cybersecurity Framework (CSF), the Payment Card Industry Data Security Standards (PCI-DSS), or equivalent. Such leveraging shall be noted in the independent professional's report. This leveraging does not include critical components unique to the state which will require more current and separate assessments.

Y. Sports wagering platforms and systems shall provide a mechanism for the board or division to query and export, in a format approved by the board or division, all sports wagering platform data.

Z. The sports wagering platform and systems shall be designed in a way to comply with all federal requirements including, but not limited to suspicious wagering activity; Title 31 of the United States Code; and W-2G reporting.

AA. Upon request by the division, sports wagering operators shall create test accounts for the division's use to conduct compliance inspections and testing of the sports wagering platform.

BB. The licensee may establish test accounts to be used to test the various components and operation of a sports wagering platform pursuant to its division approved internal control procedures which must address procedures for identifying test accounts, issuing funds, maintaining proper records for all test accounts and conducting audits of all test activity to ensure proper adjustments to gross sports wagering revenue and any additional requirements specified by the division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:67 (January 2022).

§903. Sports Wagering Platform Change Management Program

A. Prior to offering sports wagering, the licensee shall submit change control processes to the board or division for approval which detail evaluation procedures for identifying

the criticality of updates and determining the updates that must be submitted to the independent testing laboratory for review and certification. These processes must be:

1. developed in accordance with the minimum guidelines for change management established by the division and any future amendments and updates thereto; and

2. certified prior to its deployment and is subject to an audit at any time by the division or its designee which may be a designated gaming laboratory.

B. The division may require on an annual basis that each product operating under the certified change control processes must be fully certified to the specifications set forth in these rules and other technical specifications as prescribed by the division or board and accompanied by formal certification documentation from the designated gaming laboratory. The licensee shall be allowed to seek approval for extension beyond the annual approval if hardship can be demonstrated. Granting of a hardship waiver is the sole discretion of the division.

C. The operator shall identify and classify all components of the sports wagering platform operated under the approved Change Management Program as part of the initial certification and configuration baseline of the platform and aid the designated testing laboratory as needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:70 (January 2022).

§905. Information Security Management and Data Security

A. The licensee shall implement, maintain, regularly review and revise, and comply with a comprehensive Information Security Management System (ISMS), the purpose of which shall be to take reasonable steps to protect the confidentiality, integrity, and availability of personal identifying information of individuals who place a wager with the licensee, and shall contain administrative, technical, and physical safeguards appropriate to the size, complexity, nature, and scope of the operations and the sensitivity of the personal information owned, licensed, maintained, handled, or otherwise in the possession of the licensee. Additional ISMS specifications may be adopted by the division or board.

B. Licensees and operators shall comply with all applicable state and federal requirements for data security.

C. Logging of sports wagering platform data

1. All sports wagering platforms shall be designed to ensure the integrity and confidentiality of all patron communications and ensure the proper identification of the sender and receiver of all communications. If communications are performed across a public or third-party network, the system shall either encrypt the data packets or utilize a secure communications protocol to ensure the integrity and confidentiality of the transmission.

2. Sports wagering platforms shall employ a mechanism capable of maintaining a separate copy of all of the information required to be logged in this Section on a separate and independent logging device capable of being administered by an employee with no incompatible function.

If the sports wagering platforms can be configured such that any logged data is contained in a secure transaction file, a separate logging device is not required.

3. Operators shall provide upon request, in a format required by the board, all online sports betting system data. Sports betting system data includes, but is not limited to, employee data and logs, geo-fence logs, player activity and betting information, and event logs related to the operator's Louisiana sports wagering operations.

4. Requirements for system specifications and sports wagering platform logging shall be detailed in internal controls.

D. The sports wagering platform shall provide a logical means for securing individual and player data and wagering data, including accounting, reporting, significant event, or other sensitive information, against alteration, tampering, or unauthorized access.

E. The licensee shall describe its process for the backup and recovery of the required sports wagering platform data in its approved internal controls. Any changes to the process shall be approved by the division prior to the changes being implemented on the platform.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:70 (January 2022).

§907. Defective and Malfunctioning Devices, Equipment, and Accessories

A. Operators shall document and maintain any system malfunction or deviation from the sports wagering platform and maintain the data for a minimum period of three years.

B. The sports wagering platform must have sufficient redundancy and modularity so that if any single component or part of a component fails, the functions of the internet sports betting platform and the process of auditing those functions can continue with no critical data loss. If two or more components are linked, the process of all internet sports betting operations between the components must not be adversely affected by restart or recovery of either component and upon restart or recovery, the components must immediately synchronize the status of all transactions, data, and configurations with one another.

C. A business continuity and disaster recovery plan must be in place to recover sports wagering operations conducted under the Act if the sports wagering platform's production environment is rendered inoperable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:71 (January 2022).

§909. Sports Wagering Platform Reporting

A. Sports wagering platforms shall be able to generate reports supporting gross revenue of all wagers placed by patrons, wagering liability, winnings, and any other reports considered necessary by the board or division or as required by the internal controls. The reporting must be done on a form and in the manner prescribed by the division.

B. The sports book system shall generate the following daily reports for each in-person and online operation, including the gaming date, in a format approved by the division:

1. a sports wagering detail report or similar approved report by the division, which includes the following transaction information:

- a. transaction time;
- b. patron account identifier (for online operations);
- c. wager identification number;
- d. event type;
- e. wager description;
- f. event date;
- g. wager placed amount;
- h. wager paid amount;
- i. voided wager amount;
- j. canceled wager amount;
- k. resettled wager adjustment amount; and
- l. transaction impact on sports pool revenue;

2. a sports voided wager report or similar approved report by the division, which shall include the following:

- a. transaction time;
- b. patron account identifier (for online operations);
- c. ticket wager identification number;
- d. date and time of issuance;
- e. time of void;
- f. event type;
- g. wager description;
- h. event date;
- i. wager amount;
- j. for retail, cashier employee name or identification number; and
- k. reason for void;

3. a sports canceled wager report or similar approved report by the division, which shall include the following:

- a. transaction time;
- b. patron account identifier (for online operations);
- c. ticket wager identification number;
- d. date and time of issuance;
- e. event type;
- f. wager description;
- g. event date;
- h. wager amount; and
- i. reason for cancellation; and

4. a sports pool resettlement report or similar approved report by the division, which shall include the following:

- a. patron account identifier (for online operations);
- b. wager identification number;
- c. event type;
- d. wager description;
- e. date and time of initial settlement;
- f. date and time of resettlement;
- g. unsettled amount;
- h. resettled amount; and
- i. net adjustment.

C. The sports wagering system shall generate, on a monthly basis, both a retail sports pool wager liability report or similar approved report by the division and an online sports pool wager liability report or similar approved report by the division, as applicable, in a format approved by the division. The report(s) shall be generated for the last day of each month and shall also be produced upon demand, as requested by either the division or the sports wagering licensee. The report(s) shall include the:

1. date generated;
2. patron account identifier (for online operations);
3. wager identification number;
4. event type;
5. wager description;
6. date and time of issuance;
7. event date;
8. amount; and
9. status (for example, pending or complete).

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:71 (January 2022).

Chapter 11. Procedures; Access; Investigations

§1101. Access to Premises and Records

A. The board and division, upon displaying proper credentials, shall be given immediate access to any premises, sports wagering platform, and geolocation systems to be used in the operation of an applicant or licensee or permittee for the purpose of inspecting or examining:

1. premises, sports wagering platforms, geolocation systems, etc. belonging to or under the control of or related to the operation of sports wagering and any activity relating to the provisions of the Act and these regulations;
2. records or documents required to be kept under the provisions of the Act and these regulations;
3. gaming equipment to be used in the licensed operation; or
4. the conduct of any gaming activity in the licensed operation.

B. The board and division are empowered to inspect, examine, audit, photocopy and if necessary seize, all papers, books, records, documents, information and electronically stored media of an applicant or licensee or permittee pertaining to the operation or activity on all premises where such information is maintained. The division shall provide an evidence receipt to the applicant or licensee or permittee providing a general description of all documents and items seized.

C. Board and division agents shall have unrestricted contemporaneous access to all records, data, documents and electronic media of a licensee or permittee and its operation.

D. Failure to allow access and inspection as provided in this Section may constitute grounds for delaying consideration of the application, denial of the application, or administrative action against the licensee or permittee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:72 (January 2022).

§1103. Refusal to Answer

A. Refusal to provide information to, answer questions of, or cooperate in any investigation by the division or board, or a claim of privilege with respect to any testimony or evidence, may constitute sufficient grounds for denial of the application or administrative action including revocation, suspension, and penalty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:72 (January 2022).

§1115. Assisting in or Notification of Violations

A. No licensee or permittee or their employee, agent, or representative shall assist another person in violating any provision of the Act or these regulations; any order, authorization or approval from the board or division; or the internal controls. Such assistance shall constitute a violation of these regulations.

B. It is incumbent upon a licensee or permittee and their employee, agent, or representative to promptly notify the division of any possible violation of any federal, state or municipal law, the Act, these regulations, any order, authorization or approval from the board or division, or the internal controls.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:72 (January 2022).

Chapter 13. Hearings; Administrative Actions; Penalties

§1301. Administrative Actions

A. The board or division may initiate administrative action authorized by the Act for any violation of the Act or of the rules after notice of the proposed administrative action and after opportunity to request a hearing before the board.

B. The board or division may initiate administrative action authorized by the Act for any violation of any condition, restriction, or limitation imposed by the board on a license or permit.

C. The board or division may initiate administrative action against a licensee, permittee, or person required to submit to suitability by the Act or these regulations who, or whose affiliate or parent company, has been subject to administrative action in another jurisdiction for gaming related activity.

D. The board or division may initiate administrative action authorized by the Act for violation of a licensee's or permittee's internal controls as approved by the division.

E. Administrative action includes revocation, suspension, finding of unsuitability, or conditioning of a license or permit, imposition of a civil penalty or such other costs as the board or division deems appropriate. The board or division may determine the appropriate sanction considering factors contained in the Act including, but not limited to:

1. the risk to the public and the integrity of sports wagering operations created by the conduct;
2. the seriousness of the conduct and whether the conduct was purposeful and with knowledge that the conduct was in violation of the Act or rules promulgated in accordance with the Act;
3. a justification or excuse for the conduct;
4. the history of the licensee or permittee with respect to gaming activity and the operation of sports wagering;
5. the corrective action taken to prevent similar misconduct from occurring in the future;

6. whether there was any material involvement, directly or indirectly, with the licensee or permittee by a disqualified person as defined in the Act; and

7. in the case of a civil penalty or fine, the amount of the fine in relation to the severity of the misconduct and the financial means of the licensee or permittee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:72 (January 2022).

§1303. Civil Penalties

A. Pursuant to R.S. 27:15, and these regulations, the board or division may impose a civil penalty as provided for in Part III of this Title and in the penalty schedule contained in this Section.

B. The penalty schedule lists a base fine and proscriptive period for each violation committed by the licensee or permittee. If the total amount of the penalty or penalties recommended by the division resulting from an inspection or investigation exceeds \$300,000, the matter shall be forwarded to the board for administrative action.

C. The proscriptive period is the amount of time in which a prior violation is still considered active for purposes of consideration in assessment of penalties. A prior violation is a past violation of the same type which falls within the current violation's proscriptive period. The date of a prior violation shall be the date the licensee or permittee receives the significant action report or violation/inspection report. If one or more violations exist within the proscriptive period, the base fine shall be multiplied by a factor based on the total number of violations within the proscriptive period.

D. A violation of §2931 of Part III of this Title may result in a civil penalty in the same amount as provided in the penalty schedule for the respective violation.

E. Penalty Schedule

Section Reference	Description	Proscriptive Period (Months)	1st
Louisiana Administrative Code, Title 42, Part VI			
42:VI.501(D)	Prohibited Person Placing a Sports Wager	12	\$10,000
42:VI.505(A)	Person Placing a Sports Wager While Located in a Parish that Voted Against Sports Wagering	12	\$10,000

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 48:73 (January 2022).

Ronnie Johns
Chairman

2201#012

RULE

**Department of Revenue
Office of Alcohol and Tobacco Control**

**Direct Delivery of Alcohol—Third Party Service Permit
(LAC 55:VII.807)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 26:792, the Department of Revenue, Office of Alcohol and Tobacco Control (ATC), has amended LAC 55:VII, Subpart 3, Beer and Liquor, Chapter 8, §807, relative to the regulation of retailers contracting with a third party for the direct delivery of alcohol. The basis and rationale for the intended action is to protect both retailers and third parties who are acting in good faith. This Rule is promulgated in accordance with the authority delegated in R.S. 26:307(E) and R.S. 26:308(E) that allow the commissioner to promulgate rules related to the requirements and qualifications for delivery of alcoholic beverages. This Rule is hereby adopted on the day of promulgation.

**Title 55
PUBLIC SAFETY**

Part VII. Alcohol and Tobacco Control

Subpart 1. Beer and Liquor

Chapter 8. Direct Delivery of Alcohol

§807. Third Party Alcohol Delivery Service Permit

A. - I.1.c. ...

2. A retailer may enter into a contract with a third party for a fixed fee for services, but the fee shall not be based on a percentage of the total receipt as required in R.S. 26:308(E).

J. - J.2. ...

3. The retailer is responsible for ensuring that the price of the alcoholic beverage product on the third party application is the same as the price the product is advertised and sold at retail by retail dealer. A contract with a third party shall not dictate the price the retailer sets for the alcoholic beverage product. The retailer and the third party shall comply with the requirements of R.S. 26:150, R.S. 26:153 (C)(3) and R.S. 26:308(C)(12)(b).

4. If the retailer gives good faith notice to the third party of a price discrepancy between the beverage product on the third party application and the product as advertised and sold at retail by retail dealer, the third party is responsible for correcting the error on the third party application within a reasonable time. Good faith compliance with statutory regulation is required as a condition of continued good standing and approval of a class D-T third party alcohol delivery permit.

5. The third party delivery company must notify the retailer in writing that the retailer is prohibited from profit sharing with the third party and is prohibited from paying a

percentage of the total receipts for alcoholic beverages as a requirement of any contract with the third party. The retailer and the third party shall comply with the requirements of R.S. 51:411, R.S. 51:1402, and R.S. 51:1405.

K. - N. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 26:307 and R.S. 26:308.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Office of Alcohol and Tobacco Control, LR 40:83 (January 2021), amended LR 48:73 (January 2022).

Linda Pham
Attorney Supervisor

2201#006

RULE

Department of State Office of the Secretary of State

Remote Online Notarization (LAC 46:XLVI.144)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), and under the authority granted in R.S. 35:624, the Office of the Louisiana Secretary of State has adopted rules regarding the practice of remote notarization for commissioned notaries public in the state of Louisiana. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONS AND OCCUPATIONAL STANDARDS

Part XLVI. Notaries Public

Chapter 1. Notaries Public

§144. Authority to Perform Remote Online Notarization

A. A notary public who has been duly appointed and commissioned as provided for under R.S. 35:191, who currently holds a valid commission as provided by R.S. 35:191(A)(3), and whose authority to exercise the functions of a notary public is not suspended may be authorized by the secretary of state to perform remote online notarization upon satisfaction of the following requirements:

1. submitting an application using the form provided by the secretary of state for authorization to perform remote online notarization during the term of that notary public's commission;

2. successfully completing an education program provided by the secretary of state covering the statutes and rules governing the remote online notarization;

3. paying a one-time fee of \$100 to the secretary of state upon filing the application for authorization to perform remote online notarization.

B. A notary public authorized to perform remote online notarization may do so for as long as:

1. the notary maintains a valid notarial commission as provided by R.S. 35:191(A)(3);

2. the authority of the notary to perform notarial functions is not suspended; and

3. the authority of the notary to perform remote online notarization has not suspended or revoked.

C. Identity proofing shall be performed through either of the following:

1. dynamic knowledge-based authentication that is performed through the administration of a quiz completed by the party or witness whose identity is being verified that satisfies the following requirements:

a. the quiz shall consist of five questions related to the personal history or identity of the party or witness, formulated from public or proprietary data sources;

b. each question shall contain a minimum of five possible answer choices;

c. all questions must be answered within two minutes; and

d. following a failed attempt by a party or witness, the quiz may be administered no more than once within a 24-hour period. The second administration may consist of no more than 40 percent of the questions presented during the first administration;

2. analysis of biometric data, including facial recognition, voiceprint analysis, or fingerprint analysis.

D. Credential analysis shall ensure that the credential is unexpired, government-issued identification credential that contains the photograph and signature of the party or witness whose identity is being verified by a process that does both of the following:

1. uses automated software processes to aid the notary public in verifying the identity of a party or any witness; and

2. ensures the credential passes an authenticity test consistent with sound commercial practices that meet the following requirements:

a. confirms the integrity of visual, physical, or cryptographic security features;

b. confirms that the credential is not fraudulent or modified in a manner not authorized by the issuing authority;

c. confirms the validity of personal information set forth on the credential when the issuing authority provides access to the information;

d. provides output of the authenticity test to the notary public.

e. enables the notary public to visually compare the information and photo presented on the credential itself and the party or witness as viewed by the notary public through substantially simultaneous audio-visual transmission; and

f. enables the notary public to determine that the party or witness is in possession of the credential at the time of their remote online notarization.

E. Communication technology systems used to perform remote online notarization to do each of the following:

1. provide sufficient video resolution and audio clarity to enable the notary public, the party, and any witness to engage in substantially simultaneous communication by sight and sound;

2. provide sufficient captured-image resolution for credential analysis to be performed in accordance with Paragraph D.2 of this Section;

3. include a communication encryption protocol and means of authentication that reasonably ensures that only the parties, participating witnesses, and notary public have access to the audio-video communication;

4. ensure that the electronic record that is presented for remote online notarization is the same record electronically signed by the party;

5. create and store or transmit securely to be stored an electronic recording of the audio-video communication, keeping confidential the questions asked as part of any identity-proofing process and the means and methods used to generate the credential analysis output; and

6. prevent unauthorized access to all of the following:

a. the live transmission of the audio-video communication;

b. any recording of the audio-video communication being stored or being transmitted by the communication technology;

c. the verification methods and credentials used to verify the indemnity of the party; and

d. the instrument presented for electronic notarization.

7. provide for the notary public to maintain in the notary's records a copy of the remote online notarial act;

8. provide the notary public a method of generating a paper copy of the remote notarial act;

9. provide the notary public a detailed audit record of the remote online notarization;

10. provide a means by which the notary public is able to add a statement to any document being notarized that the act is a remote notarial act;

11. provide a mean by which the notary public is able to attach the notary public's electronic signature and insert the notary public's identifying information into the remote online notarial act;

12. provide a means by which each party and each witness can attach such person's electronic signature; and

13. provide a means by which the notary public can digitally sign the remote online notarial act in a manner that renders any subsequent change or modification of the remote online notarial act to be evident.

F. The Secretary of State shall maintain a registry of identity-proofing, credential-analysis, and communication providers who have certified by affidavit that their technologies meet the minimum requirements set forth in Subsections C and D of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 35:624 and R.S. 49:222.

HISTORICAL NOTE: Promulgated by the Department of State, Commercial Division, LR 48:74 (January 2022).

R. Kyle Ardoin
Secretary of State

2201#009

Notices of Intent

NOTICE OF INTENT

Department of Agriculture and Forestry
Office of Agriculture and Environmental Sciences

Horticulture and Quarantine Programs
Citrus Greening and Citrus Canker Disease Quarantine
(LAC 7:XV.127)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:1652, notice is hereby given that the Department of Agriculture and Forestry ("Department") intends to adopt the Rule set forth below expanding a previously established quarantine for citrus greening disease ("CG"), also known as Huanglongbing disease of citrus, caused by the bacterial pathogen *Candidatus Liberibacter* spp. The existing quarantine presently includes the parishes of Orleans, Washington, Jefferson, St. Bernard and Plaquemines. This proposed Rule expands the quarantine to include St. Charles Parish.

The proposed Rule also adds a portion of St. Martin parish to the list of parishes under quarantine for Citrus Canker Disease ("CC") caused by the bacterial pathogens *Xanthomonas axonopodis* pv. *citri* and *Xanthomonas axonopodis* pv. *aurantifolii*. The existing quarantine presently includes the parishes of Orleans, St. Bernard, Plaquemines, Jefferson, Lafourche, St. Charles, St. James, and St. John. The state entomologist has determined that CG and CC have been found in this state and may be prevented, controlled, or eradicated by quarantine.

CG and CC pose an imminent peril to the health and welfare of the Louisiana commercial citrus industry due to its ability to infest rutaceous plants. This industry has a farm value of \$2.4 - \$5 million in southeastern Louisiana in the form of citrus nursery stock, and \$5.1 million in the form of commercial citrus fruit in the state. CG renders the fruit unmarketable and ultimately causes death of infested plants. CC causes premature leaf and fruit drop, twig dieback and tree decline in citrus trees and is spread by wind-driven rain or through the movement of infected plants. Failure to prevent, control, or eradicate these pest threatens to destroy Louisiana's commercial citrus industry and the growing and harvesting of citrus by citizens of Louisiana for their own private use.

Louisiana's commercial citrus industry adds \$7.5 - \$10 million dollars to the state's agriculture economy each year. Sales of citrus trees and plants by nursery stock dealers to private individuals also are important to the state's economy. The loss of the state's commercial citrus industry and privately owned citrus trees and fruit would be devastating to the state's economy and to its private citizens. The quarantine established by this regulation is necessary to prevent the spread of CG and CC in Louisiana outside of the current areas where this disease has already been found.

Title 7

AGRICULTURE AND ANIMALS

Part XV. Plant Protection and Quarantine

Chapter 1. Crop Pests and Diseases

Subchapter B. Nursery Stock Quarantines

§127. Citrus Nursery Stock, Scions and Budwood

A. - C.6. ...

D. Citrus Greening

1. ...

2. Quarantined Areas. The quarantined areas in this state are the parishes of Orleans, Washington, Jefferson, St. Bernard, Plaquemines, St. Charles and any other areas found to be infested with CG. The declaration of any other specific parishes or areas shall be published in the official journal of the state and in the *Louisiana Register*.

D.3. - E.3.d.iii.(b). ...

F. Citrus Canker Disease Quarantine

1. - 3. ...

4. Quarantined areas in this state include:

a. ...

b. the portion of St. Martin Parish bounded by a line beginning at the intersection of Smede Hwy. and Vieux Chene Drive; then head east on Smede Hwy. to Duchamp Road; from Duchamp Road, head north to the GPS coordinates 30.097187, -91.922952; then head west in a straight line to GPS coordinates 30.097103, -91.929205; then head south to the intersection of Smede Hwy. and Vieux Chene Drive.

c. A declaration of quarantine for CC covering any other specific parishes or areas of this state shall be published in the official journal of the state and in the *Louisiana Register*.

F.5. - G.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1652.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agricultural and Environmental Sciences, LR 11:319 (April 1985), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 40:1308 (July 2014), LR 42:730 (May 2016), LR 44:439 (March 2018), LR 45:1435 (October 2019), LR 48:

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 Tina Peltier, Director of the Horticulture Commission, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 3002, Baton Rouge, Louisiana 70806 and must be received no later than 4 p.m. on February 10, 2022. All written comments must be signed and dated.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Horticulture and Quarantine Programs Citrus Greening and Citrus Canker Disease Quarantine

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will not result in additional expenditures or savings for state or local governmental units. The proposed rule change just adds St. Charles parish to the list of parishes quarantined for Citrus Greening (CG) and adds a portion of St. Martin Parish to the existing quarantined areas for Citrus Canker Disease (CC).

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Citrus nursery stock producers will be directly affected by the proposed rule. The proposed rule adds St. Charles Parish to the list of parishes quarantined for CG. Therefore, citrus

nursery stock cannot be shipped outside of St. Charles Parish unless it is going to another parish also under the CG quarantine. The proposed rule will require citrus nursery stock producers selling, moving, or distributing citrus nursery stock within a CG quarantined area to be tagged with a label warning the consumer about the movement restrictions under the quarantine. The citrus nursery stock producer will be responsible for the cost of the label/tag. A survey of citrus nursery stock producers showed the average price of a tag is 5 cents. The proposed rule also adds a portion of St. Martin parish to the list of parishes under quarantine for CC but does not affect any citrus nursery stock producers because there are no producers located in the new quarantine area in St. Martin parish. Limiting the spread of CC and CG will protect Louisiana's citrus industry, which currently has a farm value of \$2.4 - \$5 million in southeastern Louisiana in the form of citrus nursery stock, and \$5.1 million in the form of commercial citrus fruit in the state.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will not affect competition and employment.

Dane K. Morgan
Assistant Commissioner
2201#033

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences

Minimum Specifications for Termite Control Work (LAC 7:XXV.141)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:3366, notice is hereby given that the Department of Agriculture and Forestry ("Department") intends to amend LAC 7:XXV.141(J) to revise references to another rule. Currently the Rule references in place make reference to a rule number that does not exist. It is believed that with previous rule changes the letter reference was inadvertently not changed to reflect the correct Rule. The only thing being modified with this rule change is changing the letter "K" to "J" when referencing the Rule. There are no substantive changes with this Rule.

Title 7

AGRICULTURE AND ANIMALS

Part XXV. Structural Pest Control

Chapter 1. Structural Pest Control Commission

§141. Minimum Specifications for Termite Control Work

A. - J.7.a. ...

b. Rod under or drill through abutting slab(s) and treat all areas in the abutting slab(s) within the 20 feet as required in LAC 7:XXV.141.J.7.a. When the abutting slab is drilled, the holes shall be no more than 18 inches apart, unless label requires closer distance along the above stated areas.

J.7.c. - J.8.c. ...

9. Combination liquid spot and bait and baiting systems treatment of existing slab-type construction and pier-type construction without live subterranean termite

infestation(s) shall bait following the label and labeling and liquid treat as required in LAC 7:XXV.141.J.7.c-e.

10. Whenever any property under a combination liquid spot and bait and baiting systems treatment contract becomes infested with subterranean termites, the operator shall treat the property according to the minimum specifications as stated in LAC 7:XXV.141.J.

K. - M.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:330 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:958 (November 1989), LR 20:644 (June 1994), LR 21:931 (September 1995), LR 23:1285 (October 1997), LR 25:235 (February 1999), LR 25:1620 (September 1999), LR 26:2437 (November 2000), LR 27:1180 (August 2001), LR 29:1063 (July 2003), LR 30:1145 (June 2004), repromulgated LR 30:1614 (August 2004), amended LR 35:207 (February 2009), LR 35:1469 (August 2009), repromulgated LR 35:1872 (September 2009), amended, LR 37:286 (January 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:301 (February 2013), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:1413 (June 2013), LR 41:333 (February 2015), LR 42:214 (February 2016), LR 46:1542 (November 2020), LR 47:1100 (August 2021), LR 48:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable impact on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no adverse impact on small 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 impact on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rule via U.S. Mail or hand delivery. Written submissions must be directed to Kelly Moore, Director, Structural Pest Control, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 3000, Baton Rouge, LA 70806 and must be received no later than 4 p.m. on February 10, 2022. All written comments must be signed and dated.

Public Hearing

A public hearing will be held on Friday, February 25, 2022, at 9 a.m. in the Veterans' Auditorium at the Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Kelly Moore at the address given above in Public Comments Section or at (225) 952-8100.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Minimum Specifications for Termite Control Work

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule will have no associated costs or savings to the Louisiana Department of Agriculture and Forestry (LDAF) other than the cost of rule promulgation in FY 22, which is normally included in the department's annual operating budget. The proposed rules will have no associated costs or savings to local governmental units. The proposed rules revise references to another rule. Currently, the rule references rule numbers that do not exist. It is believed that with previous rule changes the letter reference was inadvertently not changed to reflect the correct rule. The only thing being modified with this rule change is changing the letter "K" to "J" when referencing the rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is not anticipated to have any effect on revenue collections for state or local governmental entities.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated additional costs or economic benefits to affected small businesses, or non-governmental groups as a result of the proposed rules.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to impact competition and employment.

Dane K. Morgan
Assistant Commissioner
2201#034

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Agriculture and Environmental Sciences**

**Minimum Specifications for Termite
Control Work within Each District
(LAC 7:XXV.141)**

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority set forth in R.S. 3:3366, notice is hereby given that the Department of Agriculture and Forestry ("Department") intends to amend LAC 7:XXV.141 to revise the district offices to align them with the current Agricultural and Environmental Sciences ("AES") districts. Until recently, AES field units were separated into seven individual districts which were as follows: Alexandria District - 7 parishes, Baton Rouge District - 16 parishes, Crowley District - 6 parishes, Monroe District - 15 parishes, New Orleans District - 6 parishes, Opelousas District - 7 parishes, and Shreveport District - 7 Parishes. The districts and inspector coverage were not evenly proportioned so the AES districts were redrawn to comprise of eight districts instead of seven. Five parishes from the Baton Rouge District were reallocated to the newly created Hammond District, which is the eighth district. Five parishes from the Monroe District were reallocated to the Shreveport and Alexandria Districts. These changes were imperative to make all of the AES districts more evenly distributed which will lead to more efficiency and efficacy in all AES programs. This rule change, even though it falls under Structural Pest Control, is simply a geographical change of districts and does not affect structural pest control regulations or specifications other than what district offices pretreatments should be called into.

Title 7

AGRICULTURE AND ANIMALS

Part XXV. Structural Pest Control

Chapter 1. Structural Pest Control Commission

§141. Minimum Specifications for Termite Control Work

A. - E.3. ...

4. All pre-treatment of slabs or pier type construction shall be called or faxed to the department's district office in which the pretreat occurs, a minimum of 1 hour prior to beginning the application of termiticides. The information provided shall include treatment company name; treatment structure street address, city, zip code, parish; if available; and/or directions to the property being pre-treated; date and time of beginning the application of termiticides to the property; estimated square or linear footage of each structure to be treated; and number of reported structures. All pest

control operators shall keep a log of all pretreats including the information noted. The following is a list of parishes in each of the department's eight district offices. Pretreatments in a parish shall be called into the corresponding district office:

a. Shreveport District—Caddo, Bossier, Webster, Claiborne, Bienville, Jackson, Winn, Lincoln, Red River, and Desoto;

b. Monroe District—Union, Morehouse, West Carroll, East Carroll, Madison, Richland, Ouachita, Caldwell, Franklin, Tensas;

c. Alexandria District—Sabine, Natchitoches, Grant, LaSalle, Catahoula, Concordia, Avoyelles, Rapides, and Vernon;

d. Crowley District—Beauregard, Allen, Acadia, Jefferson Davis, Cameron, Calcasieu;

e. Opelousas District—Evangeline, St. Landry, St. Martin, Iberia, St. Mary, Vermilion, and Lafayette;

f. Baton Rouge District—Pointe Coupee, West Feliciana, East Feliciana, St. James, Lafourche, Terrebonne, Assumption, Ascension, Iberville, West Baton Rouge, and East Baton Rouge;

g. Hammond District—Livingston, St. Helena, Tangipahoa, Washington, and St. Tammany;

h. New Orleans District—St. John the Baptist, St. Charles, Jefferson, Orleans, St. Bernard, and Plaquemines.

F. - L.4. ...

5. The treatments of structures required in this Section shall be called or faxed to the department's district office in which the treatment occurs, a minimum of one hour prior to beginning the application of termiticides. The information provided shall include: treatment company name; treatment structure street address, city, parish; directions to the property being pre-treated; date and time of beginning the application of termiticides to the property; square or linear footage of the each structure to be treated; and number of structures. Permittees or licensees shall keep a log of all pretreats including the information noted. The following is a list of parishes in each of the department's eight district offices. Treatments in a parish shall be called into the corresponding district office:

a. Shreveport District—Caddo, Bossier, Webster, Claiborne, Bienville, Jackson, Winn, Lincoln, Red River, and Desoto;

b. Monroe District—Union, Morehouse, West Carroll, East Carroll, Madison, Richland, Ouachita, Caldwell, Franklin, Tensas;

c. Alexandria District—Sabine, Natchitoches, Grant, LaSalle, Catahoula, Concordia, Avoyelles, Rapides, and Vernon;

d. Crowley District—Beauregard, Allen, Acadia, Jefferson Davis, Cameron, Calcasieu;

e. Opelousas District—Evangeline, St. Landry, St. Martin, Iberia, St. Mary, Vermilion, and Lafayette;

f. Baton Rouge District—Pointe Coupee, West Feliciana, East Feliciana, St. James, Lafourche, Terrebonne, Assumption, Ascension, Iberville, West Baton Rouge, and East Baton Rouge;

g. Hammond District—Livingston, St. Helena, Tangipahoa, Washington, and St. Tammany;

h. New Orleans District—St. John the Baptist, St. Charles, Jefferson, Orleans, St. Bernard, and Plaquemines.

L.6. ... M.4.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:330 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:958 (November 1989), LR 20:644 (June 1994), LR 21:931 (September 1995), LR 23:1285 (October 1997), LR 25:235 (February 1999), LR 25:1620 (September 1999), LR 26:2437 (November 2000), LR 27:1180 (August 2001), LR 29:1063 (July 2003), LR 30:1145 (June 2004), repromulgated LR 30:1614 (August 2004), amended LR 35:207 (February 2009), LR 35:1469 (August 2009), repromulgated LR 35:1872 (September 2009), amended, LR 37:286 (January 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:301 (February 2013), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:1413 (June 2013), LR 41:333 (February 2015), LR 42:214 (February 2016), LR 46:1542 (November 2020), LR 47:1100 (August 2021), LR 48:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable impact on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Statement

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 impact 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 Dr. Ansel Rankins, Assistant Commissioner, Agricultural and Environmental Sciences, Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3000, Baton Rouge, LA 70806 and must be received no later than 4:00 p.m. on February 10, 2022. All written comments must be signed and dated.

Public Hearing

A public hearing will be held on Friday, February 25, 2022, at 9:00 a.m. in the Veterans' Auditorium at the Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Kelly Moore at the address given above in Public Comments Section or at (225) 952-8100.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Minimum Specifications for Termite Control Work within Each District

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rules will have no associated costs or savings to the Louisiana Department of Agriculture and Forestry (LDAF) other than the cost of rule promulgation in FY 22, which is normally included in the department's annual operating budget. The proposed rules will have no associated costs or savings to local governmental units.

The proposed rules restructure the existing seven (7) Agricultural and Environmental Sciences (AES) district offices into eight (8) district offices, whereby a new Hammond District office is created and the parish composition for the Shreveport, Baton Rouge, Monroe, and Alexandria district offices are being modified. AES districts are currently not evenly distributed. The Baton Rouge district and the Monroe district are the largest districts with the remaining five districts containing a smaller number of parishes each. Five parishes from the existing Baton Rouge district are being allocated to the new Hammond district. Also, five parishes from the Monroe district are being reallocated to the existing Shreveport and Alexandria districts. As a result, changes in the district parish distribution for both the Baton Rouge district and the Monroe district are imperative to make all of the AES districts and inspectors more evenly distributed which will lead to more efficiency and efficacy in AES programs. Existing inspectors will be utilized in the eight districts.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rules are not anticipated to have any effect on revenue collections for state or local governmental entities.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated additional costs or economic benefits to affected small businesses, or non-governmental groups as a result of the proposed rules.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)

The proposed rules are not anticipated to impact competition and employment.

Dane Morgan
Assistant Commissioner
2201#036

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Agro-Consumer Services**

Weights and Measures
(LAC 7:XXXV.103 and 117)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:4603 and 4608, notice is hereby given that the Department of Agriculture and Forestry (“Department”) and the Weights and Measures Commission intends to adopt the rule changes set forth below by amending LAC 7:XXXV. 103 and 117. The amendments to Section 103 and 117 add definitions that are currently contained in statute (La. R.S. 3:4602), and updates current definitions to include correct language. Further, the amendments to Section 117 modify the language used in the rule to be consistent with the new language in Section 103.

**Title 7
AGRICULTURE AND ANIMALS
Part XXXV. Agro-Consumer Services**

Chapter 1. Weights and Measures

§103. Definitions

A. Wherever in these regulations the masculine is used, it includes the feminine and vice versa; wherever the singular is used, it includes the plural and vice versa. The following words and phrases shall have the following definitions ascribed to them:

Basket—a one and one-half bushel circular container that may be used for the measurement of unshucked oysters to be sold or purchased.

Commercial Weighing and Measuring Device—weights, measures, and weighing and measuring devices, instruments, elements, and systems or portion thereof, used or employed in establishing the measurement or in computing any basic charge or payment for services rendered on the basis of weight or measure. As used in this definition, measurement includes the determination of size, quantity, value, extent, area, composition (limited to meat and poultry), constituent value (for grain), or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award.

Commissioner—the commissioner of the Department of Agriculture and Forestry, or his duly authorized representatives acting at his discretion.

Commodity—any service or item, or any combination of items, forming a distinctive product, sold in commerce which is affected by any determination of weight, measures, or count.

Department—the Louisiana Department of Agriculture and Forestry.

Director—the director of the weights and measures commission, appointed by the commissioner.

Net Weight—the weight of the commodity excluding any materials, substances, or items not considered to be part of the commodity. Materials, substances, or items not considered to be part of the commodity include but are not limited to containers, conveyances, bags, wrappers, packaging materials, labels, individual piece coverings, decorative accompaniments, and coupons.

NIST—the National Institute of Standards and Technology.

NTEP—National Type Evaluation Program administered through the National Conference on Weights and Measures.

NTEP Certificate of Conformance—a document issued by the National Conference on Weights and Measures, based on evaluation in participating laboratories. The document constitutes evidence that the device described in the certificate is capable of conformance with the requirements of the National Institute of Standards and Technology Handbook 44.

Package—any commodity packed or packaged in any manner in advance of sale in units suitable for either wholesale or retail sale.

Person—includes individuals, partnerships, corporations, companies, societies, and associations.

Petroleum Product—any refined hydrocarbon mixture including motor oil, kerosene, gasoline, gasohol, diesel fuel, aviation fuel, heating kerosene, and any blend of two or more refined hydrocarbon mixtures except liquefied petroleum gas and natural gas. For purposes of enforcement of the provisions of R.S. 47:818.111 et. seq., regarding taxes on special fuels, the term petroleum product shall include compressed natural gas, liquefied natural gas, and liquefied petroleum gas, as those terms are defined in R.S. 47:818.2.

Rack—a mechanism for delivering motor fuel from a refinery, terminal, marine vessel, or bulk plant into a transport vehicle, railroad tank car, or other means of transfer that is outside the bulk transfer/terminal system.

Sale or Sell—includes barter and exchange.

Scanner or Scanning Device—an electronic system that employs a visual code reading device to retrieve the item’s price electronically.

Service Agency—any person who, for hire, award, commission, or any other payment of any kind, installs, services, repairs, tests, calibrates, or reconditions any commercial weighing or measuring device and is registered under this Part.

Service Technician—any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs, tests, calibrates, or reconditions any commercial weighing or measuring device and is registered under this Part.

Weighmaster—any person who weighs, measures, or counts any commodity and issues a certificate of weight, measure, or count, except retailers who weigh, measure, or

count commodities for sale at retail directly to consumers, or a person engaged in the business of public weighing or measuring for hire.

Weight—as used in connection with any commodity means net weight; except where the label declares that the product is sold by drained weight, the term means net drained weight.

Weights, Measures, or Weighing and Measuring Devices—all weights, scales, scanners, taxi meters, beams, measures of every kind, instruments and mechanical devices for weighing or measuring, and any appliances and accessories connected with any such instruments. However, it does not include or refer to devices used to meter or measure, other than by weight; water, natural or manufactured gas, or electricity.

Visual Code Reading Device—a device that reads visual machine-readable codes that allows for comparison of the advertised price to the price for the item in the point-of-sale database.

Visual Machine-Readable Code—a unique symbol or symbols that may be read by a visual code reading device including, but not limited to, bar codes and QR codes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4603 (formerly R.S. 55:3).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Commission of Weights and Measures, LR 13:157 (March 1987), amended by Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1530 (December 1993), LR 23:857 (July 1997), LR 48:

§117. Visual Machine-Readable Code Devices and Labels

A. The price of a commodity or item offered for retail sale which is recorded utilizing a visual code reading device shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4608.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1533 (December 1993), amended LR 23:857 (July 1997), LR 48:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rule. Written submissions must be directed to Paul Floyd, Weights and Measures Program, Department of Agriculture and Forestry, 5825 Florida Boulevard, Suite 5000, Baton Rouge, Louisiana, 70806, and must be received by no later than 4 p.m. on the February 10, 2022.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Weights and Measures

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
The proposed rule changes are not anticipated to have any costs or savings to the Louisiana Department of Agriculture and Forestry ("LDAF"), other than the cost of promulgation for FY22, which is normally included in the agency's annual operating budget. The proposed rule adds definitions to Section 103 and Section 117 that are currently contained in La. R.S. 3:4602 as well as clarifies and updates current definitions to include the correct language. The proposed rule modifies the language used in Section 117 so that its consistent with the new language in the definitions section.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed rule changes are not anticipated to increase or decrease revenue collections of state or local governmental units. The proposed rule changes are intended to update and clarify current rules and regulations.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes are not anticipated to increase or decrease costs to the market.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to influence competition or employment.

Dane K. Morgan
Assistant Commissioner
2201#047

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Economic Development
Office of Business Development**

Quality Jobs Program (LAC 13:I.Chapter 11)

The Department of Economic Development, Office of Business Development, as authorized by and pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104, hereby proposes to amend the Rules for the Quality Jobs Program (LA R.S. 51:2451, et seq.) to better align the rules with current statutory provisions and administrative practices, as required by portions of Act 386 of the 2017 Regular Session and Act 29 of the 2020 First Extraordinary Session of the Louisiana Legislature.

Title 13

ECONOMIC DEVELOPMENT

Part I. Financial Incentive Programs

Chapter 11. Quality Jobs Program

§1101. General

A. - B.1. ...

2. The employer may be entitled to sales and use tax rebates or the project facility expense rebate—authorized in R.S. 51: 2456 (B) (1), in addition to the requirements of this Chapter.

C. Effective date of Act 387 of the 2007 Regular Session

1. The provisions of Act 387 shall apply to all advance notification filed prior to July 1, 2017, except as provided below.

2. - 4. ...

D. Effective date of Act 386 of the 2017 Regular Session

1. The provisions of Act 386 shall apply to advance notifications filed on or after July 1, 2017, except as provided below.

a. a COVID-19-impacted retail business, hotel or restaurant, that has no more than 50 employees nationwide including affiliates on the date of the filing of the advance notification and which is assigned a NAICS Code of 44, 45, 721, or 722, and which files or enters into an advance notification on or after July 1, 2020, and on or before December 31, 2021, shall be eligible for benefits. However, no such COVID-19-impacted business employer shall be eligible to earn benefits pursuant to the provisions of this Chapter after June 30, 2023.

2. The provisions of Act 387 shall apply to advance notifications for companies meeting the provisions of section 4 of Act 386, as approved by the department.

E. Effective date of the 2022 Quality Jobs Program rule changes.

1. The provisions of the 2022 Quality Jobs Program rule changes shall apply to advance notifications filed after the date of promulgation, detailed in the Louisiana Register published on (Month) 20, 2022, or unless otherwise stipulated by the Louisiana Legislature, in §1101.C and D.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Financial Incentives Division, LR 22:961 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2305 (November 2003), amended by the Office of Business Development, LR 37:2587 (September 2011), amended by the Department of Economic Development, Office of Business Development, LR 48:

§1103. Definitions

Act 386—Act 386 of the 2017 Regular Session of the Louisiana Legislature

* * *

Approved Rehire Employees—a former employee who was previously on the payroll of the Company, parent entity, subsidiary, or affiliate in Louisiana, but has been off such payroll for a period of at least twelve months, may be considered a New Direct Job if rehired into a position that is not part of the Baseline Jobs. When determining New Direct Job qualifications, the department shall consider all relevant factors including but not limited to; ES4's, W2's and Company re-hiring practices, and the intent of the program to permanently locate new or expand existing operations in Louisiana.

Basic Health Benefits Plan or the Health Insurance Coverage—that which is required to be offered shall include individual coverage for basic hospital care, coverage for physician care, and coverage for health care which shall be the same as that provided to executive, administrative, or professional employees. Coverage must become effective no later than the first day of the month 90 days after hire date. For companies subject to provisions of Act 386, the coverage shall be in compliance with federally mandated health care requirements but if no such federally mandated requirements exist, the coverage for the employer portion of employee only coverage shall have a value of at least one dollar and twenty-five cents per hour.

Benefit Rate—one of the following percentages:

1. contracts subject to the provisions of Act 386:

a. the benefit rate shall be 4 percent for new direct jobs which pay at least \$18 per hour in wages;

b. the benefit rate shall be 6 percent for new direct jobs which pay at least \$21.66 per hour in wages

2. contracts subject to the provisions of Act 387:

a. the benefit rate shall be 5 percent for new direct jobs which pay at least \$14.50 per hour in wages and health care benefits;

b. the benefit rate shall be 6 percent for new direct jobs which pay at least \$19.10 per hour in wages and health care benefits;

c. health care benefits paid shall be the value of the health care benefits plan elected by an employee, as determined by the department;

3. contracts not subject to the provisions of Act 386 or Act 387:

a. the benefit rate shall be 5 percent for new direct jobs which pay at least 1 3/4 times the federal minimum hourly wage rate;

b. the benefit rate shall be 6 percent for new direct jobs which pay at least 2 1/4 times the federal minimum hourly wage rate and meet one of the following criteria:

i. the new direct jobs are located in a distressed region, or at least 50 percent of the new direct jobs shall be filled by persons who reside in a distressed region;

ii. the new direct jobs are with an employer categorized in a traditional or seed cluster targeted by the department.

* * *

Corporate Headquarters of a Multi-State Business—a multi-state business whose primary function is identified by NAICS 55114.

COVID-19-Impacted Retail Business—a for-profit corporation, a limited liability company, a partnership, or a sole proprietorship that had a physical and active operation in Louisiana on March 13, 2020, and ceased operations due to either one of the governor's public health emergency proclamations or a mayor's proclamation or executive order related to the public health emergency, or a decrease in customer activity or the inability to retain sufficient staff due to the COVID-19 public health emergency, as approved by the Department.

* * *

Distressed Region—for companies subject to the provisions of Act 387, as designated by the department:

1. a parish with a per capita income in the lowest 25 percent of the parishes; or

2. a census tract and block group that is below the state median per capita income, based on the most recent federal decennial census.

Domicile—the place of a person's principal establishment or habitual residence. A change of domicile may be shown by positive and satisfactory proof of establishment of domicile as a matter of fact with the intention of remaining in the new place and of abandoning the former domicile. Such proof may include a sworn declaration of intent recorded in the parish to which a person intends to move, voter registration, or similar evidence of such intent. Workers in the United States who are working on an H-1B Visa are not deemed to be domiciled in Louisiana.

Employment Baseline—the median statewide number of employees of an employer, including affiliates, working the average hours per week required in §1105, excluding employees engaged in lines of business that the department determines are unrelated to the activities for which quality job program benefits are sought, during the payroll periods including the twelfth day of the month, in the last twelve months completed prior to the contract effective date (the median is calculated by discarding the months with the highest and lowest number of employees, and averaging the number in the remaining ten months). The employment baseline must be maintained in any year for which the employer requests payroll rebates. The employment baseline may be reduced by the number of employees retained and continued in employment for at least one year by an

unrelated third party business acquiring a site or line of business.

* * *

Multi-State Business—a business entity operating in more than one state, with a physical presence in more than one state, as approved by the department.

LED—the Louisiana Department of Economic Development

* * *

New Direct Job—employment at a Louisiana site:

1. of an employee:

a. whose domicile is in the state of Louisiana;

b. working the average hours per week required by §1105; and

c. who prior to the contract effective date was not on the payroll in Louisiana of:

i. the employer;

ii. the employer's parent entity, subsidiary, or affiliate; or

iii. any business whose physical plant and employees were or are substantially the same as those of the employer, unless either:

(a) there has been an arm's length transfer of ownership between unrelated companies (not affiliates), and either the location has been out of operations for at least three months; or

(b) the secretary determines that the jobs would have likely been lost to the state absent the transfer (under such circumstances jobs at the re-opened plant are deemed not to have previously existed for purposes of Subparagraph 2.b. below); or

(c) the employee is an Approved Rehire Employee.

2. in a job (a position of employment) that:

a. is with an employer that has qualified for the incentive rebate;

b. did not exist in this state prior to the advance notification being filed by the employer with the department pursuant to the provisions of R.S. 51:2455; and

c. is not part of the employment baseline;

d. is based at the project site, as determined by the department considering the employee's physical work site, the site to which the employee reports or which administers the employment, the site from which the employee receives work, and the nature of the business;

3. the following jobs are not new direct jobs:

a. jobs created as a result of the employer securing a contract to supply goods and services in the state of Louisiana, if another business was under an obligation to supply the same goods and services from a facility located in Louisiana and such obligation was terminated within three months prior to creation of the job by the employer;

b. jobs transferred, or jobs associated with work or sales transferred, from other Louisiana sites as a result of the employer (including affiliates) acquiring a business operation, or substantially all of its assets, and continuing the business operation.

Physical Presence—the department shall consider all relevant evidence in evaluating multi-state presence, including, but not limited to; the location of offices, facilities, tangible property and employees. Ancillary

services provided through use of technology, without more, shall be insufficient to establish a physical presence.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Financial Incentives Division, LR 22:961 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2306 (November 2003), amended by the Office of Business Development, LR 37:2588 (September 2011), amended by the Department of Economic Development, Office of Business Development, LR 48:

§1105. Qualified Employers

A. For companies subject to the provisions of Act 387, to qualify for a Quality Jobs Program contract, an employer must meet the following requirements.

1. - 5.d....

B. For companies subject to the provisions of Act 386, to qualify for a Quality Jobs Program contract, an employer must meet the following requirements.

1. Eligible Businesses. The nature of the employer's business must fall within one of the following categories;

a. the employer is in one of the following industries:

- i. biotechnology, biomedical, and medical industries serving rural hospitals;
- ii. micromanufacturing;
- iii. software, Internet or telecommunications technologies;
- iv. clean energy technology;
- v. food technologies; or
- vi. advanced materials;

b. the employer is a manufacturer whose primary function is identified by NAICS Codes 113310, 211, 213111, 541360, 311-339, 511-512, or 54171;

c. the employer is an oil and gas field services business identified by the NAICS Code 213112, that has Louisiana as the national or regional headquarters of a multi-state business whose service territory includes at least Louisiana and the Gulf of Mexico;

d. the employer is a business that has, or within one year will have, at least 50 percent of its total annual sales to:

- i. out-of-state customers or buyers;
- ii. in-state customers or buyers if the product or service is resold by the purchaser to an out-of-state customer or buyer for ultimate use; or
- iii. the federal government;
- iv. an independent Louisiana certified public accountant shall annually verify that the contract site meets the out-of-state sales requirement, in accordance with guidelines provided by the department;

e. the employer is a business that is located in a parish which is within the lowest 25 percent of parishes based on per capita income. An employer that qualifies for a contract under this Item at the time of the initial quality jobs contract executed pursuant to this Chapter shall remain qualified for a contract through and during the renewal period regardless of any change in the per capita income of the parish,

f. the employer is the corporate headquarters of a multi-state business;

g. the employer is a business that spends fifty percent or more of its time performing services for its out-of-state parent company. These services include, but are not limited to, legal, marketing, finance, information technology, order management, distribution center operations or overall operations support.

h. the employer is in the business of maintenance, repair, and overhaul operations for commercial transport aircraft.

2. Ineligible Businesses. The following employers or persons shall not be eligible for benefits provided under this Chapter:

a. retail employers identified by NAICS Code Sections 44 and 45, except that;

i. COVID-19-impacted retail employers identified by the NAICS Codes of 44 and 45 that have no more than 50 employees nationwide including affiliates on the date of the filing of the advance notification shall be eligible to participate in this rebate program if such employers file or enter into an advance notification on or after July 1, 2020, and on or before December 31, 2021. However, no such COVID-19-impacted retail business employer shall be eligible to earn benefits pursuant to the provisions of this Chapter after June 30, 2023;

b. business associations and professional organizations identified by NAICS Code 8139;

c. state and local government enterprises;

d. real estate agents, operators, and lessors;

e. automotive rental and leasing;

f. local solid waste disposal, local sewage systems, and local water systems businesses;

g. nonprofit organizations, unless the department determines that the new direct jobs created by the organization would have a significant impact on Louisiana;

h. employers engaged in the gaming industry identified by NAICS Code sections 713210 and 721120; and

i. professional services firms assigned a NAICS code beginning with 54, unless the business can demonstrate that more than fifty percent of its services are provided to out-of-state customers or for the corporate headquarters of a multi-state business or if the employer can demonstrate that the company has or will have one year sales of at least 50 percent of its total sales out-of-state customers or buyers, to in-state customers or buyers or buyers if the products or service is resold by the purchaser to an out-of-state customer or buyer for ultimate use, or to the federal government;

j. construction companies, unless the company is the corporate headquarters of a multi-state business or can demonstrate that the company has, or will have within one year, sales of at least fifty percent of its total sales to either out-of-state customers or the federal government;

k. all businesses assigned a NAICS code beginning with 5613;

l. medical professionals assigned a NAICS code beginning with 62, except for those engaged in biomedical industries, biotechnology industries or those who provide services to rural hospitals or those who provide services or will within one year provide services to a patient base made up of at least fifty percent out-of-state patients;

m. Out-of-state sales or out-of-state patient requirements can be demonstrated by submission of

documents including, but not limited to, a report issued by an independent Louisiana certified public accountant, in accordance with guidelines provided by the department.

3. Minimum New Direct Jobs and Annual Gross Payroll

a. New Direct Jobs. The employer must create a minimum of:

i. five new direct jobs for companies who employ 50 or fewer baseline employees, or

ii. 15 new direct jobs for companies who employ more than 50 baseline employees .

b. Annual Gross Payroll. The employer must have an annual gross payroll of:

i. equal to or greater than \$225,000, for companies who employ 50 or fewer employees prior to the beginning of the contract; or

ii. jobs equal to or greater than \$675,000, for companies who employ more than 50 employees prior to the beginning of the contract.

c. The employer shall have the required annual payroll for new direct jobs and the minimum number of new direct jobs for the employer's fiscal year for which the employer is applying for its third annual rebate, or the contract is cancelled and any rebates received must be repaid.

4. Full-Time Employee Work Hours

a. The employer must employ full-time employees working 30 or more hours per week in new direct jobs.

5. Health Benefits. The employer must offer, or will offer within 90 days of the contract effective date, a basic health benefits plan or health insurance coverage to the individuals it employs in new direct jobs, in compliance with federally mandated healthcare requirements or, if no federally mandated healthcare requirements exist, is determined to have a value of at least \$1.25 per hour. The employer must offer health insurance coverage for the dependents of full-time employees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Financial Incentives Division, LR 22:963 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2307 (November 2003), amended by the Office of Business Development, LR 37:2590 (September 2011), LR 42:865 (June 2016), amended by the Department of Economic Development, Office of Business Development, LR 48:

§1107. Application Fees, Timely Filing

A. ...

B. An application for the Quality Jobs Program must be filed with the Office of Business Development, Business Incentives Services, through the department's online Fastlane portal no later than 24 months after the department has received the advance notification and fee, except that upon request, a business shall receive a thirty-day extension of time in which to file its application, provided that the request for extension is received by the Department no later than the filing deadline. Failure to file an application within the prescribed timeframe will result in the expiration of the advance notification.

1. The application shall include a detailed project description clearly stating the nature and scope of the

proposed project. For example, whether the project is the construction of a new facility, renovation of an existing facility, or an increase in workforce. Where possible, identify specific project goals, milestones and costs that may be verified by both the department and LDR for subsequent contract compliance review.

2. Applications submitted by COVID-19 impacted retail businesses shall include support documentation evidencing a physical and active operation in Louisiana on March 13, 2020, and that it ceased operations due to either one of the governor's public health emergency proclamations or a mayor's proclamation or executive order related to the public health emergency, or a decrease in customer activity or the inability to retain sufficient staff due to the COVID-19 public health emergency.

C. - C.3. ...

D. An application to renew a contract shall be submitted with an application fee and filed within six months prior to the initial contract expiring. The board may approve a request for renewal of an expired contract filed less than five years after expiration of the initial contract, and may impose a penalty for the late filing of the renewal request, including a reduction of the 5-year renewal period.

1. The application for renewal shall include a detailed project description stating the nature and scope of the project.

E. ...

F. Applications may be deferred to a later board meeting date at the request of the applicant, but shall not exceed presentation at a board meeting occurring more than 6 months after the filing of the application, except as otherwise approved by LED.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Financial Incentives Division, LR 22:963 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2308 (November 2003), amended by the Office of Business Development, LR 37:2591 (September 2011), LR 41:1085 (June 2015), LR 42:865 (June 2016), amended by the Department of Economic Development, Office of Business Development, LR 48:

§1109. Application Review and Determination

A. - A.1. ...

2. The application packet must be completed through the department's online Fastlane portal by the due date. If the application is incomplete, the department may request additional information prior to further action. The application fee must accompany the application packet pursuant to §1107.C.

3. ...

4. LED reserves the right to request missing information, which shall be provided to LED within 60 days. Applications with missing or inadequate information after this time frame shall be considered late filings.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry,

Financial Incentives Division, LR 22:964 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2308 (November 2003), amended by the Office of Business Development, LR 37:2591 (September 2011), amended by the Department of Economic Development, Office of Business Development, LR 48:

§1111. Consultation with the LWC and the LDR

A. ...

B. The department must receive a letter-of-no-objection or a letter-of-approval from the LWC and the LDR, prior to submitting the application to the board for action. If LWC or LDR issues an objection to an application other than an objection because an applicant is in active negotiations with, under audit by or in litigation with the department issuing the objection, the applicant has six months to clear the objection or the application shall be cancelled. The six-month period shall begin on the date LED sends written notification to the company of the objection received from LWC or LDR. Applicants may demonstrate active negotiation to LED by providing written documentation periodically, but at least every 6 months, of ongoing, bilateral communications between the applicant or its representative and LWC or LDR as applicable, even if such communication begins after the objection was issued, or other written verification as approved by LED.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Financial Incentives Division, LR 22:964 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2309 (November 2003), amended by the Office of Business Development, LR 37:2592 (September 2011), LR 42:866 (June 2016), LR 48:

§1117. The Contract

A. The board, after no objection from the executive director of the LWC and secretary of the LDR, and with the approval of the governor, may enter into a contract with an employer for a period up to five years. The business must execute its portion of the contract and return it to Business Incentive Services within 90 days. If the contract is not returned within 90 days, the board's approval shall be deemed rescinded.

1. ...

2. Upon written approval of the department, an employer may have one additional contract in effect for a project site for a subsequent expansion project that is distinct from the project associated with the original contract, and that increases the number of new direct jobs at the site by at least 25 percent. If new direct jobs are not increased by at least 25 percent by the end of the third fiscal year of the additional contract, the contract shall be terminated and all benefits for the site shall be determined under the original contract.

3. - 5. ...

6. A contract shall be limited to one employer receiving payroll rebates, however the employer's named related entity or affiliate may generate a sale and use tax rebate or project facility expense rebate for their expenditures directly relating to the project site, but payable to the contract holder, if the following conditions are met:

a. the employer meets all program requirements;

b. the entity is disclosed by the employer in its application; or

c. the entity is listed in the contract attachment Schedule One, which may be amended with the approval of the department and the board.

7. A fee of \$250 shall be filed with a request for any contract amendment, including but not limited to, a change of ownership, change in name, or change in location.

B. - E.1. ...

2. After the employer's fiscal year for which the employer applied for his third annual rebate, if at any other time during the 10-year contract period the employer applies for a rebate following the end of the employer's fiscal year, and the verified gross payroll for the fiscal year does not demonstrate the required minimum of five new direct jobs and the gross payroll does not equal or exceed a total of \$500,000 or \$250,000, whichever is applicable to said contract, the rebates shall be suspended and shall not be resumed until such time as the payroll and job requirements are met. No rebate (payroll rebate, sales and use tax rebate or project facility expense rebate) shall accrue or be paid to the employer during a period of suspension.

F. - F.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Financial Incentives Division, LR 22:965 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2309 (November 2003), amended by the Office of Business Development, LR 37:2592 (September 2011), LR 42:866 (June 2016), LR 48:

§1118. Project Completion

A. All companies, whether seeking a payroll rebate, sales and use tax rebate or project facility expense rebate, shall file a minimum of one project completion report and one affidavit of final cost as follows.

1. An applicant may file a preliminary project completion report no earlier than with its third fiscal year filing, but no later than with the filing of a final project completion report.

2. An applicant shall file a final project completion report within six months after the project ending date or the governor's signature on the contract, whichever is later.

3. No more than two project completion reports (one preliminary and one final report) may be filed per five year contract period.

4. Project completion reports shall be submitted through the department's online Fastlane portal.

5. A fee of \$250 shall accompany all project completion report filings, or any project completion report amendment filings.

B. The project completion report shall confirm the beginning of the project, the project ending date, and the incentive benefits elected. Local sales and use tax rebate is not available if the project facility expense rebate is elected.

C. The affidavit of final cost shall list all eligible purchases and qualified expenditures for the project, with a description of the buildings, equipment, or other assets, and the cost of each item.

D. After completion of the project and the governor's signature of the contract, the department shall sign the

project completion report and forward copies to the business, the Department of Revenue, and any political subdivision rebating local sales and use tax.

E. The basis for rebate claims (sales and use tax rebate or project facility expense rebate) shall not exceed the costs listed on the affidavit of final cost.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, LR 48:

§1119. Payroll Incentive Rebates

A. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Financial Incentives Division, LR 22:965 (October 1996), amended by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2310 (November 2003), amended by the Office of Business Development, LR 37:2593 (September 2011), repromulgated LR 48:

§1120. Sales and Use Tax Rebate or Project Facility Expense Rebate

A. Project Facility Expense Rebate

1. The project facility expense rebate is earned in the year in which the project is placed in service, and is based upon all qualified capitalized expenditures related to the project as of the date it is placed in service.

a. Qualified expenditures include intangible costs such as architectural and/or engineering fees prior to the contract effective date.

b. The project facility expense rebate may not be elected if more than 50 percent of the qualified expenditures relating to the project are incurred before the filing of the advance notification.

2. The project facility expense rebate claim must be filed with the Department of Revenue, Taxpayer Compliance—SSEW Division, with the required documentation.

3. The project facility expense rebate may be taken on qualified expenditures that are related to the project and are placed in service during the project period. The project facility expense rebate applies to the assets that are related to the qualified expenditures, provided that the business reasonably intends for such assets to remain at the project site for their expected useful life. The assets may be recorded on the financial statements of a company that is an affiliate of the business.

4. The claim for the project facility expense rebate must be filed with the Department of Revenue no later than six months after the Department of Economic Development signs a project completion report and it is received by the Department of Revenue, the political subdivision, and the business. The project completion report shall not be signed until the project is complete and the contract has been approved by the board and the governor. Upon request, the business shall receive a 30-day extension of time in which to file its claim, provided such request for extension is received by the Department of Revenue prior to the expiration of such filing period. The Department of Revenue is also authorized to grant the business an additional extension of time, not to exceed 60 days, in which to file its claim provided that the

business shows reasonable cause for granting such extension.

B. Sales and Use Tax Rebates

1. The Quality Jobs Program contract will not authorize the business to make tax exempt purchases from vendors. The Department of Revenue will advise the business on the proper procedures to obtain the state sales and use tax rebate. The request for rebate of sales and use taxes must be made by filing a claim with the Department of Revenue, Taxpayer Compliance—SSEW Division, and must include the following:

a. list of eligible purchases, including a brief description of each item, the vendor's name, date of the delivery, sales price and the amount of state sales and use tax paid. The listed items must have been purchased by the business, or by a builder, a contractor, or other party that contracted with the owner to provide materials, equipment, machinery, or software that is used by the business at the project site or by the contract holders named affiliates listed in the Quality Jobs Program contract. Invoices as required under R.S. 51:2457 shall also be required;

b. certification that the listed materials are reasonably expected to qualify for a rebate under the Quality Jobs Program; and

c. certification that state sales and use taxes have been paid on the listed items.

2. The request may be filed on the official Department of Revenue "claim for rebate" form or on other LDR approved forms prepared by the business. After the Department of Revenue has validated the information on the claim for rebate, a rebate check will be issued for the amount of substantiated state sales and use taxes paid.

3. The request for rebate must be filed with the Louisiana Department of Revenue, and the political subdivision rebating local sales and use tax, no later than six months after the Department of Economic Development signs a project completion report and sends it to the Department of Revenue, the political subdivision, and the business, or no later than 30 days after the end of the calendar year and must be accompanied by the signed project completion report. Upon request, the business shall receive a 30-day extension of time in which to file its claim, provided such request for extension is received by the Department of Revenue prior to the expiration of such filing period. The Department of Revenue is also authorized to grant the business an additional extension of time, not to exceed 60 days, in which to file its claim, provided that the business shows reasonable cause for granting such extension.

4. The business should contact the political subdivision issuing the endorsement resolution to determine the procedure for local sales and use tax rebate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, LR 48:

§1121. Rebate Payments

A. In addition to the payroll rebates, an employer shall be entitled to sales and use tax rebates or the project facility expense rebate—as authorized in R.S. 51:2456, if the employer meets the hiring requirements of R.S. 51:2455 Program and meets the other limitations, procedures, and

requirements of R.S. 51:2456 and 2457 and the rules promulgated there under, Louisiana Administrative Code, Title 13, Part I, Chapter 11.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2310 (November 2003), amended by the Office of Business Development, LR 37:2594 (September 2011), LR 48:

§1123. Rebate Claim Filing

A. Payroll Rebate

1. An annual certification and a fee of \$250 shall be filed annually, commencing within six months after completion of the applicant's fiscal year or execution of the contract, whichever is later. The department may grant an extension of up to an additional sixty days provided the extension is requested prior to the filing deadline.. Failure to file an annual certification within the prescribed timeframe may result in the annual rebate being denied or restricted. An annual certification is required in each year the contract is active, irrespective of whether annual rebates are being claimed.

2. - 4. ...

5. If the actual verified annual gross payroll for the employer's third fiscal year does not show a minimum of 15 or five new direct jobs and does not equal or exceed a total annual payroll for new direct jobs of either \$675,000 or \$225,000, whichever is applicable, the employer will be determined to be ineligible under this Chapter. The LDR will be notified and the tax liability for the current tax period in which the failure to meet the requirements occurs shall be increased by the amount of rebates previously allowed.

6. ...

B. Sales and Use Tax Rebate or Project Facility Expense Rebate

1. An annual employee certification report with a \$250 annual employee certification report fee must be filed on all active contracts for the employer to qualify for the sales and use tax rebate or project facility expense rebate under this Chapter.

2. Sales and Use Tax Rebate or Project Facility Expense Rebate—Advance Notification. An employer who receives a Quality Jobs Program contract and who meets the requirements for sales and use tax rebates as authorized in R.S. 51:2456 and §1121 of these rules, will satisfy the advance notification requirement for sales and use tax rebates or project facility expense rebate for the Quality Jobs Act contract by submission of the Quality Jobs Program advance notification referred to in §1107 of these rules. The sales and use tax rebate or project facility expense rebate period shall begin on the contract effective date, unless otherwise provided in the contract, and shall be no longer than 5 years, and shall not extend beyond the term of the Quality Jobs Program contract. In order to receive rebates of local sales and use taxes, the employer must satisfy the provisions of §1121.B of these rules.

3. No more than two project facility expense rebate claims may be filed during each 5 year contract period.

4. Sales and use tax rebates claims may be filed on a monthly, quarterly or annual basis during each 5 year contract period, at the discretion of the company receiving

the benefit, as long as all requirements for issuance have been met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2451-2462 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Business Resources Division, LR 29:2311 (November 2003), amended by the Office of Business Development, LR 37:2594 (September 2011), LR 42:866 (June 2016), amended by the Department of Economic Development, Office of Business Development, LR 48:

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 Statement

The proposed Rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

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.

Small Business Analysis

The modifications to the Quality Jobs Program could cause a direct economic impact on some small COVID-19 impacted retail, restaurants and hotels that have no more than 50 employees who are newly eligible for the program, if meeting certain criteria. However, the benefit from additional funding received, at a nominal cost of some additional planning and paperwork associated with the application process and reporting requirements should provide a positive impact to any small businesses that choose to apply to the program.

Public Comments

Interested persons should submit written comments on the proposed Rules to Stephanie Le Grange through the close of business on Wednesday, March 2, 2022 at Department of Economic Development, 617 North 3rd Street, 11th Floor, Baton Rouge, LA 70802 or via email to Stephanie.Legrange@la.gov.

Public Hearing

A meeting for the purpose of receiving the presentation of oral comments will be held at 11 a.m. on Thursday, March 3, 2022 in the Griffon Conference Room at the LaSalle Building, 617 North 3rd Street, Baton Rouge, LA 70802.

Anne G. Villa
Undersecretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Quality Jobs Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There is no impact on expenditures of the Department of Economic Development (LED) as a result of the proposed rules that establish guidelines for the Quality Jobs Program. The program encourages certain businesses to locate or expand existing operations in Louisiana by offering rebates directly related to the new direct jobs created and the new annual gross payroll generated. The program offers payroll incentive rebates and sales and use tax rebate or project facility expense rebates. Also, the proposed amendments align the rules with the current

statutory provisions and administrative practices as required by portions of Act 386 of 2017 Regular Session of the Legislature and Act 29 of 2020 First Extraordinary Session. Administration of the program will be carried out utilizing existing staff and resources at LED.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be increased revenues (decreased costs) to the State General Fund (Direct) due to Act 386 of 2017, which implemented extensive changes and restrictions to the Quality Jobs program. These changes specifically resulted in three major changes that would impact the cost of the program:

- (A) Hourly wage requirement increased to \$21.66 per hour – the healthcare requirement remains but it cannot be included in the wage calculation. All companies that qualify will receive 6% payroll benefit. The 5% tier is eliminated completely. Wages between \$18.66 and \$21.65 will qualify for a 4% payroll benefit
- (B) Job requirements for businesses with greater than 50 existing employees would move from 5 to 15 new employees
- (C) Companies cannot qualify for Quality Jobs based on Census Tract Block Group status alone.

Other than the wages estimates, which were based on actual certified FY16 averages, the other calculations are based off of FY14-16 Quality Jobs applications. It was also assumed that all Sales and Use Rebates (S&U) or Investment Tax Credits (ITC) would be claimed in the third fiscal year of a company's contract. Based on the above assumptions, the following savings estimates were calculated:

Year	(A) Fiscal impact based on change in wage requirements (\$ million)	(B) Fiscal impact based on change in number of employees (\$ millions)	(C) Fiscal impact based on Census Tract Block group change (\$ millions)	Total estimated fiscal impact (\$ millions)
FY22	\$7.9	\$4.3	\$12.8	\$25.0
FY23	\$8.8	\$4.8	\$14.3	\$27.9
FY24	\$9.7	\$5.2	\$15.7	\$30.6

There will be decreased revenues (increased costs) to the State General Fund (Direct) to the extent entities take advantage of the tax credits pursuant to the changes in the program as enacted in Act 29 of 2020 IES. The program allows businesses classified as COVID-19 impacted retail, hotels and restaurants, that have no more than 50 employees nationwide including affiliates, to participate in the program with advance notification filings from July 1, 2020 to December 31, 2021. Eligibility to earn benefits terminates after June 30, 2023. The extent of qualifying participation in the program is speculative; however, assuming 1% of the potentially eligible firms qualifying for participation and being rebated 4% of the minimum amount of participating payroll (5 employees at \$18/hour for 30 hours per week for 52 weeks) results in \$1.6 million per year of state payroll rebate cost exposure. Because historically nearly half of program costs are payroll subsidies, the Department of Economic Development estimates the full program cost exposure to be approximately \$3 million annually, beginning in FY24.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The income of new businesses participating in the program may decrease in comparison to existing approved businesses due to the heightened eligibility criteria and decreased benefits.

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
Undersecretary
2201#048

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 118—Statewide Assessment Standards and Practices—Performance Standards (LAC 28:XI.6913)

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 has LAC 28:XI: Subpart 3 in *Bulletin 118—Statewide Assessment Standards and Practices*. The aforementioned revisions are in response to new LEAP Connect assessment forms administered to eligible students in grades 3-8 and 11 in the spring of 2021. Specifically, the revisions update the reference of “scaled-scores” used in current policy to “scale scores;” update scale score ranges for English language arts, mathematics, and science; and update the labels for the four achievement levels previously identified as Level 1, 2, 3, and 4. This Declaration of Emergency, effective August 18, 2021, is for a period of 180 days from adoption, or until finally adopted as Rule.

Title 28

EDUCATION

Part XI: Accountability/Testing

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 69. LEAP Alternate Assessment, Level 1

Subchapter D. Alternate Achievement Levels and Performance Standards

§6913. Performance Standards

[Formerly LAC 28:CXI.1913]

A. Performance standards for LEAP Connect English language arts, mathematics, and LEAP Connect science tests are finalized in scaled-score form.

B. LEAP Connect Alternate Achievement Levels and Scaled-Score Growth Ranges

1. English Language Arts and Mathematics Scaled Score Ranges

a. English Language Arts

English Language Arts				
Grade	Below Goal	Near Goal	At Goal	Above Goal
3	1200 - 1231	1232 - 1239	1240 - 1257	1258 - 1290
4	1200 - 1231	1232 - 1239	1240 - 1252	1253 - 1290
5	1200 - 1231	1232 - 1239	1240 - 1252	1253 - 1290
6	1200 - 1231	1232 - 1239	1240 - 1249	1250 - 1290
7	1200 - 1231	1232 - 1239	1240 - 1247	1248 - 1290
8	1200 - 1231	1232 - 1239	1240 - 1243	1244 - 1290
HS	1200 - 1231	1232 - 1239	1240 - 1258	1259 - 1290

b. Mathematics

Mathematics				
Grade	Below Goal	Near Goal	At Goal	Above Goal
3	1200 - 1231	1232 - 1239	1240 - 1275	1276 - 1290
4	1200 - 1231	1232 - 1239	1240 - 1251	1252 - 1290
5	1200 - 1231	1232 - 1239	1240 - 1256	1257 - 1290
6	1200 - 1231	1232 - 1239	1240 - 1247	1248 - 1290
7	1200 - 1231	1232 - 1239	1240 - 1256	1257 - 1290
8	1200 - 1231	1232 - 1239	1240 - 1254	1255 - 1290
HS	1200 - 1231	1232 - 1239	1240 - 1248	1249 - 1290

2. Science Scaled Score Ranges

Science				
Grade	Below Goal	Near Goal	At Goal	Above Goal
4	1200 - 1231	1232 - 1239	1240 - 1243	1244 - 1290
8	1200 - 1231	1232 - 1239	1240 - 1243	1244 - 1290
HS	1200 - 1231	1232 - 1239	1240 - 1244	1245 - 1290

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Office of Student and School Performance, LR 33:426 (March 2007), amended LR 35:209 (February 2009), amended by the Board of Elementary and Secondary Education, LR 44:472 (March 2018), LR 44:1237 (July 2018), LR 47:568 (May 2021), LR 48:

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 a 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? No.

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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bulletin 118—Statewide Assessment Standards and Practices—Performance Standards

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions will not result in costs or savings to state or local governmental units.

These revisions would update the reference of "scaled-scores" used in current policy to "scale scores;" update scale score ranges for English language arts, mathematics, and science; and update the labels for the four achievement levels previously identified as Level 1, 2, 3, and 4.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will not have an 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)

The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2201#051

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 126—Charter Schools
(LAC 28:CXXXIX.2715, 2717, 2719, 2803,
4301, 4303, 4305, 4307, 4309, 4311, 4313,
4315, 4317, 4319, 4321, and 4323)

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 proposes to amend LAC28:CXXXIX. Bulletin 126 – *Charter Schools* in accordance with legislation enacted during the Louisiana 2021 Regular Legislative Session.

Title 28

EDUCATION

Part CXXXIX. Bulletin 126—Charter Schools

Chapter 27. Charter School Recruitment and Enrollment

§2715. Remote School Registration and Enrollment of Children of Military Personnel Transferring to Louisiana

A. A local educational governing authority shall allow a dependent child of an active duty member of the United States Armed Forces, the military reserve forces, or the National Guard or a Department of Defense civilian to register and preliminarily enroll in a public school under its jurisdiction by remote means, including electronic means, prior to becoming a resident of Louisiana, if:

1. the parent or legal guardian of the student is transferred or pending transfer to a military installation or comparable duty location in Louisiana pursuant to an official military order;

2. the parent or legal guardian of the student provides a copy of the official military order transferring the parent or legal guardian to a military installation or comparable duty location in Louisiana to the local educational governing authority; and

3. the parent or legal guardian of the student completes and submits to the local educational governing authority all required registration and enrollment forms and documentation, except that proof of residency, which shall be required within ten days after the arrival date specified on the parent or legal guardian transfer orders.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§2717. Purple Star School Award Program

A. A school shall be labeled a “Purple Star School” if it has exhibited a major commitment to military-connected students and families, as demonstrated by meeting the following requirements.

1. The school has designated a staff member as a military liaison to serve as the primary point of contact for military-connected students. The designated staff member shall:

a. identify special considerations needed by military-connected students and families; and

b. develop training to inform teachers and other school personnel of such special considerations.

B. Schools labeled as “Purple Star Schools” shall:

1. maintain a dedicated page on the school website featuring resources for military-connected students and families; and

2. maintain a student-led transition program to provide peer support for military-connected students

C. The local educational governing authority of each Purple Star School shall:

1. adopt a resolution stating the commitment of the support for military-connected students and families; and

2. assign a central office staff member to be the contact for the school-based liaison and military-connected students and families.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§2719. Reward Eligibility

A. A school shall be labeled a “reward school” if it earns the equivalent to an “A” letter grade on the progress index.

B. Schools labeled as “reward schools” shall be eligible for financial rewards, as funds are available and as determined by the department.

C. Schools will not be eligible for reward status if they are labeled “urgent intervention required” for any subgroup.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

Chapter 43. Discipline

§4301. Disciplinary Regulations

A. Each charter school shall adopt such rules and regulations as it deems necessary to implement and control any disorderly conduct in the school or on the playground of the school, on any school bus, on the street or road while going to and from school, or during intermission and recess, or at any school sponsored activity or function.

1. The plan shall not prohibit a teacher from removing a pupil from the classroom for disciplinary reasons.

2. The plan shall address student behavior with a focus on evidence-based interventions and supports, prioritizing classroom- and school-based interventions in lieu of out-of-school disciplinary removals to address student misconduct in order to minimize the loss of academic instructional time.

3. Each charter school shall adopt rules regarding the reporting and review of disciplinary actions.

B. Teachers, principals, and administrators may, subject to any rules as may be adopted by the charter school, apply

reasonable disciplinary and corrective measures to maintain order in the schools (refer to R.S. 17:416 and R.S. 17:223).

C. The disciplinary rules (regulations) shall be made known to teachers, parents, and students and shall be reasonably and consistently enforced.

D. Any principal who fails to act on a report of student violations of disciplinary regulations shall explain his/her reasons for such an action to the superintendent of the charter school by the administrator is employed, or to the superintendent designee.

1. Any public school administrator and any administrator designee who is required to make a recommendation, resolve an issue, or apply a disciplinary action in a matter involving the discipline of a student shall recuse themselves from doing so whenever a member of the immediate family of the school administrator or of the administrator designee is involved in any manner in the recommendation to be made, the issue to be resolved, or the action to be applied.

a. Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

b. In case of such recusal, the recommendation shall be made by, the issue determined by, or the disciplinary action taken by the superintendent or an impartial designee of the superintendent.

E. Students, who, through no fault of their parents or guardians or other persons having charge of them, regularly disrupt the orderly processes of the school to which they have been assigned, shall be considered as delinquents and may be reported by the visiting teacher or supervisor of child welfare and attendance, to the district or family court of the parish having jurisdiction in juvenile matters, there to be dealt with in the manner prescribed by law.

F. Schools shall provide due process prior to suspensions and expulsions.

G. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior or who are suspended for 10 days or less shall be assigned school work missed and shall receive either full or partial credit for such work upon satisfactory and timely completion as determined by the principal or designee and upon the recommendation of the student's teacher. A student who is suspended for more than 10 days or is expelled shall receive educational services in an alternative school site, shall be assigned school work by a certified teacher, and shall receive credit for school work upon satisfactory and timely completion as determined by the teacher. Such work shall be aligned with the curriculum used at the school from which the student was suspended or expelled.

1. Upon removal from the classroom for disruptive, dangerous, or unruly behavior, the principal or designee shall advise the student of the misconduct and basis for accusation, and the student shall be given an opportunity at that time to offer rebuttal of the accusation. The principal or designee then shall conduct a counseling session with the student as may be appropriate to establish a course of action consistent with school board policy to identify and correct the behavior for which the student is being disciplined. The principal or designee shall provide oral or written feedback to the parent or guardian of the student and may also provide oral or written feedback to the teacher initiating the removal.

Feedback to teachers may include guidance and support on practicing effective classroom management including but not limited to positive behavior supports.

2. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior shall be permitted to return to the class after:

a. no fewer than 30 minutes for students in kindergarten through fifth grade unless consent is given by the teacher initiating the disciplinary action;

b. the end of the class period for students in sixth through twelfth grade unless consent is given by the teacher initiating the disciplinary action;

c. the principal or designee has implemented at least one or more of the following disciplinary actions:

i. conferencing with the principal or the principal designee;

ii. referral to counseling;

iii. peer mediation;

iv. referral to the school building level committee;

v. restorative justice practices;

vi. loss of privileges;

vii. detention;

viii. in-school suspension;

ix. out-of-school suspension;

x. initiation of expulsion hearings;

xi. referral for assignment to an alternative setting;

xii. any other disciplinary measure authorized by the principal with the concurrence of the teacher of the school building level committee pursuant to law and charter school policy.

3. When a student is removed from the classroom for disruptive, dangerous, or unruly behavior, the teacher or the principal or designee may require that the parent or legal guardian of the student have a conference with the teacher or the principal or designee. Such conference may be in person, by telephone, or by other virtual means.

4. Upon the third disciplinary removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the student and the appropriate disciplinary action prior application of a disciplinary measure. A conference between the teacher or other appropriate school employee and the student's parent or legal custodian may be required prior to student readmission to the same classroom. Such conference may be in person, by telephone, or by other virtual means. If required by the school or charter school policy, the school shall give written notice to the parent.

5. For students who experience multiple behavioral incidents or disciplinary referrals, a principal or designee shall consider a referral of the matter to an appropriate school building level committee. If the disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.

H. Each local educational governing authority charter school shall adopt rules regarding the implementation of in-school suspension and detention.

I. Each charter school shall establish a discipline policy review committee comprised of sixteen members in accordance with the mandates of R.S. 17:416.8. The charter school shall establish procedures 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:

§4303. Student Code of Conduct

A. Each charter school shall adopt a student code of conduct for the students in the schools under its jurisdiction.

1. Such student code of conduct shall be in compliance with all existing rules, regulations, and charter school and BESE policies and all state laws regarding student discipline and shall include necessary disciplinary action to be taken against any student who violates the code of conduct.

2. Each charter school shall adopt and incorporate into its student code of conduct a policy prohibiting the bullying of a student by another student, which includes the definition of bullying and all other requirements listed in §1303 of this Bulletin.

3. Each charter school shall include in its student code of conduct the definition of dating violence, data violence warning signs and instructions for reporting or seeking assistance for acts of dating violence.

4. Each charter school shall include in its student code of conduct progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences.

a. Before an initial referral for student expulsion, codes of conduct shall require the prior administration of interventions in accordance with the minor tiers in the code of conduct, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the code of conduct, or the underlying incident threatens the safety and health of students or staff.

b. Expulsions shall be reserved for the major tier of behavioral infractions involving weapons or drugs, or when the safety of students and staff is at risk.

5. Each charter school shall include in its code of conduct information detailing the appeal process for expulsions as described in §1311 of this Bulletin.

6. Each charter school shall include in its code of conduct clearly defined rules of conduct and expectations of students engaged in virtual instruction as well as clearly defined consequences of conduct, that respects the student and family rights to privacy and other constitutional rights while at home or in a location that is not school property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81, 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 39:477 (March 2013), amended LR 40:2530 (December 2014), LR 48:

§4305. Bullying

A. Policy. Each charter school shall develop and adopt a policy that prohibits the bullying of a student by another student.

1. The bullying policy must be implemented in a manner that is ongoing throughout the year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts.

2. The policy shall contain the definition of bullying found in this Section and shall address the following:

- a. behavior constituting bullying;
- b. the effect the behavior has on others, including bystanders; and
- c. the disciplinary and criminal consequences of bullying another student.

B. Training for School Personnel. Each charter school shall create a program to provide a minimum of four hours of training each year for new school employees who have contact with students, including bus drivers, with respect to bullying. The training shall be two hours each following year for all school employees who have contact with students and have received the four-hour training. The training shall specifically include the following:

1. how to recognize the behaviors defined as bullying;
2. how to identify students at each grade level who are most likely to become victims of bullying, while not excluding any student from protection from bullying;
3. how to use appropriate intervention and remediation techniques and procedures;
4. the procedures by which incidents of bullying are to be reported to school officials; and
5. information on suicide prevention, including the relationship between suicide risk factors and bullying.

C. Definition of Bullying

1. *Bullying* is defined as a pattern of one or more of the following behaviors:

- a. gestures, including but not limited to obscene gestures and making faces;
- b. written, electronic, or verbal communications, including but not limited to calling names, threatening harm, taunting, malicious teasing, or spreading untrue rumors;
- c. physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property; and
- d. repeatedly and purposefully shunning or excluding from activities.

2. Behavior defined as bullying is exhibited toward a student, more than once, by another student or group of students and occurs, or is received by, a student while on school property, at a school-sponsored or school-related function or activity, in any school bus or van, at any designated school bus stop, in any other school or private vehicle used to transport students to and from schools, or any school-sponsored activity or event.

3. Bullying must have the effect of physically harming a student, placing the student in reasonable fear of physical harm, damaging a student's property, placing the student in reasonable fear of damage to the student's property, or must be sufficiently severe, persistent, and pervasive enough to either create an intimidating or threatening educational environment, have the effect of substantially interfering with a student's performance in school, or have the effect of substantially disrupting the orderly operation of the school.

D. Notice of Bullying Policy to students and parents. The charter school shall inform each student orally and in writing of the prohibition against the bullying of a student by another student, the nature and consequences of such actions, including the potential criminal consequences and loss of driver's license, and the proper process and procedure for reporting any incidents of bullying. A copy of the written notice shall also be delivered to each student's parent or legal guardian.

E. Reporting Incidents of Bullying. The charter school shall develop a procedure for the reporting of incidents of bullying using the bullying report form approved by charter school and available on the LDE website. The procedure shall include the following.

1. Students and Parents

a. Any student who believes that he or she is or has been the victim of bullying, or any student or parent or legal guardian, who witnesses bullying or has good reason to believe bullying is taking place, may report the bullying to a school official.

b. A student, or parent or guardian, may also report concerns regarding bullying to a teacher, counselor, other school employee, or to any parent chaperoning or supervising a school function or activity.

c. Any report of bullying shall remain confidential.

2. School Personnel and Chaperones. Any teacher, counselor, bus driver, or other school employee, whether full or part time, and any parent chaperoning or supervising a school function or activity, who witnesses or who learns of bullying of a student, shall report the incident to a school official. A verbal report shall be submitted by the school employee or parent on the same day as the school employee or parent witnessed or otherwise learned of the bullying incident, and a written report must be filed no later than two days thereafter.

3. Retaliation. Retaliation against any person who reports bullying in good faith, who is thought to have reported bullying, who files a complaint, or who otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited conduct and subject to disciplinary action.

4. False Reports. Making false reports about bullying to school officials is prohibited conduct and will result in disciplinary action.

F. Investigation Procedure. When a report of the bullying of a student by another student is received, the school shall conduct an investigation using the following procedure.

1. Timing. The investigation shall begin the next school day following the day on which the written report was received and shall be completed no later than 10 school days after receipt of the report. If additional information is received after the end of the 10-day period, the school official shall amend all documents and reports to reflect such information.

2. Parental Notification of Allegation of Bullying

a. Upon receiving a report of bullying, the school shall notify the parents or legal guardians of the alleged offender and the alleged victim no later than the following school day.

b. Under no circumstances shall the delivery of this notice to the parent or legal guardian, be the responsibility of an involved student. Delivery of notice by an involved student shall not constitute notice as is required by this Section.

c. Before any student under the age of 18 is interviewed, his parents or legal guardians shall be notified of the allegations made and shall have the opportunity to attend any interviews conducted with their child as part of

the investigation. If, after three attempts in a 48-hour period, the parents or legal guardians of a student cannot be reached or do not respond, the student may be interviewed.

d. All meetings with the parents or legal guardians of an alleged victim or an alleged offender shall be in compliance with the following:

i. separate meetings with the parents or legal guardians of the alleged victim and the alleged offender;

ii. parents or legal guardians of the alleged victim and alleged offender must be notified of the potential consequences, penalties and counseling options.

e. In any case where a school official is authorized to require a parent or legal guardian of a student under the age of 18 to attend a conference or meeting regarding the student's behavior, and after notice willfully refuses to attend, the principal or designee shall file a complaint with a court of competent juvenile jurisdiction, pursuant to *Children's Code* article 730(8) and 731.

f. A principal or designee may file a complaint pursuant to *Children's Code* article 730(1) or any other applicable ground when, in his judgment, doing so is in the best interests of the student.

3. Scope

a. The investigation shall include documented interviews by the designated school official of the reporter, the alleged victim, the alleged offender, and any witnesses.

b. The school official shall collect and evaluate all facts using the bullying investigation form approved by BESE and available on the LDE website.

c. The school official shall obtain copies or photographs of any audio-visual evidence.

4. Documentation. At the conclusion of a bullying investigation, and after meeting with the parents or legal guardians, the school official or school board shall:

a. prepare a written report containing the findings of the investigation, including input from students' parents or legal guardians, and the decision by the school official or school system official. The document shall be placed in the school records of both students. If completed entirely, the bullying investigation form may serve as the report;

b. promptly notify the reporter/complainant of the findings of the investigation and whether remedial action has been taken, if such release of information does not violate the law;

c. keep reports/complaints and investigative reports confidential, except where disclosure is required by law;

d. maintain reports/complaints and investigative reports for three years;

e. provide a copy of any reports and investigative documents to the charter school, as necessary.

5. Disciplinary Action. If the school official has determined bullying has occurred, and after meeting with the parents or legal guardians of the students involved, the school official shall take prompt and appropriate disciplinary action against the offender and report criminal conduct to law enforcement, if appropriate.

6. Charter School Reporting

a. The charter school shall electronically report all such documented incidences of bullying to the LDE using the LDE behavior report and incidence checklist to document the details of each reported incident of bullying.

7. Appeal

a. If the school official does not take timely and effective action, the student, parent, or school employee may report the bullying incident to the school board. The school board shall begin an investigation of any properly reported complaint of bullying no later than the next school day after the board receives the report.

b. If the school board does not take timely and effective action, the student, parent, or other school employee may report the bullying incident to the LDE. The LDE shall track the number of reports, shall notify the superintendent and the president of the charter school, and shall publish the number of reports by school district on its website.

8. Parental Relief. If four or more reports of separate incidents of bullying have been made, and no investigation has occurred, the parent or legal guardian of the alleged victim shall have the option to request that the student be transferred to another school operated by the charter school.

a. In order to exercise this option, the parent or legal guardian shall file a request with the superintendent of the charter school for the transfer of the student to another school under the charter school's jurisdiction.

b. The charter school shall make a seat available at another of its schools within 10 school days of receipt of the request for a transfer. If the charter school has no other school serving the grade level of the student, then within 15 school days of receipt of the request, the superintendent of the charter school shall:

i. inform the student and the student's parents or legal guardians and facilitate the student's enrollment in a statewide virtual school;

ii. offer the student placement in a full-time virtual program or virtual school under the jurisdiction of the charter school;

iii. enter into a memorandum of understanding with the superintendent of another LEA or charter school to secure a placement and provide for the transfer of the student to a school serving the grade level of the student, pursuant to R.S. 17:105 and 105.1.

c. If no seat or other placement is made available within 30 calendar days of the receipt of the request by the superintendent, the parent or legal guardian may request a hearing with the school board, which shall be public or private at the option of the parent or legal guardian. The school board shall grant the hearing at its next scheduled meeting or within 60 calendar days, whichever is sooner.

d. At the end of any school year, the parent or legal guardian may request that the charter school transfer the student back to the original school. The LEA shall make a seat available at the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:415, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:477 (March 2013), amended LR 39:3259 (December 2013), LR 48:

§4307. Classroom Management Training for School Staff

A. The school master plans for improving behavior and discipline required of charter schools shall make provision for pre-service and ongoing grade-appropriate classroom management training for teachers, principals, and other

appropriate school personnel regarding positive behavioral supports and reinforcement, conflict resolution, mediation, cultural competence, restorative practices, guidance and discipline, and adolescent development.

B. Charter schools shall provide ongoing classroom management courses and regularly review discipline data from each school to determine what additional classroom management training is needed, if any, and what additional classroom support activities should be provided by the principal and school administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:1380 (May 2011), repromulgated LR 39:479 (March 2013), amended LR 39:2210 (August 2013), LR 48:

§4309. Reasons for Suspension

A. The school principals or designee may suspend from school any student, including a student with exceptionalities, for good cause in accordance with state law and local policy.

B. Students determined to be guilty of the following offenses may be suspended for the following reasons:

1. willful disobedience;

2. disrespect to a teacher, principal, superintendent, and/or member or employee of the local school board;

3. making an unfounded charge against a teacher, principal, superintendent, and/or member or employee of the local school board;

4. using unchaste or profane language;

5. immoral or vicious practices;

6. conduct or habits injurious to his/her associates, unless it can be reasonably concluded that the student is not the aggressor or responsible for instigating the confrontation and that use of such force was committed solely for the purpose of preventing a forcible offense, and that the force used must be reasonable and apparently necessary to prevent such offense;

7. using tobacco and/or using and possessing alcoholic beverages or any controlled dangerous substances governed by the Uniformed Controlled Dangerous Substance Law in any form in school buildings or on school grounds;

8. disturbing the school and habitually violating the rules;

9. cutting, defacing, or injuring any part of public school buildings;

10. writing profane or obscene language or drawing obscene pictures in or on any public school premises, or on any fence, sidewalk, or building on the way to or from school;

11. possessing firearms, knives, or other implements that can be used as weapons;

12. throwing missiles on the school grounds;

13. instigating or participating in fights while under school supervision;

14. violating traffic and safety regulations;

15. leaving the school premises without permission or his/her classroom or detention room without permission;

16. habitual tardiness or absenteeism; and

17. committing any other serious offense.

C. A student enrolled in grades prekindergarten through five shall not be suspended or expelled from school or

suspended from riding on any school bus for a uniform violation unless said offense is for willful disregard of school policies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1283 (June 2005), repromulgated LR 39:479 (March 2013), amended LR 39:2210 (August 2013), LR 48:

§4311. Due Process for Suspensions

A. Prior to any suspension, the school principal or the principal designee shall advise the student in question of the particular misconduct of which he or she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his or her version of the facts to the school principal or his or her designee.

B. The principal, or the principal designee, shall contact by telephone at the telephone number shown on the pupil registration card or send a certified letter at the address shown on the pupil registration card to the parent or guardian of the student, giving notice of the suspension, the reasons therefore and establishing a date and time for a conference with the principal or his designee as a requirement for readmitting the student.

1. If the parent or guardian fails to attend the required conference within five school days of mailing the certified letter or other contact with the parent, the truancy laws shall become effective.

2. On not more than one occasion each school year when the parent or guardian refuses to respond, the principal may determine whether readmitting the student is in the best interest of the student.

3. On any subsequent occasions in the same year, the student shall not be readmitted unless the parent, guardian, or other appointed representative responds.

C. A student whose presence in or about a school poses a continued danger to any person or property or an ongoing threat of disruption to the academic process shall be immediately removed from the school premises without the benefit of the procedure described above; however, the necessary procedure shall follow as soon as is practicable.

D. Notice in writing of the suspension and the reasons thereof shall be given to the parent or parents of the suspended student.

E. Any parent, tutor, or legal guardian of a suspended student shall have the right to appeal to the superintendent or to a designee of the superintendent, who shall conduct a hearing on the merits of the case.

F. In all cases of suspensions, the parent, the superintendent of schools, and/or supervisor of child welfare and attendance or designee shall be notified in writing of the facts concerning each suspension, including the reasons therefore and terms thereof.

G. The decision of the superintendent on the merit of the case, as well as the term of suspension, shall be final, reserving the right to the superintendent to remit any portion of the time of suspension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1283 (June 2005), repromulgated

LR 39:479 (March 2013), amended LR 39:2211 (August 2013), LR 48:

§4313. Reasons for Expulsions

A. Students may be expelled for any of the following reasons:

1. any student, after being suspended for committing any of the offenses listed in §4305, may be expelled upon recommendation by the principal of the public school in which the student is enrolled;

2. any student, after being suspended on three occasions for committing drugs or weapons offenses during the same school session, shall, on committing the fourth offense, be expelled from all the public schools of the parish or city school system wherein he or she resides until the beginning of the next regular school year, subject to the review and approval of the local educational governing authority;

3. the conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony, may be cause for expulsion of the student for a period of time as determined by the board;

a. such expulsions shall require the vote of two thirds of the elected members of the local educational governing authority.

b. such expulsions shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, shall run concurrent to the student's period of disposition, and may require the student to serve the time left in the expulsion period as required by the superintendent or designee if the student was serving an expulsion period when the student was incarcerated for a separate offense and the student completes the period of incarceration with time left in the expulsion period;

c. such conviction or incarceration may be sufficient cause for a superintendent to refuse admission of the student to a school except upon review and approval of a majority of the elected members of the local school board;

4. any student found guilty of being in possession of a firearm on school property or on a school bus or at a school sponsored event shall be expelled from school according to the requirements of R.S. 17:416(C)(2);

5. a student in grades six and above who is found guilty of being in possession of any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be expelled from school according to the requirements of R.S. 17:416(C)(2). The school principal or designee shall, within five days of arrest, refer such student for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances. If evidence of abuse is found, the principal or designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian.

6. any student older than eleven and in grades six and above, carrying or possessing a knife the blade of which equals or exceeds two and one-half inches in length.

B. School officials shall have total discretion and shall exercise such discretion to impose disciplinary actions authorized by this Section for possession by a student of a

firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of student intent to use the firearm or knife in a criminal manner.

C. Expulsion is not mandatory for a student carrying or possessing a firearm or knife for purposes of involvement in a school class or course or school-approved co-curricular or extracurricular activity or any other activity approved by the appropriate school officials or for a student possessing any controlled dangerous substance governed by the uniform controlled dangerous substances law that has been obtained directly or pursuant to a valid prescription or order from a licensed medical provider. However, ~~such~~ the student shall carry evidence of the prescription or medical provider order on his person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession of the controlled dangerous substance in the original packaging as received from the pharmacy.

D. Mandatory recommendation for expulsion shall not be applied to virtual instruction received by a student in the student home.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 39:2211 (August 2013), LR 43:2483 (December 2017), LR 48:

§4315. Guidelines for Expulsions

A. No student who has been expelled from any public or nonpublic school outside the state of Louisiana or any nonpublic school within Louisiana for committing any offenses enumerated in R.S. 17:416 shall be admitted to:

1. a public school in the state except upon the review and approval by the governing body of the admitting school; or

2. to a regular public school in the LEA from which the student was expelled prior to the completion of the specified period of expulsion at the school system's alternative education setting.

B. Any student who has been expelled from any public or nonpublic school within or outside the state of Louisiana for one of the reasons listed below shall produce documentation that he or she and his/her parent or legal guardian have enrolled in and participated in an appropriate rehabilitation or counseling program related to the reason(s) for the expulsion prior to being admitted or readmitted on a probationary basis to any public school in the state, unless such requirement is waived by the LEA:

1. possessing on school property or on a school bus a firearm, knife, or other dangerous weapon, or instrumentality customarily used or intended for probable use as a dangerous weapon; or

2. possessing with intent to distribute, or distributing, selling, giving, or loaning while on school property or on a school bus any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law.

C. Any student who has been expelled from any public or nonpublic school within or outside the state of Louisiana shall provide to any public school or school system in the state to which the student is seeking admission, information on the dates of any expulsion and the reason(s) for which the

student was expelled. Additionally, the transfer of a student's records by any public school or school system in the state to any other public or nonpublic school or school system shall include information on the dates of any suspensions or expulsions and the reason or reason(s) for which the student was suspended or expelled. Refer to R.S. 17:416(B)(3).

D. A student expelled from school pursuant to the provisions of R.S. 17:416 may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the city, parish, or other local school board and agreed to in writing by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal or superintendent of schools determination that the student has violated any term or condition of the agreement, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student out-of-school suspensions and expulsions and returned to the school system alternative school setting. As soon thereafter as possible, the principal or designee shall provide verbal notice to the superintendent of schools of any such determination and also shall attempt to provide such verbal notice to the student's parent or other person responsible for the student's school attendance. The principal or his designee also shall provide written notice of the determination and the reasons therefore to the superintendent and to the student's parent or other responsible person.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 35:1098 (June 2009), LR 48:

§4317. Due Process for Expulsions

A. A recommendation for expulsion is made by the principal or, in the case of a student found carrying or possessing a firearm or another dangerous instrumentality other than a knife, or who possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law, in any form, by the principal's designee.

B. A hearing is conducted by the superintendent of the charter school or someone designated by the superintendent within fifteen school days. The school board must provide written notice of the hearing to the student and the parent or legal custodian, and such notice shall advise the student and parent or legal custodian of due process rights.

C. A determination of whether to expel the student is made by the superintendent or his designee.

D. The principal and teacher as well as the student may be represented by someone of their choice at this hearing.

E. Until the hearing takes place, the student shall remain on suspension with access to classwork and the opportunity to earn academic credit.

F. The parent or guardian of the student may, within five days after the decision to expel the student has been rendered, request the local educational governing authority to review the findings of the superintendent or his designee. Otherwise, the decision of the superintendent shall be final. A student's agreement to cooperate in recommended treatment determined as necessary by a medical professional

may be certified in writing by the medical professional and used to initiate reopening the student case. The school board shall take into consideration the student agreement to receive treatment as a positive factor in the final decision applicable to any final disciplinary action.

G. The board, in reviewing the case, may affirm, modify, or reverse the action previously taken.

H. If the board upholds the decision of the superintendent, the parent or guardian of the student may, within 10 days, appeal to the district court for the parish in which the student's school is located. The court may reverse the ruling of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), LR 48:

§4319. Discipline for Students with Disabilities

A. If a school district removes a student with a disability from the student's current educational placement for 10 school days in a school year, consecutively or cumulatively, regardless of the circumstances, beginning on the eleventh day, students must continue to receive educational services to enable the student to continue participating in the general education curriculum, to progress toward meeting the goals set out in the IEP, and to receive behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

NOTE: Refer to Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 39:2212 (August 2013), LR 48:

§4321. Corporal Punishment

A. A charter school shall have discretion with respect to the use of corporal punishment; however, no form of corporal punishment shall be administered to a student with an exceptionality, excluding gifted and talented, as defined in R.S. 17:1942, or to a student who has been determined to be eligible for services under section 504 of the Rehabilitation Act of 1973 and has an individual accommodation plan.

B. *Corporal Punishment*—using physical force to discipline a student, with or without an object, and includes hitting, paddling, striking, spanking, slapping, or any other physical force that causes pain or physical discomfort.

C. Corporal punishment does not include:

1. the use of reasonable and necessary physical restraint of a student to protect the student or others, from bodily harm or to obtain possession of a weapon or other dangerous object from a student; or

2. the use of seclusion and restraint as provided in R.S. 17:416.21.

D. Should a charter school permit corporal punishment, the school shall adopt such rules and regulations necessary to implement and control such punishment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:416.1, R.S. R.S. 17:3981, and 17:3996(B)(2).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:2479 (December 2017), LR 48:

§4323. Search and Seizure

A. Any teacher, principal, school security guard, or administrator may search any building, desk, locker, area, or school grounds for evidence that the law, a school rule, or parish or city school board policy has been violated.

B. The teacher, principal, school security guard, or administrator may search the person of a student or his personal effects when, based on the attendant circumstances at the time of the search, there are reasonable grounds to suspect that the search will reveal evidence that the student has violated the law, a school rule, or a school board policy. Such a search shall be conducted in a manner that is reasonably related to the purpose of the search and not excessively intrusive in light of the age or sex of the student and the nature of the suspected offense.

C. Each charter school shall adopt a policy to provide for reasonable search and seizure by teachers, by principals, and by other school administrators of a student's person, desk, locker, or other school areas for evidence that the law, a school rule, or an charter school policy has been violated.

D. Any such policy shall be in accordance with applicable law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1285 (June 2005), amended LR 39:2212 (August 2013), LR 48:

Family Impact Statement

In accordance with sections 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? Yes.

6. Is the family or a 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? No.

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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Bulletin 126—Charter Schools**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There may be an increase in local expenditures by charter schools associated with increased workload to implement the proposed revisions that provide for remote registration of children of military personnel, the Purple Star School Award Program, and student discipline. Such impacts are indeterminable. There will also be an increase in required professional development training, as the proposed revisions require four hours of training for new charter school employees with respect to bullying and two hours of training annually thereafter. In addition, charter schools will be required to make provisions in school master plans for improving behavior and discipline to provide pre-service and ongoing grade-appropriate

training for teachers, principals, and other appropriate school personnel.

There may be increased state costs to the Department of Education (LDE) to provide financial rewards to charter schools which are designated “reward schools”. The cost of the financial rewards is indeterminable; funding is subject to the availability of funds and LDE determination.

These revisions align policy with legislation of the 2021 Regular Session of the Louisiana Legislature. Act 208 provides for remote public school registration and enrollment of children of military personnel transferring to the state. Act 473 constitutes a comprehensive update to student discipline policy. Senate Concurrent Resolution 15 creates a Purple Star School Award Program, administered through the LDE, to recognize schools that evidence a major commitment to serving students and families connected to the United States Armed Forces.

The revisions designate schools which earn the equivalent of an “A” letter grade on the progress index as “reward schools”, which are then eligible for financial rewards from the LDE as funds are available and as determined by the department, unless such schools are labeled “Urgent Intervention Required” for any subgroup.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will not have an 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)

The proposed revisions will benefit military-connected students and families, as they will be able to register for school by remote means. In addition, “Purple Star Schools” will benefit military-connected students and families by providing additional resources and assistance.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2201#052

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel—Personnel Evaluation (LAC 28:CXLVII.301)

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 proposes to amend LAC 28:CXLVII:301 in Bulletin 130 – *Regulations for the Evaluation and Assessment of School Personnel*. The proposed revisions would require, for the 2021-2022 academic year, that school leader student learning targets based on measures other than school performance scores be used for evaluative purposes. These revisions are in response to a waiver of calculation and assignment of school performance scores by the Board at the October 2021 pursuant to the Department of Education receipt of a United States Department of Education waiver of Every Student Succeeds Act Accountability Provisions for the 2020-2021 School Year.

**Title 28
EDUCATION**

**Part CXLVII. Bulletin 130—Regulations for the
Evaluation and Assessment of School Personnel
Chapter 3. Personnel Evaluation
§301. Overview of Personnel Evaluation**

A. - B. ...

C. For the 2020-2021 academic year only, if a school leader has one learning target based on school performance and one learning target based on alternate measures, then the alternate learning target shall be duplicated for purposes of calculating a final student growth score for the school leader.

D. For the 2020-2021 academic year only, if each learning target of a school leader is based on school performance, then the observation score will comprise the sum total of school leader evaluation score.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1215 (May 2012), amended LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 41:1266 (July 2015), LR 43:2480 (December 2017), LR 47:354 (March 2021), LR 48:

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 a 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? No.

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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;

2. the cost to the providers to provide the same level of service; or

3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Bulletin 130—Regulations for the
Evaluation and Assessment of School Personnel
Personnel Evaluation**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions could impact expenditures of local school districts to the extent school leaders initially rated as Ineffective experience improved performance ratings as a result of the change in scoring methodology; however, this is not anticipated to be material. Based on the 2018-2019 Compass Leader Results, less than one percent of school leaders received an evaluation of Ineffective in all but two of the districts for which data is available. State law prohibits teachers or administrators rated Ineffective from receiving a higher salary in the year following the evaluation. If any school leaders initially rated Ineffective are able to improve their rating to

Effective: Emerging, they would become eligible for salary increases or supplements in the 2021-2022 academic year.

These revisions would amend the process for evaluating school leaders in the absence of 2020-2021 School Performance Scores. If a school leader has one student learning target (SLT) based on school performance and one SLT based on alternate measures, then the alternate SLT will be duplicated to calculate a final student growth score. If all SLTs are based on school performance, then the leader’s observation score will comprise the sum of the evaluation score.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will not have an 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)

If any school leaders initially rated Ineffective are able to improve their rating to Effective: Emerging, they would become eligible for salary increases or supplements in the 2021-22 academic year; however, the number of such school leaders is not expected to be material.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2201#053

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 139—Louisiana Child Care and Development Fund (LAC 28:CLXV.103, 701, 703, 705, 707, 709, 901, 902, 903, 1101, 1103, 1105, 1107, 1109)

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 proposes to amend LAC 28:CLXV Bulletin 139 – *Louisiana Child Care and Development Fund*. The proposed revisions allow CCAP-certified family child care providers to apply for academic approval and participate in the unified quality rating system and initiatives.

Title 28

EDUCATION

Part CLXV. Bulletin 139—Louisiana Child Care and Development Fund Programs

Chapter 1. Child Care Assistance Program

§103. Definitions

Automated Child Care Time and Attendance—an electronic system that provides accurate and timely capturing, tracking, and reporting of time and attendance data. This system may utilize an adult’s finger image or IVR interactive voice response (IVR) as a mechanism for capturing this data.

* * *

Louisiana Pathways Early Learning Center Career Development System (LA Pathways)—the state practitioner registry maintained by the department or its contractor. LA pathways registers child care facility directors and staff according to requirements based on training and education,

experience, and professional activities, as approved by the department. Categories are established for early learning center staff, early learning center assistant teacher, early learning center teacher, early learning center assistant director and early learning center director.

* * *

Quality Start Child Care Rating System—system designed to assess the level of quality of early care and education programs serving birth through age five, communicate the level of quality, and support improvements of child care facilities.

* * *

AUTHORITY NOTE: Promulgated in accordance with 45 CFR part 98 and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2109 (October 2015), amended LR 42:42 (January 2016), LR 42:1870 (November 2016), LR 43:1279 (July 2017), LR 44:257 (February 2018), effective March 1, 2018, LR 44:800 (April 2018), LR 47:1279 (September 2021), LR 48:

Chapter 7. Administration of School Readiness Tax Credits

§701. General School Readiness Tax Credit Provisions

A. - C. ...

D. For purposes of this chapter and Chapters 9 and 11 of this Bulletin, the term “child care facilities” means any licensed Type III early learning center or registered and CCAP-certified family child care home that has current academic approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education and the Department of Revenue, LR 41:2117 (October 2015), LR 48:

§703. Child Care Facility Expense Tax Credit

A. The Department of Revenue shall make available to qualifying child care facilities a credit certificate to be given to each taxpayer claiming the child care facility expense tax credit. The credit certificate will consist of child care facility portion of the certificate and a taxpayer portion of the certificate.

B. The child care facility shall complete the child care facility portion of the credit certificate and shall submit the certificate to each taxpayer who had a child at the child care facility during the calendar year no later than January 31 of the succeeding year. The child care facility portion of the credit certificate will include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the child care facility Louisiana tax identification number, the Louisiana early learning center license number or the certified family child care provider number from the department, the name of the child attending the child care facility, and the issue date and effective year. The child care facility shall submit to the Department of Revenue a list of all taxpayers to whom a certificate was issued.

C. ...

D. The department shall provide information necessary for the secretary of the Department of Revenue to determine the child care facility’s quality rating.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education and the Department of Revenue, LR 41:2117 (October 2015), LR 48:

§705. Child Care Facility Tax Credit

A. The average monthly number of children as used in R.S. 47:6105 is to be determined on a calendar year basis, and the child care facility shall claim the credit for the tax year that includes December 31. The child care facility tax credit will be calculated based on the average monthly number of children participating full-time in CCAP or the foster care program, from January to December of a calendar year, as follows:

1. - 4. ...

B. The department shall provide documentation to each qualifying child care facility of the average monthly number of children participating in CCAP or in the foster care program. If the child care facility has multiple sites, the department shall provide this information for each site. The certificate shall be delivered or mailed to all qualifying child care facilities by March 1 of the year following the year the credit is earned. The certificate shall include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the early learning center license number or the family child care provider number, and the issue date and effective year from the department.

C. Child care facilities that operate as a corporation or sole proprietorship shall submit or maintain the credit certificate as required by the secretary of the Department of Revenue in forms and instructions.

D. For child care facilities that operate as flow-through entities such as partnerships, LLCs electing partnership treatment, or S corporations passing credits through to shareholders, every partner, member, or shareholder claiming the credit must submit or maintain copies of the information issued by the department for each site. Every partner, member, or shareholder claiming the credit must submit or maintain a schedule showing how the total credit is allocated to each partner, member or shareholder.

E. The department shall provide information necessary for the secretary of the Department of Revenue to determine and/or verify the child care facility’s quality rating.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education and the Department of Revenue, LR 41:2118 (October 2015), LR 48:

§707. Credit for Child Care Facility Directors and Staff

A. ...

B. In order to claim this credit, the department or their representative must provide child care facility directors and staff members with a certificate no later than January 31 that states which level of qualification the employee meets according to the criteria established by the department. The taxpayer must submit or maintain the certificate as required by the secretary of the Department of Revenue in forms and instructions.

C. Each child care facility director and staff member will also have to verify that he/she has worked at the same child care facility for at least six months in the calendar year and

for an average of at least 30 hours per week, unless otherwise approved by the LDE.

1. Due to the COVID-19 pandemic, for the 2020 calendar year, a facility director or staff member will only have to verify that he/she has worked at the same child care facility or at least 300 hours in the calendar year in order to meet the work requirement in this Subsection.

D. Child care facility director and staff levels will have such meaning as provided by regulation issued by the department.

E. The maximum number of directors at an child care facility site who may receive the director credit in any given year is based on licensed capacity of the child care facility as indicated below.

Licensed Capacity	Maximum Number of Directors
15 or fewer children	1
16-50 children	2
51-100 children	3
101-200 children	4
201 or more children	5

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education and the Department of Revenue, LR 41:2118 (October 2015), amended by the Board of Elementary and Secondary Education LR 43:1280 (July 2017), LR 47:452 (April 2021), repromulgated LR 47:574 (May 2021), LR 48:

§709. Business-Supported Child Care Facility Credits

A. Business Child Care Facility Expense Credit

1. In order for a business to claim this credit, the business must provide the Department of Revenue the following information: the name and Louisiana revenue tax identification number of the child care facility to or for whom the eligible expenses were paid or made, the amount and nature of qualifying expenses at each child care facility as defined in R.S. 17:407.33, and the child care facility’s quality rating.

2. The department shall provide information necessary for the secretary of the Department of Revenue to determine and/or verify the child care facility’s quality rating.

B. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education and the Department of Revenue, LR 41:2118 (October 2015), LR 48:

Chapter 9. Louisiana Pathways Early Learning Center Career Development System (LA Pathways)

§901. Authority

A. The Louisiana pathways child care facility career development system (LA pathways) is the state practitioner registry maintained by the LDE or its contractor. LA pathways offers child care facility staff, including directors, teachers, assistant teachers and other classroom staff, a formal mechanism to track their training, educational attainment and experience in the field of early childhood care and education.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98, R.S. 17:407.26, and R.S. 47:6101 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2119 (October 2015), amended LR 43:1281 (July 2017), LR 48:

§902. Definitions

Administrator Certificate—certificate awarded to a director who has 75 clock hours in approved administrative training categories or two college courses in administration.

Administrator Track for LA Pathways—professional career ladder registry designed for administrators in child care facilities that recognizes individuals based on the educational attainment and professional participation.

* * *

Classroom Track for LA Pathways—professional career ladder registry designed for classroom staff within child care facilities that recognizes individuals based on the educational attainment and commitment to the field.

Early Childhood Ancillary Certificate—certificate issued by the LDE that allows a qualified person to act as a lead teacher within a type III early learning center or family child care home.

Early Childhood Professional Organization—organization that provides professional training or advocacy opportunities for individuals in the early childhood field.

Family Child Care Track for LA Pathways—professional career ladder registry designed for family child care providers that recognizes individuals based on the educational attainment and commitment to the field.

LA Pathways—see Louisiana pathways early learning center career development system.

Louisiana Pathways Early Learning Center Career Development System (LA Pathways)—state practitioner registry maintained by the LDE or its contractor that registers care facility directors and staff based on training, education, experience and professional activities.

* * *

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98, R.S. 17:407.26, and R.S. 47:6101 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, amended LR 43:1281 (July 2017), LR 48:

§903. Participation in LA Pathways

A.1. Any individual working or planning to work in the child care facility industry as a director of a child care facility is eligible to enroll in LA pathways by completing and submitting an application and the required documents to LA pathways.

2. Any individual working or planning to work in the child care facility industry as a staff member of a child care facility is eligible to enroll in LA pathways by either completing and submitting an application and the required documents to LA pathways or by submitting an application for an early childhood ancillary certificate to the LDE.

3. LA pathways will register child care facility directors and staff according to requirements based on training and education, experience and professional activities, as approved by the LDE. Participation is voluntary.

A.4. - G.3.d. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:407.28.6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2119 (October 2015), amended LR 42:46 (January 2016), LR 43:1281 (July 2017), LR 44:262 (February 2018), LR 48:

Chapter 11. Unified Quality Rating System for Child Care Facilities

§1101. Authority

A. The unified quality rating system for child care facilities is established and administered by the LDE under the authority of state and federal laws.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2121 (October 2015), amended LR 43:1285 (July 2017), LR 48:

§1103. Definitions

Child or Children—individuals who are five years of age or less.

Child Care Provider—a taxpayer who owns an eligible child care facility or facilities.

Early Childhood Care and Education Network—the network established through R.S. 17:407.23 and Bulletin 140 as the comprehensive and integrated network through which BESE manages and oversees publicly-funded early childhood care and education programs, which include type III early learning centers and family child care homes that are registered, CCAP-certified, and have current academic approval by the department, in order to improve kindergarten readiness.

Eligible Child Care Facility—a type III early learning center that has current academic approval and a valid type III early learning center license issued by the LDE and is participating in the unified quality rating system, or a family child care home that is registered, CCAP-certified, and has current academic approval by the department and is participating in the unified quality rating system.

Quality Rating—the number of “stars” awarded to an eligible child care facility by the unified quality rating system on July 1 of each year.

* * *

Unified Quality Rating System—system that sets forth the criteria for evaluating and rating the quality of an eligible child care facility in terms of “stars” with five “stars” being the highest.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2121 (October 2015), amended LR 43:1285 (July 2017), LR 48:

§1105. Unified Quality Rating System for Child Care Facilities

A. The unified quality rating system consists of five star ratings that may be awarded to child care facilities based on the level of quality of early child care and education provided by child care facilities serving children from birth through age five. The unified quality rating system is designed to recognize the quality of early care and education provided, communicate the level of quality, and support improvements of child care facilities.

1. - 1.b....

2. To be eligible for participation in the unified quality rating system, a family child care home must:

a. have current academic approval issued by the department in compliance with §313 of *Bulletin 140—Louisiana Early Childhood Care and Education Network*; and

b. be registered and have current certification for CCAP issued by LDE in compliance with this Bulletin.

3. A child care facility is participating in the unified quality rating system if it is eligible for participation and has notified the LDE of the desire to participate and willingness to sign the required documents verifying eligibility for tax credits.

B. A star rating shall be awarded to an eligible, participating child care facility based on the performance rating the facility receives on its annual performance profile issued by the LDE as part of the early childhood care and education accountability system (ECCE accountability system). The ECCE accountability system was created pursuant to R.S. 17:407.23(B)(3) and Bulletin 140, and is used to evaluate the performance of publicly-funded early childhood care and education sites, which include child care facilities and community networks in preparing children for kindergarten and to assign a performance profile to each site, which include child care facilities and community networks.

1. All publicly funded early childhood care and education sites, which include eligible child care, are required to participate in the ECCE accountability system pursuant to §501 of Bulletin 140, and each publicly-funded site, which includes eligible child care facilities must receive a performance profile based its performance each school year.

2. Performance profiles for publicly-funded sites, which include eligible child care facilities, must include a performance rating as provided in §509 of Bulletin 140.

3. Performance rating calculations for publicly-funded sites, which include eligible child care, are made in accordance with §503 and §509 of Bulletin 140.

C. Star Ratings for Child Care Facilities

1. An eligible, participating child care facility that earns a performance rating score of 3.00 through 3.74 on its performance profile issued by the LDE shall be awarded a one star quality rating.

2. An eligible, participating child care facility that earns a performance rating score of 3.75 through 4.49 on its performance profile issued by the LDE shall be awarded a two star quality rating.

3. An eligible, participating child care facility that earns a performance rating score of 4.50 through 5.24 on its performance profile issued by the LDE shall be awarded a three star quality rating.

4. An eligible, participating child care facility that earns a performance rating score of 5.25 through 5.99 on its performance profile issued by the LDE shall be awarded a four star quality rating.

5. An eligible, participating care facility that earns a performance rating score of 6.00 through 7.00 on its performance profile issued by the LDE shall be awarded a five star quality rating.

D. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2122 (October 2015), amended LR 43:1285 (July 2017), LR 48:

§1107. Participation

A. Child care facilities that have achieved a star rating may have their rating reviewed and modified, if at any time it becomes known to the LDE or the LDE receives information from the child care facility that child care facility no longer meets standards for the child care facility's current star rating award.

B. Early learning centers that have achieved a star rating will have their rating revoked if the early learning center license is revoked or not renewed. Family child care homes that have achieved a star rating will have their rating revoked if their registration, CCAP-certification, or academic approval is revoked or not renewed.

C. Child care facilities that have achieved a star rating may have their rating revoked, or child care facilities applying may be denied, if it is determined by the LDE that false or misleading statements or documents have been submitted or misrepresented or relevant facts have been concealed or withheld in order to qualify or maintain a star(s) in the unified quality rating system or to obtain the school readiness tax credit (SRTC).

D. - E. ...

F. Child care facilities that have a star award revoked by quality start may be prohibited from participating in quality start for 12 months from the date of revocation of star award.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2126 (October 2015), amended LR 43:1286 (July 2017), LR 48:

§1109. Unified Quality Rating System Tiered Bonus Payments

A. Bonus payments will be issued after the end of each calendar quarter to child care facilities that care for children receiving assistance from the Child Care Assistance Program and for children in the state Foster Care Program in accordance with the child care facility's star rating. The payment is equal to a percentage, as defined below, of all child care subsidy payments received by the child care facility from the LDE for services provided during the service period(s) in that quarter and the child care facility's star rating(s).

1. Bonus payments for the period from January 1, 2018 through December 31, 2018 shall be based on the child care facility's 2016-2017 performance profile rating and the following percentages:

a. - e. ...

2. Bonus payments for the period from January 1, 2019 through December 31, 2019 shall be based on the child care facility's 2017-2018 performance profile rating and the following percentages:

a. - e. ...

3. Bonus payments for the period from January 1, 2020 through December 31, 2020 shall be based on the child care facility's 2018-2019 performance profile rating and the following percentages:

a. - e. ...

4. Bonus payments for the period from January 1, 2021 through December 31, 2021, and subsequent years, shall be based on the child care facility's 2019-2020 performance profile rating, and the performance profiles for subsequent years, and the following percentages:

a. - c. ...

B. The state superintendent of education may, in specific instances, grant a waiver allowing the LDE to continue to use an child care facility's star rating as of June 30 in calculating bonus payments for up to two quarters beginning on July 1 of the same calendar year, in a year in which the child care facility's star rating decreases, if the superintendent determines that the economic or adverse impact of the decreased star rating is sufficiently great to reduce access for families participating in the Child Care Assistance Program.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2126 (October 2015), amended LR 43:1286 (July 2017), LR 48:

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 a 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? Yes.
2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.
3. Will the proposed Rule affect employment and workforce development? No.
4. Will the proposed Rule affect taxes and tax credits? Yes.
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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bulletin 139—Louisiana Child Care and Development Fund

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions will result in increased costs for the Department of Education (LDE) and local school districts serving as Early Childhood Community Network lead agencies to conduct Classroom Assessment Scoring System (CLASS) observations of family child care providers which participate in the quality rating system. There will also be increased costs to the LDE to provide additional funding to Early Childhood Community Network lead agencies due to the increased number of classrooms within the networks.

The proposed revisions will result in additional costs for the LDE to contract with a third-party provider to conduct annual CLASS observations at Child Care Assistance Program (CCAP) certified family child care providers which participate in the unified quality rating system. The LDE currently pays the Picard Center \$450 per CLASS observation. If all 259 CCAP-certified family child care providers participated in the program, the annual cost would be \$116,550; however, the actual cost will depend on the number of participating providers and is indeterminable.

The proposed revisions will also increase the number of classrooms for which the LDE will need to provide funding to Early Childhood Community Network lead agencies by an indeterminable amount based on the number of family child care providers participating in the program. The Board of

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 140—Louisiana Early Childhood Care and Education Network—Coordinated Observation Plan and Observation Requirements (LAC 28:CLXVII.503 and 509)

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 proposes to amend LAC28:CLXVII. *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The proposed revisions would align 2021-2022 early childhood observation policy with the approved 2021-2022 K-12 observation policy approved by the board in October 2021 to alleviate the burdens of cost and time, amplified by the COVID-19 pandemic, associated with conducting these observations.

Title 28

EDUCATION

Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network

Chapter 5. Early Childhood Care and Education Accountability System

§503. Coordinated Observation Plan and Observation Requirements

A. - B.2.c. ...

3. Required Observations

a. For the 2020-2021 and 2021-2022 academic years only, all infant, toddler, and pre-K classrooms in a publicly-funded site will receive one *CLASS*® observation during the school year conducted by the community network.

b. Any infant, toddler, and/or pre-K classroom that receives a fall *CLASS*® score of 4.49 or lower after third party replacement (if applicable) shall be observed a second time.

c. Following the 2020-2021 and 2021-2022 academic years, all infant, toddler, and pre-K classrooms in a publicly-funded site will receive two *CLASS*® observations during the school year conducted by the community network.

d. Following the 2020-2021 and 2021-2022 academic years, one observation shall occur during the fall observation period, if the classroom is in existence on October 1, and the other shall occur during the spring observation period, if the classroom is in existence on February 1.

e. *CLASS*® observations conducted by third-party contractors hired by the department shall not count towards this requirement.

f. - f.iii.(b). Repealed.

B.4. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.30 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:556 (April 2020), LR 48:

§509. Performance Rating Calculations for Publicly-Funded Sites

A. - B.3. ...

Elementary and Secondary Education approves funding for Community Network lead agencies. The agencies are funded with a combination of State General Funds and federal Child Care Development Funds (CCDF) at a rate of \$525 per classroom and \$787.50 per classroom for classrooms located within a secondary community network under the purview of the lead agency. Additionally, the rate of \$787.50 applies to classrooms located in school systems in community networks where more than 10% of their total classroom count are located in secondary school systems required to complete the LDE Super App.

The proposed revisions will result in additional costs to local school districts which serve as Early Childhood Community Network lead agencies to conduct twice-annual CLASS observations, which are required in addition to the annual LDE observations. Community Networks typically pay between \$100 and \$300 per observation. The cost will depend on the number of participating providers and is indeterminable.

The proposed revisions allow CCAP-certified family child care providers to apply for academic approval and participate in the unified quality rating system and initiatives.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will lead to a decrease in state revenue collections to the extent that family child care providers opting in to the academic approval program may be eligible for the school readiness tax credit (SRTC). The SRTC currently applies to Type III early learning centers and includes credits for provider staff, the provider itself, the parents or guardians of enrolled children, and qualifying business expenses in support of child care. Under the proposed revisions, family child care providers that participate in the quality rating system will qualify for the current SRTC. The LDE reports it is planning a separate SRTC track specific to family child care providers. The amount of revenue loss is indeterminable and will depend upon the SRTC structure as well as the number of participating providers.

For informational purposes, the average amount of SRTC claimed per early learning center staff member in 2020 was \$3,127. As of November 2021, 259 family child care providers self-identified to the Louisiana Department of Education, resulting in approximately \$809,893 in total SRTC potentially applied as a result of these revisions.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed revisions will result in additional costs to nonprofit organizations serving as Early Childhood Community Network lead agencies to conduct twice-annual CLASS observations for participating child care providers. Community Network lead agencies typically pay \$100-\$300 per observation. The cost will depend on the number of participating providers and is indeterminable.

The proposed revisions will benefit participating family child care providers by making them eligible for SRTC tax credits. The amount of these tax credits will depend upon the SRTC structure developed by the LDE for participating family child care providers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions may result in additional employment for contractors who conduct CLASS observations on behalf of the LDE and Early Childhood Community Network.

Beth Scioneaux
Deputy Superintendent
2201#054

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

4. Exception due to the COVID-19 pandemic with regard to observation completion and other associated challenges. For the 2020-2021 and 2021-2022 school years only, a classroom that does not have a second observation because the classroom received a fall CLASS® score of 4.50 or higher after third party replacement shall have their fall CLASS® score after third party replacement duplicated and treated as the spring local observation for the purposes of performance rating. A classroom that does not have a second observation for any other reason shall have their score replaced consistent with Subsection B of this Section.

C. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2587 (December 2015), amended LR 42:1873 (November 2016), LR 44:1442 (August 2018), LR 45:1453 (October 2019), LR 47:1286 (September 2021), LR 48:

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 a 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? No.
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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bulletin 140—Louisiana Early Childhood Care and Education Network—Coordinated Observation Plan and Observation Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions may result in reduced costs for Early Childhood Community Network lead agencies located at local school districts; however, this is indeterminable. The proposed revision reduces the number of required Classroom Assessment Scoring System (CLASS) observations for most classrooms from two to one for the 2021-2022 school year. To the extent the lead agency contracts with individuals to conduct CLASS observations, it may experience reduced costs or alternatively reallocate such funds for other purposes.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed policy revisions will not have an impact on state or local revenue collections. Early Childhood Community Network lead agencies receive funding through state per-pupil allocations.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed revisions may result in reduced costs for Early Childhood Community Network lead agencies located at non-profit organizations; however, this is indeterminable.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions may lead to a reduction in employment or income for individuals contracted by lead agencies to conduct CLASS observations. Early Childhood Community Network lead agencies have autonomy to find CLASS observers and vary in how they structure the role. In some places, CLASS observations are conducted by system or site administrators as part of their regular duties. In other places, the lead agency contracts with individuals to conduct CLASS observations. It is possible that the reduction in observations will affect workload and/or pay in some cases.

Beth Scioneaux
Deputy Superintendent
2201#055

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators (LAC 28: CXV.1119, 1151, 1153, 1301, 1302, 1305, 1307, 1309, 1311, and 3501)

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 proposes to amend LAC28: CXV. Bulletin 741—*Louisiana Handbook for School Administrators* in accordance with legislation enacted during the Louisiana 2021 Regular Legislative Session.

**Title 28
EDUCATION**

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 11. Student Services

§1119. Remote School Registration and Enrollment of Children of Military Personnel Transferring to Louisiana

A. A local educational governing authority shall allow a dependent child of an active duty member of the United States Armed Forces, the military reserve forces, or the National Guard or a Department of Defense civilian to register and preliminarily enroll in a public school under its jurisdiction by remote means, including electronic means, prior to becoming a resident of Louisiana, if:

1. The parent or legal guardian of the student is transferred or pending transfer to a military installation or comparable duty location in Louisiana pursuant to an official military order;

2. The parent or legal guardian of the student provides a copy of the official military order transferring the parent or legal guardian to a military installation or comparable duty location in Louisiana to the local educational governing authority; and

3. The parent or legal guardian of the student completes and submits to the local educational governing authority all required registration and enrollment forms and documentation, except that proof of residency, which shall

be required within ten days after the arrival date specified on the parent or legal guardian transfer orders.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§1151. Purple Star School Award Program

A. A school shall be labeled a “Purple Star School” if it has exhibited a major commitment to military-connected students and families, as demonstrated by meeting the following requirements:

1. The school has designated a staff member as a military liaison to serve as the primary point of contact for military-connected students. The designated staff member shall:

- a. identify special considerations needed by military-connected students and families; and
- b. develop training to inform teachers and other school personnel of such special considerations.

B. Schools labeled as “Purple Star Schools” shall:

1. maintain a dedicated page on the school website featuring resources for military-connected students and families; and

2. maintain a student-led transition program to provide peer support for military-connected students

C. The local educational governing authority of each Purple Star School shall:

1. adopt a resolution stating the commitment of the support for military-connected students and families; and

2. assign a central office staff member to be the contact for the school-based liaison and military-connected students and families.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§1153. Reward Eligibility

A. A school shall be labeled a “reward school” if it earns the equivalent to an “A” letter grade on the progress index.

B. Schools labeled as “reward schools” shall be eligible for financial rewards, as funds are available and as determined by the department.

C. Schools will not be eligible for reward status if they are labeled “urgent intervention required” for any subgroup.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

Chapter 13. Discipline

§1301. Disciplinary Regulations

A. - A.1. ...

2. The plan shall address student behavior with a focus on evidence-based interventions and supports, prioritizing classroom- and school-based interventions in lieu of out-of-school disciplinary removals to address student misconduct in order to minimize the loss of academic instructional time.

3. Each LEA shall adopt rules regarding the reporting and review of disciplinary actions.

B. - C. ...

D. Any principal who fails to act on a report of student violations of disciplinary regulations shall explain his/her

reasons for such an action to the superintendent of the LEA by the administrator is employed, or to the superintendent designee.

1. Any public school administrator and any administrator designee who is required to make a recommendation, resolve an issue, or apply a disciplinary action in a matter involving the discipline of a student shall recuse themselves from doing so whenever a member of the immediate family of the school administrator or of the administrator designee is involved in any manner in the recommendation to be made, the issue to be resolved, or the action to be applied.

a. Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

b. In case of such recusal, the recommendation shall be made by, the issue determined by, or the disciplinary action taken by the superintendent or an impartial designee of the superintendent.

E. - F. ...

G. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior or who are suspended for 10 days or less shall be assigned school work missed and shall receive either full or partial credit for such work upon satisfactory and timely completion as determined by the principal or designee and upon the recommendation of the student's teacher. A student who is suspended for more than 10 days or is expelled shall receive educational services in an alternative school site, shall be assigned school work by a certified teacher, and shall receive credit for school work upon satisfactory and timely completion as determined by the teacher. Such work shall be aligned with the curriculum used at the school from which the student was suspended or expelled.

1. Upon removal from the classroom for disruptive, dangerous, or unruly behavior, the principal or designee shall advise the student of the misconduct and basis for accusation, and the student shall be given an opportunity at that time to offer rebuttal of the accusation. The principal or designee then shall conduct a counseling session with the student as may be appropriate to establish a course of action consistent with school board policy to identify and correct the behavior for which the student is being disciplined. The principal or designee shall provide oral or written feedback to the parent or guardian of the student and may also provide oral or written feedback to the teacher initiating the removal. Feedback to teachers may include guidance and support on practicing effective classroom management including but not limited to positive behavior supports.

2. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior shall be permitted to return to the class after:

a. no fewer than thirty minutes for students in kindergarten through fifth grade unless consent is given by the teacher initiating the disciplinary action;

b. the end of the class period for students in sixth through twelfth grade unless consent is given by the teacher initiating the disciplinary action;

c. the principal or designee has implemented at least one or more of the following disciplinary actions:

i. conferencing with the principal or the principal designee.

- ii. referral to counseling.
- iii. peer mediation.
- iv. referral to the school building level committee.
- v. restorative justice practices.
- vi. loss of privileges.
- vii. detention.
- viii. in-school suspension.
- ix. out-of-school suspension.
- x. initiation of expulsion hearings.
- xi. referral for assignment to an alternative setting.
- xii. any other disciplinary measure authorized by

the principal with the concurrence of the teacher of the school building level committee pursuant to law and LEA policy.

3. When a student is removed from the classroom for disruptive, dangerous, or unruly behavior, the teacher or the principal or designee may require that the parent or legal guardian of the student have a conference with the teacher or the principal or designee. Such conference may be in person, by telephone, or by other virtual means.

4. Upon the third disciplinary removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the student and the appropriate disciplinary action prior application of a disciplinary measure. A conference between the teacher or other appropriate school employee and the student's parent or legal custodian may be required prior to student readmission to the same classroom. Such conference may be in person, by telephone, or by other virtual means. If required by the school or LEA policy, the school shall give written notice to the parent.

5. For students who experience multiple behavioral incidents or disciplinary referrals, a principal or designee shall consider a referral of the matter to an appropriate school building level committee. If the disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.

H. - I. ...

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:

§1302. Student Code of Conduct

A. Each LEA shall adopt a student code of conduct for the students in the schools under its jurisdiction.

1. Such student code of conduct shall be in compliance with all existing rules, regulations, and LEA and BESE policies and all state laws regarding student discipline and shall include necessary disciplinary action to be taken against any student who violates the code of conduct.

2. Each LEA shall adopt and incorporate into its student code of conduct a policy prohibiting the bullying of a student by another student, which includes the definition of bullying and all other requirements listed in §1303 of this Bulletin.

3. Each LEA shall include in its student code of conduct the definition of dating violence, data violence warning signs and instructions for reporting or seeking assistance for acts of dating violence.

4. Each LEA shall include in its student code of conduct progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences.

a. Before an initial referral for student expulsion, codes of conduct shall require the prior administration of interventions in accordance with the minor tiers in the code of conduct, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the code of conduct, or the underlying incident threatens the safety and health of students or staff.

b. Expulsions shall be reserved for the major tier of behavioral infractions involving weapons or drugs, or when the safety of students and staff is at risk.

5. Each LEA shall include in its code of conduct information detailing the appeal process for expulsions as described in §1311 of this Bulletin.

6. Each LEA shall include in its code of conduct clearly defined rules of conduct and expectations of students engaged in virtual instruction as well as clearly defined consequences of conduct, that respects the student and family rights to privacy and other constitutional rights while at home or in a location that is not school property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81, 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 39:477 (March 2013), amended LR 40:2530 (December 2014), LR 48:

§1305. Reasons for Suspension [Formerly §1303]

A. The school principal or designee may suspend from school any student, including a student with exceptionalities, for good cause in accordance with state law and local policy.

B. Students determined to be guilty of the following offenses may be suspended for the following reasons:

1. - 5. ...

6. conduct or habits injurious to his/her associates, unless it can be reasonably concluded that the student is not the aggressor or responsible for instigating the confrontation and that use of such force was committed solely for the purpose of preventing a forcible offense, and that the force used must be reasonable and apparently necessary to prevent such offense;

B.7. - B.17. ...

C. A student enrolled in grades prekindergarten through five shall not be suspended or expelled from school or suspended from riding on any school bus for a uniform violation unless said offense is for willful disregard of school policies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1283 (June 2005), repromulgated LR 39:479 (March 2013), amended LR 39:2210 (August 2013), LR 48:

§1307. Reasons for Expulsions

A. Students may be expelled for any of the following reasons:

A.1. - A.2. ...

3. the conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have

constituted a felony, may be cause for expulsion of the student for a period of time as determined by the board;

a. such expulsions shall require the vote of two thirds of the elected members of the local educational governing authority.

b. such expulsions shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, shall run concurrent to the student's period of disposition, and may require the student to serve the time left in the expulsion period as required by the superintendent or designee if the student was serving an expulsion period when the student was incarcerated for a separate offense and the student completes the period of incarceration with time left in the expulsion period;

c. such conviction or incarceration may be sufficient cause for a superintendent to refuse admission of the student to a school except upon review and approval of a majority of the elected members of the local school board;

4. ...

5. a student in grades six and above who is found guilty of being in possession of any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be expelled from school according to the requirements of R.S. 17:416(C)(2). The school principal or designee shall, within five days of arrest, refer such student for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances. If evidence of abuse is found, the principal or designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian.

6. any student older than eleven and in grades six and above, carrying or possessing a knife the blade of which equals or exceeds two and one-half inches in length.

B. School officials shall have total discretion and shall exercise such discretion to impose disciplinary actions authorized by this Section for possession by a student of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of student intent to use the firearm or knife in a criminal manner.

C. Expulsion is not mandatory for a student carrying or possessing a firearm or knife for purposes of involvement in a school class or course or school-approved co-curricular or extracurricular activity or any other activity approved by the appropriate school officials or for a student possessing any controlled dangerous substance governed by the uniform controlled dangerous substances law that has been obtained directly or pursuant to a valid prescription or order from a licensed medical provider. However, the student shall carry evidence of the prescription or medical provider order on his person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession of the controlled dangerous substance in the original packaging as received from the pharmacy.

D. Mandatory recommendation for expulsion shall not be applied to virtual instruction received by a student in the student home.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 39:2211 (August 2013), LR 43:2483 (December 2017), LR 48:

§1309. Guidelines for Expulsions

A. No student who has been expelled from any public or nonpublic school outside the state of Louisiana or any nonpublic school within Louisiana for committing any offenses enumerated in R.S. 17:416 shall be admitted to:

1. a public school in the state except upon the review and approval by the governing body of the admitting school; or

2. to a regular public school in the LEA from which the student was expelled prior to the completion of the specified period of expulsion at the school system's alternative education setting.

B. - C. ...

D. A student expelled from school pursuant to the provisions of R.S. 17:416 may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the city, parish, or other local school board and agreed to in writing by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal or superintendent of schools determination that the student has violated any term or condition of the agreement, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student out-of-school suspensions and expulsions and returned to the school system alternative school setting. As soon thereafter as possible, the principal or designee shall provide verbal notice to the superintendent of schools of any such determination and also shall attempt to provide such verbal notice to the student's parent or other person responsible for the student's school attendance. The principal or his designee also shall provide written notice of the determination and the reasons therefore to the superintendent and to the student's parent or other responsible person.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 35:1098 (June 2009), LR 48:

§1311. Due Process for Expulsions

A. A recommendation for expulsion is made by the principal or, in the case of a student found carrying or possessing a firearm or another dangerous instrumentality other than a knife, or who possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law, in any form, by the principal's designee.

B. A hearing is conducted by the superintendent of the LEA or someone designated by the superintendent within fifteen school days. The school board must provide written notice of the hearing to the student and the parent or legal custodian, and such notice shall advise the student and parent or legal custodian of due process rights.

C. - D. ...

E. Until the hearing takes place, the student shall remain on suspension with access to classwork and the opportunity to earn academic credit.

F. The parent or guardian of the student may, within five days after the decision to expel the student has been rendered, request the local educational governing authority to review the findings of the superintendent or his designee. Otherwise, the decision of the superintendent shall be final. A student's agreement to cooperate in recommended treatment determined as necessary by a medical professional may be certified in writing by the medical professional and used to initiate reopening the student case. The school board shall take into consideration the student agreement to receive treatment as a positive factor in the final decision applicable to any final disciplinary action.

G. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), LR 48:

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? Yes.

6. Is the family or a 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? No.

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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bulletin 741—Louisiana Handbook for School Administrators

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There may be an increase in local expenditures by public school districts associated with increased workload to implement the proposed revisions that provide for remote registration of children of military personnel, the Purple Star School Award Program, and student discipline. Such impacts are indeterminable.

There may be increased state costs to the Department of Education (LDE) to provide financial rewards to school systems which are designated “reward schools”. The cost of the financial rewards is indeterminable; funding is subject to the availability of funds and LDE determination.

These revisions align policy with legislation of the 2021 Regular Session of the Louisiana Legislature. Act 208 provides for remote public school registration and enrollment of children of military personnel transferring to the state. Act 473

constitutes a comprehensive update to student discipline policy. Senate Concurrent Resolution 15 creates a Purple Star School Award Program, administered through the LDE, to recognize schools that evidence a major commitment to serving students and families connected to the United States Armed Forces.

The revisions designate schools which earn the equivalent of an “A” letter grade on the progress index as “reward schools”, which are then eligible for financial rewards from the LDE as funds are available and as determined by the department, unless such schools are labeled “Urgent Intervention Required” for any subgroup.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will not have an 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)

The proposed revisions will benefit military-connected students and families, as they will be able to register for school by remote means. In addition, “Purple Star Schools” will benefit military-connected students and families by providing additional resources and assistance.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2201#056

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs
(LAC 28:XLV.101, 501, 503, 505, 507, 509, 511, 513, 749, and 1301)

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:XLV. *Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs*. The proposed revisions establish a quality rating system for all BESE-approved Early Childhood Ancillary Certificate (ECAC) programs, including an improvement planning process for low-performing programs, an implementation timeline, and descriptions of calculation methods and data reporting requirements.

**Title 28
EDUCATION**

Part XLV. Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs

Chapter 1. Introduction

§101. Purpose

A. ...

B. This bulletin establishes policies relative to the initial and ongoing approval of teacher, early childhood ancillary

certificate, and educational leader preparation programs relative to the following:

1. the initial approval of a teacher and educational leader preparation program from which graduates or completers may be certified per Part CXXXI, *Bulletin 746–Louisiana Standards for State Certification of School Personnel*, Chapter 2, Subchapter A, and the initial approval of an early childhood ancillary certificate program from which completers may earn an early childhood ancillary certificate per Part CLXVII, *Bulletin 140–Louisiana Early Childhood Care and Education Network* and Part CXXXI, *Bulletin 746–Louisiana Standards for State Certification of School Personnel*, Chapter 3, subsection 305;

2. - 3. ...

4. the fulfillment of all other obligations pursuant to federal and state law with respect to the initial and ongoing approval of teacher, early childhood ancillary certificate, and educational leader preparation programs from which graduates or completers may be certified; and the ongoing approval of early childhood ancillary certificate programs, including the establishment and implementation of a uniform early childhood ancillary certificate quality rating system to serve as the basis for such ongoing approval decisions;

5. the fulfillment of these duties and obligations in alignment with the Board of Regent’s (BOR) constitutional authority to regulate public institutions of higher education.

C. - D. ...

E. Beginning July 1, 2024, a uniform process for initial and ongoing early childhood ancillary certificate program approval that applies equally to university and non-university early childhood ancillary certificate programs will be used. A uniform early childhood ancillary certificate program quality rating system will serve as the basis for renewal decisions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:1730 (August 2002), amended LR 30:2453 (November 2004), LR 35:2326 (November 2009), LR 43:2485 (December 2017), LR 45:902 (July 2019), LR 48:

Chapter 5. Louisiana Early Childhood Ancillary Certificate Program Accountability, Renewal, and Approval

§501. Ongoing Approval of Early Childhood Ancillary Certificate Programs

A. In order to offer a BESE-approved early childhood ancillary certificate program that allows early childhood educators to earn a Louisiana early childhood ancillary certificate, early childhood ancillary certificate providers shall follow the process/procedures detailed in Chapter 3 of this document.

B. The LDE shall annually produce and make publicly available a performance profile and quality rating for each BESE-approved early childhood ancillary certificate program.

C. Renewal decisions shall be made every two years beginning with the first accountability cycle and shall be based on the quality ratings produced annually. Early childhood ancillary certificate programs that earn an ineffective rating (Level 1) for two of any consecutive three fiscal years may not be recommended for BESE-approval during the renewal period.

D. Early childhood ancillary certificate programs that do not maintain a quality rating of level 3 or above on the Louisiana early childhood ancillary certificate program quality rating system and as reported in the annual quality rating shall participate in a continuous improvement planning process with the LDE, including the following:

1. program development of an improvement plan that includes specific improvement goals, timelines, and measures of success;

2. approval of the improvement plan by LDE staff; and

3. progress reports submitted by the program provider to LDE staff as established in the approved plan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§503. Early Childhood Ancillary Certificate Quality Rating System Participation and Performance Profile Implementation Timeline

A. For early childhood ancillary certificate programs that obtain BESE approval prior to September 1, 2022:

1. The 2021-2022 academic year will be a pilot phase for the early childhood ancillary certificate program quality rating system. BESE-approved early childhood ancillary certificate programs will be given the opportunity to participate in a pilot on-site review using the rubric maintained by the LDE. If produced, individual early childhood ancillary certificate program performance profiles will not be published.

2. The 2022-2023 and the 2023-2024 academic years will be a learning phase. There will be no consequences for early childhood ancillary certificate programs as a result of performance profiles or quality ratings during the learning phase. Performance profiles for the 2022-2023 and the 2023-2024 learning phase will be publicly available in 2024-2025 and will clearly indicate that the performance profile is informational and assigned during a learning phase.

3. The 2024-2025 academic year will be the first year of the initial two-year renewal cycle.

B. For early childhood ancillary certificate programs that obtain BESE approval after September 1, 2022, but prior to September 1, 2023:

1. The 2023-2024 academic year will be a learning phase. There will be no consequences for early childhood ancillary certificate programs as a result of performance profiles or quality ratings during the learning phase. Performance profiles for the 2022-2023 and the 2023-2024 learning phase will be publicly available in 2024-2025 and will clearly indicate that the performance profile is informational and assigned during a learning phase.

2. The 2024-2025 academic year will be the first year of the initial two-year renewal cycle.

C. For early childhood ancillary certificate programs that obtain BESE approval after September 1, 2023, the renewal cycle will begin on September 1 of the year directly following BESE approval.

D. Beginning with the 2022-2023 academic year, any early childhood ancillary certificate program that obtains BESE approval prior to September 1 of that academic year must participate in the early childhood ancillary certificate program quality rating system during that academic year. BESE approval shall be terminated for any program that

does not participate in the quality rating system or any component thereof.

E. Beginning with the fall semester of 2026, the LDE will annually produce and make publicly available on the LDE website a performance profile and quality rating for each BESE-approved early childhood ancillary certificate program. The quality rating will not be used to make judgments about renewal of early childhood ancillary certificate program approval until the spring semester of 2027.

F. Beginning with ratings assigned in the fall semester of 2026, Louisiana early childhood ancillary certificate quality rating system results will serve as the basis for early childhood ancillary certificate program renewal. The renewal cycle will be two years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§505. Louisiana Early Childhood Ancillary Certificate Quality Rating System

A. The Louisiana early childhood ancillary certificate quality rating system shall serve as the basis for the renewal of early childhood ancillary certificate program approval. The rating system shall:

1. include multiple measures of early childhood ancillary certificate program success;
2. result in an annual report and performance profile for each BESE-approved early childhood ancillary certificate program; and
3. result in an annual quality rating for each approved early childhood ancillary certificate program.
 - a. The ratings shall be:

Quality Rating	Composite Score Range
Level 1: Ineffective	1.00 <x< 1.44
Level 2: Effective: Emerging	1.45 <x< 2.44
Level 3: Effective	2.45 <x< 3.44
Level 4: Highly Effective	3.45 <x< 4.00

B. The Louisiana early childhood ancillary certificate quality rating system shall include but not be limited to the following domains:

1. Early Childhood Ancillary Certificate Program Experience. As measured by on-site reviews of each early childhood ancillary certificate program, the on-site review shall be conducted at the early childhood ancillary certificate program level and shall result in one rating. An on-site review shall be conducted every other year for each early childhood ancillary certificate program. When logistically and fiscally feasible and appropriate, the program may request the specific years and semesters during which the on-site review is conducted to provide a comprehensive candidate view. Such requests must be submitted to the LDE no less than one year before the renewal period begins.

a. On-site reviews may be conducted by the LDE or by a BESE-approved contractor with demonstrated expertise in early childhood teacher preparation. The evaluation tools used to conduct on-site reviews shall align to the requirements set forth in this bulletin and provide for a holistic rating between 1 and 4.

b. The LDE will maintain and publish a rubric for on-site reviews.

2. Building Workforce Capacity. The capacity shall be measured by the progress toward attainment of the early childhood ancillary certificate by program candidates:

a. Program candidates shall include candidates who teach in Type III child care centers, enroll in the early childhood ancillary certificate program, and receive a scholarship through Louisiana Pathways to attend the BESE-approved program.

b. Progress toward attainment of the early childhood ancillary certificate will be measured by program candidates attainment of credentialing milestones, including satisfactory academic progress, attainment of the CDA, and LDE-issued certification.

3. Early Childhood Teacher Quality. Quality shall be measured by program candidates CLASS® scores.

a. The CLASS® scores collected for the program completer in the observation period directly following program completion will be used for the performance profile year in which the observation occurs.

b. Program completers shall include candidates who teach in Type III child care centers, enroll in the early childhood ancillary certificate program, receive a scholarship through Louisiana Pathways to attend the BESE-approved program, and complete coursework to graduate from the program;

c. CLASS® scores will be calculated using the local CLASS® observations after any domain-level replacement by observations conducted the LDE third party contractor, as defined in Part CLXVII, Bulletin 140–Louisiana Early Childhood Care and Education Network.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§507. Quality Rating Calculation

A. The quality rating for an early childhood ancillary certificate program shall be calculated by weighting each domain.

1. Early childhood ancillary certificate program experience shall be weighted at 50 percent;
2. Building workforce capacity shall be weighted at 25 percent; and
3. Early childhood teacher quality shall be weighted at 25 percent.

B. The quality rating corresponds to the composite score range listed below.

Quality Rating	Composite Score Range
Level 1: Ineffective	1.00 <x< 1.44
Level 2: Effective: Emerging	1.45 <x< 2.44
Level 3: Effective	2.45 <x< 3.44
Level 4: Highly Effective	3.45 <x< 4.00

C. The early childhood ancillary certificate program experience score shall be determined by the on-site review rating. All numbers used in the on-site review calculation process shall be rounded to the nearest tenth, unless otherwise specified.

ECAC Program Experience Rating	Score Range
Level 1: Ineffective	1.0-1.44
Level 2: Effective: Emerging	1.45-2.44
Level 3: Effective	2.45-3.44
Level 4: Highly Effective	3.45-4.0

D. The building workforce capacity score shall be determined by the calculation of an index score, to be calculated as follows.

1. The number of candidates in each category below will be multiplied by the corresponding index points.

Candidate Completion	Index Points
Starts program but does not complete any course intervals within a year of cohort completion	0
Completes only the initial course interval within a year of cohort completion	25
Completes first and second intervals of coursework but does not obtain a CDA within a year of cohort completion	50
Completes coursework and obtains a CDA but does not obtain the ECAC within a year of cohort completion	75
Obtains the ECAC within a year of cohort completion	100

2. The totals for each category in Paragraph 1 of this Subsection will be added together.

3. The sum of the totals for each category will be divided by the total number of program participants who began the cohort, yielding an index score between 0 and 100.

4. Using the index score, a building workforce capacity score between one and four will be assigned based upon the following ranges.

Building Workforce Capacity	Score Range
Level 1: Ineffective	<65
Level 2: Effective: Emerging	65.0-75.0
Level 3: Effective: Proficient	75.1-84.9
Level 4: Highly Effective	≥85

5. The building workforce capacity score will be calculated a year after cohort completion and updated annually as a lagging indicator.

E. Early childhood teacher quality will be determined by the calculation of an index score based on CLASS® observations conducted in accordance with Bulletin 140 §503 in the observation period immediately following the candidate completion of the program.

1. The number of candidates with a CLASS® score in each category below will be multiplied by the corresponding index points.

Candidate CLASS® Scores	Index Points
Level 1: Ineffective (below 1.00-2.99)	0
Level 2: Effective: Emerging (3.00 to 4.49)	50
Level 3: Effective: Proficient (4.50 to 5.99)	75
Level 4: Highly Effective (6.00 to 7.00)	100

2. The totals for each category in Paragraph 1 of this Subsection will be added together.

3. The sum of the totals for each category will be divided by the total number of program completers who have an observation in the semester following candidate graduation, yielding an index score between 0 and 100.

4. Using the index score, an early childhood teacher quality score between a range of one and four will be assigned.

Early Childhood Teacher Quality Score	Score Range
Level 1	<65
Level 2	65.0-75.0
Level 3	75.1-84.9
Level 4	≥85

F. The LDE shall analyze results from the 2022-2024 learning cycle and may recommend additional policy for BESE consideration for 2024-2025 and beyond.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§509. Informational Metrics

A. The LDE may publish informational metrics that provide additional detail regarding the early childhood ancillary certificate quality rating system domains and other measures of early childhood ancillary certificate program quality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§511. Reporting for the Accountability System

A. Programs shall submit cohort information for each candidate participating in a BESE-approved ECAC program follow the candidate's initial CLASS® observation, at the completion of a cohort, and one year after the graduation of the cohort. Early childhood ancillary certificate programs shall report to the LDE, in the manner specified by the LDE, the following.

Data Categories	Data Elements
Candidate and Graduate Biographical and Program Data	Name
	Birthdate
	Teacher Identification number (if applicable)
	Social Security Number
	Gender
	Race/Ethnicity
	Name of employing Type III Center
	Date candidate admitted to program
	Date candidate completed first interval
	Date candidate completed second interval and any additional course intervals
	Initial CLASS scores from observation conducted by the ECAC program
	Second CLASS scores from observation conducted by the ECAC program
	Date candidate graduated or completed program
	Information for candidates who dropped including reasons for dismissal or departure and date of last attendance
Candidate Admissions	Candidate employment verification
	Candidate experience in ECE
Graduate Completion Data	Date graduate obtained CDA and certificate number
	Date graduate obtained ECAC and certificate number

B. Program completers shall be defined as candidates who completed the programs during the most recent academic year, which is defined as July 1 to June 30.

C. Regularly-reported data, coupled with certification and teacher quality data from the LDE, shall form the official record for the calculation of the program quality rating. The LDE shall provide for a data verification process for the official record as outlined in this bulletin.

D. Preparation providers shall report candidate data subject to the provisions of FERPA only when candidates have provided the necessary permissions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§513. Data Verification, Appeals, and Waivers

A. A data verification process and procedures for appeals and waivers shall be used to correct inaccurate quality rating data and address unforeseen and aberrant factors affecting teacher preparation providers.

1. The LDE shall establish a data verification process for preparation providers to correct inaccurate quality rating data. The LDE shall provide a period(s) of not less than 15 calendar days for final review, correction, and verification of accountability data. All data correction must occur during the designated data verification period. Each preparation provider must collect documentation for every data element that is submitted for correction and maintain documentation on file for at least four years. The LDE shall review all data corrections during the verification period and grant approval of data proven valid. The LDE may request documentation to support the validity of the corrections.

2. An appeal is a request for the calculation or recalculation of the quality rating or any component score. The appeal procedure is created to address issues when the literal application of program accountability or program renewal policy does not consider certain unforeseen and unusual circumstances. Appeals shall not be available for failure to correct data during the data verification process.

3. A waiver is a temporary withholding of accountability decisions or required components of the quality rating system for no more than one accountability year. The waiver procedure is created to address issues when the literal application of program accountability or program renewal policy does not consider certain unforeseen circumstances. Waivers shall be denied to aggrieved parties attempting to subvert the intent of provisions outlined in federal or state law or policy.

4. The procedure for appeals and waivers is as follows:

a. A preparation provider may request an appeal/waiver by submitting a written request to the state superintendent of education within 15 calendar days of the LDE release of the preparation provider performance profile.

b. All appeal/waiver requests must clearly state the specific reasons for requesting the appeal/waiver and the reasons why the appeal/waiver should be granted and must include any necessary supporting documentation.

c. Supporting documentation for appeal/waiver requests should clearly outline the unforeseen and unusual factors that generate the request. The preparation provider shall be responsible for supplying the LDE with information

necessary for recalculating accountability components per applicable policy.

d. Data corrections shall not be grounds for an appeal/waiver, as all data corrections shall be made prior to release of performance profiles regardless of the source of the errors.

e. The LDE shall review all timely-submitted appeal/waiver requests and, if the request meets guidelines established in this section, shall make recommendations to BESE following the close of the appeal/waiver period. The LDE shall notify the preparation provider of the recommendations and allow the provider to respond in writing. The LDE recommendations and preparation provider responses will be forwarded to BESE for final disposition, as applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

Chapter 7. Louisiana State Standards for Educator Preparation Programs

Subchapter D. Alternate Educational Leader Preparation Programs

§749. Minimum Requirements for Early Childhood Ancillary Certificate Programs

A. - A.1. ...

2. training hours and professional portfolio requirements that can be used to complete a child development associate (CDA) credential, either in family child care, infant/toddler, or preschool, awarded by the Council for Professional Recognition.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), 17:7(6), and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:903 (July 2019). LR 48:

Chapter 13. Identifications of Acronyms

§1301. Acronyms

[Formerly §601]

A. Listed below are the full identifications of acronyms used in this publication.

BESE—Board of Elementary and Secondary Education.
* * *

CDA—Child Development Associates credential

CHEA—Council for Higher Education.

ECAC—Early Childhood Ancillary Certificate

IEP—individualized education plan.
* * *

USDOE—U.S. Department of Education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 17:7(6), and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:1736 (August 2002), amended LR 30:2459 (November 2004), LR 35:2331 (November 2009), LR 36:754 (April 2010), LR 37:566 (February 2011), LR 40:1002 (May 2014), LR 48:

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 a 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? Yes.
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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
The proposed revisions will increase costs to the Louisiana Department of Education (LDE) to conduct onsite reviews of Early Childhood Ancillary Certificate (ECAC) programs. The funding source will be the federal funds received through the Child Care and Development Fund (CCDF). The LDE has budgeted \$304,930 per year for these reviews.
Public two- and four-year colleges and universities that offer ECAC programs may experience increased costs in order to maintain or improve services, based on the results of the quality rating system; however, such costs are indeterminable in advance.
These revisions would implement a quality rating system for ECAC programs approved by the Board of Elementary and Secondary Education (BESE).
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed revisions will not have an 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)
The proposed revisions may result in costs to non-university ECAC programs. The revisions state that ECAC programs which earn a Level 1 quality rating for two of any consecutive three fiscal years may not be recommended for BESE approval during the renewal period. Additionally, ECAC programs that do not maintain a quality rating of level 3 or above must participate in a continuous improvement planning process with the LDE, which will require the program to develop an improvement plan which must be approved by the LDE and submit progress reports to the LDE in accordance with the improvement plan.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2201#057

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

The Louisiana School, District, and State Accountability System—Transition from 2017-2018 to 2024-2025 SPS Release (LAC 28:XI.305)

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 proposes to amend LAC 28:XI:Suppart 1 in *Bulletin 111—The Louisiana School, District, and State Accountability System*. The aforementioned revisions are in response to a request by the Board at the August 2021 meeting directing the Louisiana Department of Education to recommend policy revisions regarding Bulletin 111, §305. Transition from 2017-2018 to 2024-2025 School Performance Score (SPS) Release, which increases the minimum score required for A, B, and C letter grades by five points within a certain time period. Specifically, the revisions amend the transition grading scale beginning in 2023-2024 (2024 SPS) as opposed to 2021-2022 (2022 SPS).

Title 28

EDUCATION

Part XI. Accountability/Testing

Subpart 1. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 3. School Performance Score Component

§305. Transition from 2017-2018 to 2024-2025 SPS Release

A. Beginning in the 2017-2018 school year (2018 SPS), the overall grading scale will be adjusted to allow schools time to respond to higher expectations in each index. In 2018, the minimum score required for an A, B, and C school letter grade will be lowered by 10 points as compared to the 2012-13 baseline grading scale. In 2024, the scales will partially increase by five points each, and by 2025 the scale will return to the 2013 baseline ranges as detailed below.

Beginning in 2017-2018 (2018 SPS) and through 2022-2023 (2023 SPS)	
School Performance Score	Letter Grade
90.0-150.0	A
75.0-89.9	B
60.0-74.9	C
50.0-59.9	D
0-49.9	F

2023-2024 (2024 SPS)	
School Performance Score	Letter Grade
95.0-150	A
80.0-94.9	B
65.0-79.9	C
50.0-64.9	D
0-49.9	F

Beginning in 2024-2025 (2025 SPS) and Beyond	
School Performance Score	Letter Grade
100-150	A
85-99.9	B
70-84.9	C
50-69.9	D

Beginning in 2024-2025 (2025 SPS) and Beyond	
School Performance Score	Letter Grade
0-49.9	F

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:447 (March 2018), LR 48:

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 a 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? No.
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 R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, February 9, 2022, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **The Louisiana School, District, and State Accountability System—Transition from 2017-2018 to 2024-2025 SPS Release**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will not result in costs or savings to state or local governmental units. The revisions will postpone the transition of the School Performance Score (SPS) grading scale to the 2023-2024 school year (2024 SPS) as opposed to 2021-2022 (2022 SPS). To the extent schools receive higher letter grades in the 2021-2022 and 2022-2023 school years due to the proposed revisions, there may be decreased workload for district staff to develop and implement a plan for improvement in schools that avoid receiving an “Urgent Intervention Required” or “Comprehensive Intervention Required” label; however, any such impacts are indeterminable.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions may have an indeterminable effect on revenue collections of public schools. To the extent that schools receive higher letter grades in the 2021-2022 and 2022-2023 school years and are subsequently able to avoid receiving an “Urgent Intervention Required” or “Comprehensive Intervention Required” label, they would be ineligible for certain state or federal grants; however, any such impacts are indeterminable.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2201#050

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Regents Office of Student Financial Assistance

Scholarship/Grant Programs—MJ Foster Promise Program
(LAC 28:IV.Chapter 22)

The Louisiana Board of Regents announces its intention to amend its Scholarship/Grant rules (R.S. 17:3021-3025, R.S. 3041.10-3041.15, R.S. 17:3042.1, R.S. 17:3048.1, R.S. 17:3048.5 and R.S. 17:3048.6).

This rulemaking adds Chapter 22 to the Scholarship and Grant Program rules to implement the M.J. Foster Promise Program, enacted by Act 457 of the 2021 Regular Session of the Louisiana Legislature. (SG22201NI)

Title 28

EDUCATION

Part IV. Student Financial Assistance—Higher Education Scholarship and Grant Programs Chapter 22. M.J. Foster Promise Program §2201. General Provisions

A. Act 457 of the 2021 Regular Session of the Louisiana Legislature establishes the M.J. Foster Promise Program in R.S 17:3047 et seq. The Act provides that the board shall establish the criteria for initial and continuing eligibility and other requirements not otherwise provided in the statutes. The Act further provides that the M.J. Foster Promise Program shall be administered by the board through the Louisiana Office of Student Financial Assistance.

B. Description and Purpose. The M.J. Foster Promise Program provides financial assistance to eligible students enrolled in two year public post-secondary institutions and accredited proprietary schools to pursue an associate degree or a shorter term credential aligned with Louisiana’s workforce priorities.

C. Effective Date. Awards shall be made, and these rules shall apply, beginning with the 2022-2023 academic year.

D. Authority to Audit. By participating in the scholarship and grant programs administered by the board and described in LAC 28:IV, all participants grant the board, LOSFA, and the Louisiana Legislative Auditor the right to inspect records and perform on-site audits of each institution’s administration of the programs for the purpose of determining the institution’s compliance with state law and the board’s rules and regulations.

E. Discrimination Prohibition. The exclusion of a person from equal opportunity for an M.J. Foster Promise Program grant by the board because of race, religion, sex, handicap, national origin or ancestry is prohibited. No policy or procedure of this agency shall be interpreted as superseding or contradicting this prohibition.

F. Criminal Penalties. If an erroneous award has been made and the board determines that the award was made based upon incorrect information submitted by the student or the student's parent(s) or court-ordered custodian, the board may seek reimbursement from the student, the student's parent(s) or court-ordered custodian, and if it is further determined that the award was made due to an intentional misrepresentation by the student, the student's parent(s) or court-ordered custodian, then the board shall refer the case to the attorney general for investigation and prosecution. If a student or the student's parent(s) or court-ordered custodian is suspected of having intentionally misrepresented the facts which were provided to the board and used by it to determine the eligibility of the student for the program and the board has referred the case to the attorney general for investigation, then the student shall remain ineligible for future award consideration pending an outcome of said investigation which is favorable to the student.

G. Award amount. The award amount shall be applied only to tuition and fees required for enrollment. A student who is eligible for the Taylor Opportunity Program for Students (TOPS) as well as the M.J. Foster Promise Program shall receive the highest award available only.

1. For programs which exceed one year, the award amount shall not exceed \$3,200 per academic year for a student enrolled full time, or an amount proportional to the hours in which the student is enrolled if enrolled less than full time.

2. For programs which can be completed in less than one year, the award amount may exceed the amount provided for in Paragraph 1 of this Subsection.

3. In no case shall a student be awarded more than \$6,400 over a three year period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:

§2203. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa. The term *the board* refers to the Louisiana Board of Regents.

Academic Year—for purposes of this program, the academic year begins on July 1 and ends on the following June 30.

Administering Agency—the Louisiana Board of Regents (the Board) through the Louisiana Office of Student Financial Assistance (LOSFA).

Continuous Enrollment—

a. earn at least one shorter-term postsecondary education credential per year if enrolled in a qualified program below the associate degree level; or

b. enroll in the fall and spring semester at each academic year if enrolled in a qualified program at the associate degree level.

Eligible Colleges—two-year public postsecondary institutions and accredited proprietary schools licensed by the board in the state of Louisiana.

Louisiana Resident—

a. a dependent or independent student whose true, fixed, and permanent home of residence is Louisiana as

reported on the free application for federal student aid (FAFSA);

b. a dependent student whose non-custodial parent completes a residency affidavit in Subparagraph f below that establishes Louisiana residency;

c. a veteran of the United States Armed Forces who received an honorable discharge or general discharge under honorable conditions within the twenty-four months preceding the date of application and who has become a resident of Louisiana since separation from the United States Armed Forces;

d. the spouse or dependent child of a resident of Louisiana on active duty with the United States Armed Forces who is stationed outside Louisiana but who claims Louisiana as the state of legal residence and who has filed a Louisiana state income tax return for the most recent two years;

e. the spouse or dependent child of a nonresident of Louisiana on active duty with the United States Armed Forces who is stationed in Louisiana under permanent change of station orders and who, not later than one hundred eighty days after reporting, changes his military personnel records to establish Louisiana as the official state of legal residence and complies with Louisiana income tax laws and regulations for the time period while stationed in Louisiana;

f. if the dependent or independent student does not report Louisiana as his true, fixed, and permanent home of residence as Louisiana on the FAFSA, the board may require an independent student applicant or the parent of a dependent student applicant to show proof of residency. Residency may be established by completion of a standard affidavit developed by the board. Such affidavits must be completed in their entirety by the independent student applicant or by at least one parent of the dependent student applicant and be sworn to and notarized by a licensed notary public. Further, the affiant shall be required to submit records in support of the affidavit to include the following records and such other records as may be required by the board:

i. if registered to vote, a Louisiana voter registration card; and

ii. if licensed to drive a motor vehicle, a Louisiana driver's license; and

iii. if owning a motor vehicle located in Louisiana, a Louisiana registration for that vehicle; and

iv. if earning a reportable income, Louisiana tax returns for the most recent two years.

Qualified Program of Study—one of five industry sectors that are predominated by high-demand, high-wage jobs that are aligned to the state's workforce priorities as determined by the Advisory Council.

Steady Academic Progress—for students enrolled full time, make sufficient progress toward completion of the program of study in which the student is enrolled such that he is expected to graduate before or within 100 percent of the time allotted for completion of such program. For a student enrolled less than full time, before or within the maximum time period for which he may receive an M.J. Foster Promise Program award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:

§2205. Initial Eligibility

A. To be eligible for an M.J. Foster Promise Award, a student must:

1. be 21 years of age as of the date the school bills LOSFA for your award;
2. have earned a high school diploma or equivalent or co-enroll in a qualified program of study and in a program to earn a high school credential that is recognized by the state of Louisiana;
3. be a U.S. Citizen;
4. be a Louisiana Resident as defined in §2203;
5. have not previously earned an undergraduate degree at the associate level or above;
6. complete the Free Application for Federal Student Aid (FAFSA);
7. if served in the U.S. Armed Forces and been separated from service, have received an honorable discharge or a general discharge under honorable conditions;
8. meet the admission requirements of the institution he plans to attend; and
9. enroll and remain enrolled in an eligible program of study through the 14th class day at semester schools, or, for any qualifying summer sessions, students attending proprietary schools, and students enrolled in a program that is not provided on a traditional semester/term basis, through the end of the last day to drop and receive a full refund for the course of study in which enrolled.
10. agree to reside and work full time in Louisiana for a minimum of one year after the completion of the last program of study for which funding is received.

11. agree to perform each year funding is received at least 20 hours of community service or participate in at least 20 hours in an internship, apprenticeship, or mentorship that is related to the qualified program of study.

B. In addition to the above, the applicant must certify that:

1. he is not currently imprisoned; and
2. he has not been convicted of a violent crime as defined in R.S. 14:2(B); and
- 3.a. he has a family income that does not exceed three hundred percent of the federal poverty guidelines published by the United States Department of Health and Human Services; or
- b. certify that he is currently unemployed or has been underemployed for a period of at least six months prior to the date he would receive a grant.

C. All applicants will be required to agree that the Board of Regents and the Office of Student Financial may verify the applicant's criminal history, employment records, and income information. Submission of an application for a grant under this Chapter constitutes express permission for the Louisiana Department of Corrections and Public Safety, the Louisiana State Police, the Louisiana Department of Revenue, and the Louisiana Workforce Commission to release personally identifiable information to LOSFA for the purposes of verification and program reporting. An individual's personally identifiable information will be maintained in a secure environment and will not be released except as necessary to administer this program and for audit purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:

§2207. Continuing Eligibility

A. To maintain eligibility to receive an M.J. Foster Promise Award, a recipient must:

1. annually complete the Free Application for Federal Student Aid;
2. annually complete the on-line application for an M.J. Foster Promise Program award;
3. make steady academic progress as defined in §2203;
4. remain in good academic standing at the college in which enrolled;
5. maintain continuous enrollment, unless granted an exception for cause in accordance with §2103 of these rules;
7. maintain a cumulative grade point average of at least 2.00 calculated on a 4.00 scale in a qualified program for which letter grades are issued;
8. maintain steady academic progress in a qualified program for which letter grades are not issued;
9. not be incarcerated and not have a conviction for any crime of violence as defined in R.S. 14:2(B);
10. if served in the U.S. Armed Forces and been separated from service, have received an honorable discharge or a general discharge under honorable conditions;
11. have received the award for not more than three consecutive academic years unless an exception for cause is granted in accordance with §2103 of these rules;
12. have not used the award to earn more than 60 hours of college credit; and
13. certify the completion of at least 20 hours of community service or 20 hours of participation in an apprenticeship, internship, or mentorship for the prior calendar year.

B. A recipient may continue to receive an award under this section after he has completed one or more qualified programs of study other than an associate's degree if:

1. he continues to meet all of the continuing eligibility requirements set forth in §2207.A.; and
2. he has not exhausted the maximum award eligibility of \$6,400; and
3. he has not received the award for three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:

§2209. Responsibilities of Eligible Colleges

A. Initial Eligibility. Eligible colleges must determine:

1. that an applicant meets the enrollment requirements at the college;
2. that an applicant is enrolled in an eligible program of study;
3. that an applicant has attained a high school diploma or is co-enrolled in a program to attain a high school equivalency diploma; and
4. the appropriate award amount for the student as determined in accordance with §2201.G. and its M.J. Foster Promise Program packaging policy.

B. Continuing Eligibility. Eligible Louisiana institutions must determine whether a recipient is in good academic standing.

C. Packaging Policy

1. Eligible colleges must establish and use a policy on M.J. Foster Promise Program packaging that provides:

a. procedures for compliance with these rules and the guidance established by the board and published by LOSFA for determining the award amount;

b. record retention to comply with Subsection I of this Section;

c. the basis used to establish award amounts;

d. awards amounts for less than full-time students;

e. procedures for identification of transfer students and ensuring transfer students receive awards on the same basis as home students;

f. procedures that identify students who meet the criteria provided in §2211.F. when sufficient funding is not available to fund all eligible students; and

g. method for determining that a student has made steady academic progress.

2. Eligible colleges must revise the institution's M.J. Foster Promise Program packaging policy as necessary to reflect changes to the applicable legislation and administrative rules promulgated by the board to implement this program.

D. Award Amount. Eligible Louisiana institutions must establish the award amounts for each individual student based on the institution's financial aid packaging policy. The amount awarded must comply with the requirements and limitations established in these rules and the guidance published by LOSFA.

E. Submission of Payment Requests. Each semester, quarter or term, eligible Louisiana institutions shall submit a payment request to LOSFA for students enrolled at the institution who have been determined eligible for an M.J. Foster Promise Program as follows:

1. for each student eligible for an award who is enrolled at the end of the fourteenth class day for semester schools (the ninth class day for quarter and term schools), or for any qualifying summer sessions, students attending proprietary schools, or students enrolled in a program that is not provided on a traditional semester/term basis, at the end of the last day to drop and receive a full refund for the course of study in which enrolled;

2. the payment request shall include the:

a. Social Security number;

b. college code;

c. term;

d. date;

e. program type

i. associate's degree;

ii. certificate program (one year);

iii. certificate program (two year);

iv. CareerTech (1 – 8 credits);

v. CareerTech (9 or more credits);

vi. diploma program;

vii. credential of value;

viii. on ramp credential.

ix. concurrent enrollment in a program that results in a high school equivalency diploma;

f. CIP code for the course of study in which enrolled;

g. degree level code for the course of study in which enrolled;

h. increment key for the course of study in which enrolled;

i. amount requested for each student;

j. anticipated time to complete program of study

i. less than one year;

ii. more than one year.

F. At the end of every semester or term, or upon completion of a program of study, the following shall be reported:

1. hours attempted, if enrolled in an associate's degree program;

2. hours earned, if enrolled in an associate's degree program; and

3. whether the student completed his program of study.

G. Over Payments

1. No institution shall submit a payment request for M.J. Foster Promise Program funds which would result in a student receiving an annual total of more than is authorized in §2201.G.

2. Eligible Louisiana institutions certify by submitting a payment request for an M.J. Foster Promise Program grant that the institution will:

a. reimburse LOSFA for the total amount of any award that is disbursed to ineligible students; and

b. for any amount of an award that is in excess of the maximum lifetime award (\$6,400).

H. Excess Award. In the event an excess award occurs during the fall semester or quarter or the winter quarter due to receipt of additional gift aid, the school shall reduce the award amount for the spring accordingly. In the event an excess award occurs during the spring semester or quarter due to receipt of additional gift aid, the school shall document the reason for the excess award.

I. Over Award. In the event the student's total aid exceeds his financial need for tuition and fees, any federal loan aid included in the total aid package shall be reduced, then M.J. Foster Promise Program grant, institutional and other aid in accordance with institutional practice, then the Louisiana GO Grant, shall be reduced by the amount of any remaining over award.

J. Records Retention. Records pertaining to an M.J. Foster Promise Program grant are subject to audit as required by the board and the Louisiana Legislative Auditor. Eligible Louisiana institutions shall maintain all records for a minimum of three years from creation. All such records shall be made available upon request by the board and/or the Louisiana Legislative Auditor.

K. Each eligible Louisiana institution shall provide a copy of its M.J. Foster Program packaging policy as required by §2209.C to LOSFA, when requested.

L. Audits. Eligible Louisiana institutions that participate in the M.J. Foster Promise Program grant LOSFA and the Louisiana Legislative Auditor the right to inspect records and perform on-site audits of each institution's administration of the program for the purpose of determining the institution's compliance with state law and applicable rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:

§2211. Responsibilities of the Louisiana Office of Student Financial Assistance

A. LOSFA shall provide an on-line application that must be completed by any student who wishes to apply for an M.J. Foster Promise Program award.

B. LOSFA shall determine whether an applicant meets the initial eligibility criteria set forth in §2205.A.1-7, 10-11, and B.

C. LOSFA shall provide a roster of eligible applicants to eligible colleges.

D. LOSFA shall provide an on-line application that must be completed by any student who wishes to apply for an M.J. Foster Promise Program award.

E. LOSFA shall determine whether an applicant meets the initial eligibility criteria set forth in §2205.A.1-7, 10-11, and B.

F. LOSFA shall provide a roster of eligible applicants to eligible colleges.

G. LOSFA shall pay each eligible college the amount requested by the eligible college in accordance with the provisions of §2209.E.

H. LOSFA shall maintain a database of all students who have received an M.J. Foster Promise Program award, including, but not limited to, all information reported by eligible colleges in accordance with §2209. In the event LOSFA receives a payment request in an amount that would exceed the maximum amount payable to a student, LOSFA will require the school to rebill.

I. Adequacy of Funding. In the event available funding is not sufficient to fund all eligible award applicants, awards shall be provided in the order in which complete applications are received. Priority shall be given to previous award recipients who have met all requirements for maintaining the award and who are continuing in a qualified program for which they previously received an award.

J. LOSFA shall audit eligible Louisiana institutions to ensure compliance with these rules.

K. LOSFA shall enter into Memoranda of Understanding with the Louisiana Department of Public Safety and Corrections, the Louisiana State Police, the Louisiana Department of Revenue, and the Louisiana Workforce Commission for the purpose of obtaining data to verify applicant statements and reporting.

L. Establishment of Working Group

1. LOSFA shall establish a working group to identify all federal, state, and local programs that provide assistance to individuals and families to support award recipients' pursuit of higher education.

2. Such working group shall consist of representatives from all of the following:

a. the Louisiana Department of Children and Family Services;

b. the Louisiana Department of Health;

c. the Louisiana Department of Education;

d. the Louisiana Workforce Commission;

e. the Louisiana Department of Veterans Affairs;

f. the Louisiana Association of Student Financial Aid Administrators;

g. the Office of Student Financial Assistance;

h. the Louisiana Department of Public Safety and Corrections; and

i. any other entity identified as providing financial or other support to individuals seeking to pursue a higher education.

3. LOSFA shall compile, post, and update a list of all such programs on its website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:

§2213. Responsibilities of the Louisiana Board of Regents

A. Advisory Council

1. The Board of Regents shall convene an Advisory Council to perform the following functions for the purpose of identifying qualified programs of study for the M.J. Foster Promise Program:

a. identify not more than five industry sectors and that lead to high demand, high wage jobs that are aligned to state workforce priorities;

b. review postsecondary education requirements of each job identified;

c. identify programs of study at the associate level and below that lead to the identified jobs in each industry sector; and

d. at least once every three years, review the state's return on investment in awards made.

2. Identification of industry sectors, high demand high wage jobs, and required degrees and credentials of the identified jobs shall, at a minimum, be based upon the following:

a. a review of the most current statewide and regional industry and occupational forecasts approved by the Occupational Forecasting Conference and the Louisiana Workforce Investment Council;

b. a review of nationally recognized databases for industry and occupational projections; and

c. input from the regional development organizations in each region.

3. The advisory council shall identify and assist in the establishment of mechanisms to support award recipients to complete a qualified program and to gain employment in the job for which training was received. Such mechanisms shall include the provision of college academic and career counseling and employer partnerships for developing mentorship programs and work-based learning experiences.

4. The advisory council shall consist of the following members:

a. the chancellor of Louisiana State University at Eunice.

b. the chancellor of Southern University at Shreveport.

c. the president of the Louisiana Community and Technical College System.

d. the commissioner of higher education.

e. the state superintendent of education.

f. the secretary of the Louisiana Department of Economic Development.

g. the executive director of the Louisiana Workforce Commission.

h. the chairman of the Louisiana Workforce Investment Council.

i. the secretary of the Louisiana Department of Revenue.

5. The advisory council shall meet by January 1, 2022, and at least once every three years thereafter to review the workforce priorities of the state and each of its workforce regions and designate qualified programs of study.

B. The Board of Regents shall enter into Memoranda of Understanding with the Louisiana Department of Public Safety and Corrections, the Louisiana State Police, the Louisiana Department of Revenue, and the Louisiana Workforce Commission for the purpose of obtaining data to verify applicant statements and reporting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:

Family Impact Statement

The proposed Rule has no known impact on family formation, stability, or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Business Analysis Statement

The proposed Rule will have no adverse impact on small businesses as described in R.S. 49:965.2 et seq.

Provider Impact Statement

The proposed Rule will have no adverse impact on providers of services for individuals with developmental disabilities as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments on the proposed changes (SG21200NI) until 4:30 p.m., February 10, 2022, by email to LOSFA.Comments@la.gov or to Sujuan Williams Boutté, Ed. D., Executive Director, Office of Student Financial Assistance, P. O. Box 91202, Baton Rouge, LA 70821-9202.

Robyn Rhea Lively
Senior Attorney

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Scholarship/Grant Programs MJ Foster Promise Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Act 457 of the 2021 Regular Session and the proposed rulemaking implement a new program, the M. J Foster Promise Program, that will provide financial aid to students enroll in designated programs at eligible two-year public schools and accredited proprietary schools, starting in the 2022-2023 Academic Year. Funding for the program is limited to annual appropriations by the Louisiana Legislature, with Act 457 further limiting annual state appropriations to \$10 million for eligible two-year public institution students and \$500,000 for eligible proprietary school students. The administrating agency can use up to 5% (or \$500,000) of the appropriation for administrative and promotional costs.

Act 119 (HB 1) of 2021 provided \$5 million to the Board of Regents for the Office of Student Financial Assistance (OSFA) to establish the new program. Additional funding for

the out years will be addressed during the budgeting process with the Board of Regents and the Legislature. Total administrative costs are projected at \$153,272 in FY 22, \$125,503 in FY 23, and \$138,251 in FY 24 and annually thereafter; costs include personnel expenditures for at least one full-time position, marketing, and one-time costs for IT programming and equipment and supplies. These projections are preliminary and subject to change as OSFA implements the new program.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Revenue collections of state and local governments will not be affected by the proposed changes.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This program provides financial assistance of up to \$6,400 over a three-year period for students ages 21 and older who enroll at eligible two-year public postsecondary institutions or proprietary schools in designated programs that lead to jobs in one of five identified industry sectors that are predominated by high demand, high wage jobs. This will provide a direct benefit to students and their families. The program will also provide Louisiana employers with a better-educated workforce and may also attract out-of-state employers to Louisiana, thus providing additional better paying jobs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Students attending post-secondary institutions will increase the number of educated/trained workers in the state, which will have a positive impact on competition and employment.

Robyn Rhea Lively
Senior Attorney
2201#013

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division

Expansion of the Expedited Penalty Program
(LAC 33:I.803, 805, and 807)(OS097)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Office of the Secretary regulations, LAC 33:I.803, 805, and 807. (OS097)

The proposed Rule adds additional hazardous waste, solid waste, underground storage tank, water, radiation, and air violations to LAC 33:I.807. The proposed Rule also clarifies various violation citation language in the current radiation and air violations and adjusts penalty amounts associated with specific regulatory citations to be appropriate and consistent with penalty amounts associated with specific regulatory citations in the proposed Rule. The structure of the expedited penalty table is changed to divide it into separate tables by media and type.

Currently, the regulatory maximum cap of \$3,000 poses a barrier for the departments' use program. A facility that has multiple violations can quickly exceed the current XP monetary cap thereby requiring the enforcement writer to assess a fine in accordance with the nine factors set forth in

the regulations. The administrative review and processing time is greatly increased when drafting traditional penalty assessments, along with the possibility of having to testify in the adjudicatory hearing process. The proposed increased amount of \$5,000 for two or more violations will allow the department to use the XP program more frequently which will provide a cleaner and healthier environment for all the citizens of the state and reduce staff time in the administrative process for compliance.

The proposed Rule will expand the current program to include additional minor violations with no additional cost. The current expedited penalty program has resulted in a significant decrease in the number of formal enforcement actions issued for the categories of violations addressed by the current Rule. This reduction in formal enforcements issued in connection with types of violations has resulted in a decrease in the man-hours and other resources expended by the department in the pursuit of these enforcement cases. Many prior enforcement referrals for minor and moderate violations had not been addressed in a timely manner due to more complex enforcement issues. The basis and rationale for the proposed Rule are to provide an alternative penalty assessment mechanism that the department may utilize, at its discretion, to expedite penalty agreements in appropriate cases, reducing staff time and increasing efficiency in addressing such violations. The expedited penalty program is a flexible and voluntary program that will be continually expanded to accommodate minor to moderate violations to the regulations. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

**Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary**

**Subpart 1. Departmental Administrative Procedures
Chapter 8. Expedited Penalty Agreement
§803. Purpose**

- A. ...
1. addresses minor or moderate violations;
2. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular R.S. 30:2025(D).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:2242 (December 2006), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§805. Applicability

A. Limit of Penalty Amount. The total penalty assessed for the expedited penalty agreement shall not exceed \$3,000 for one violation or \$5,000 for two or more violations.

B. - E.1. ...

2. Criteria for violations addressed pursuant to this Chapter.

E.2.a. - L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular R.S. 30:2025(D).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:2242 (December 2006), amended by the Office of the Secretary, Legal Division, LR 42:236 (February 2016),

amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§807. Types of Violations and Expedited Penalty Amounts

A. ...

EXPEDITED PENALTIES			
OFFICE OF THE SECRETARY			
Violation	Citation	Amount	Frequency
Failure to submit a timely NOC-1 within 45 days of changes in the name only of a facility or of its owner/operator.	LAC 33:I.1905.A	\$250	Per occurrence
Failure to provide notice of change of ownership or operational control of the facility within 45 days after the change, where no financial assurance is required.	LAC 33:I.1907.B	\$250	Per occurrence
Failure to provide notice of change of ownership or operational control of the facility within 45 days after the change, where financial assurance is required.	LAC 33:I.1909.B	\$250	Per occurrence
Failure to notify, in accordance with LAC 33:I.3915.A, in the event of an unauthorized discharge that does cause an emergency condition.	LAC 33:I.3915.A	\$1,500	Per occurrence
Failure to provide timely notification for the unauthorized discharge of any material that exceeds the reportable quantity, but does not cause an emergency condition.	LAC 33:I.3917.A	\$500	Per occurrence
Failure to provide prompt notification of any unauthorized discharge that results in the contamination of the groundwaters of the state or that otherwise moves in, into, within, or on any saturated subsurface strata in accordance with LAC 33:I.3923.	LAC 33:I.3919.A	\$500	Per occurrence
Failure to provide timely written notification of the unauthorized discharge that causes an emergency condition.	LAC 33:I.3925.A	\$1,500	Per occurrence
Failure to provide timely written notification of the unauthorized discharge of any material that exceeds the reportable quantity but does not cause an emergency condition.	LAC 33:I.3925.A	\$500	Per occurrence

EXPEDITED PENALTIES			
AIR QUALITY			
Violation	Citation	Amount	Frequency
Failure to submit payment of the appropriate permit fee and receive notification from the administrative authority that the application has been determined complete prior to the operation of any source or activity addressed by a regulatory permit.	LAC 33:III.305.A	\$500	Per occurrence
Failure to submit payment of the appropriate permit fee and receive notification from the administrative authority that the application has been determined complete prior to construction of any source or activity addressed by a regulatory permit.	LAC 33:III.305.B	\$250	Per occurrence

EXPEDITED PENALTIES			
AIR QUALITY			
Violation	Citation	Amount	Frequency
Failure to submit a timely and complete permit application prior to construction, but the application was submitted within one year from the start of construction of a facility that is eligible for coverage under a Minor Source Permit or a Minor Source - Air General Permit.	LAC 33:III.501.C.1	\$250	Per occurrence
Failure to submit a timely and complete permit application prior to reconstruction or modification, but submitted the application within one year from the start of reconstruction or modification of a facility that is permitted under a Minor Source Permit or a Minor Source - Air General Permit.	LAC 33:III.501.C.1	\$250	Per occurrence
Failure to obtain a Minor Source Permit or a Minor Source Permit - Air General Permit, but obtained the necessary permit within one year after commencement of operations of a facility that may result in the initiation of emission of air contaminants.	LAC 33:III.501.C.2	\$1,000	Per occurrence
Failure to obtain a Minor Source Permit or a Minor Source Permit - Air General Permit, but obtained the necessary permit within two years after commencement of operations of a facility that may result in the initiation of emission of air contaminants.	LAC 33:III.501.C.2	\$1,500	Per occurrence
* * *			
Failure to submit the Minor Source Permit renewal application at least six months prior to the expiration date of the current permit.	LAC 33:III.503.C.3	\$500	Per occurrence
Failure to submit the Title V permit renewal application at least six months prior to the expiration date of the current permit, but obtained the renewal permit on or before the expiration date of the current permit.	LAC 33:III.507.E.4	\$1,000	Per occurrence
Failure to use and/or diligently maintain, in proper working order, all air pollution control equipment installed at the site.	LAC 33:III.905	\$300	Per occurrence
Failure to submit a complete Annual Criteria Pollutant Emissions Inventory in a timely manner when applicable.	LAC 33:III.919	\$500	Per occurrence
Failure to conduct outdoor burning of trees, brush, grass, and other vegetative matter from such area in land clearing and right-of-way maintenance operations at least 1,000 feet from any dwelling other than dwelling or structure located on the property on which the burning is conducted.	LAC 33:III.1109.D.6.b	\$500	Per occurrence
Failure to conduct outdoor burning of trees, brush, grass, and other vegetative matter from such area in land clearing and right-of-way maintenance operations between the hours of 8 a.m. and 5 p.m.	LAC 33:III.1109.D.6.e	\$500	Per occurrence
Failure to take all reasonable precautions to prevent particulate matter from becoming airborne.	LAC 33:III.1305.A	\$750	Per occurrence
* * *			

EXPEDITED PENALTIES			
AIR QUALITY—ASBESTOS			
Violation	Citation	Amount	Frequency
Failure to teach courses meeting the minimum criteria and length of training specified, including hands-on training specific to the discipline taught.	LAC 33:III.2799.B and D; 2741.B.2.b; and B.3	\$200	Per occurrence
Failure to renew training provider or trainer recognition prior to teaching a class.	LAC 33:III.2799.F	\$200- Training Provider \$100- Trainer	Per occurrence
Failure to submit any applicable course notification in writing prior to class commencement, including changes in instructors, location, or time, or course cancellation.	LAC 33:III.2741.E.2.c; and 3.a	\$150	Per occurrence
Failure to timely submit a complete class roster of trainees.	LAC 33:III.2741.E.4	\$100	Per occurrence
Failure to thoroughly inspect the affected facility or part of the facility where a demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM, prior to the commencement of the demolition or renovation.	LAC 33:III.5151.F.1	\$500	Per occurrence
Failure of a person contracted to perform a demolition, renovation, or response action, which disturbs Risk and Control Matrix (RACM) or conducts Asbestos Contaminated Debris Activity (ACDA) to comply with any applicable requirements of the Louisiana State Licensing Board for Contractors to perform asbestos abatement.	LAC 33:III.5151.F.1.h	\$250	Per occurrence
Failure to provide a typed notice of intention to demolish, renovate, conduct a response action, or an ACDA, using the latest version of Notification of Demolition and Renovation, and Asbestos Contaminated Debris Activity Form (AAC-2), and/or submit fees.	LAC 33:III.5151.F.2.a	\$200	Per occurrence
Failure of an owner or operator to submit a revised Form AAC-2 when the amount of asbestos changes by 20 percent, or there is a change in the transporter, contractor, or designated landfill.	LAC 33:III.5151.F.2.b	\$100	Per occurrence
Failure to postmark or deliver Form AAC-2 at least 10 working days before asbestos stripping or removal work or any other activity begins, if the activity is a demolition or renovation of a facility, where RACM is present as described in LAC 33:III.5151.F.1.a and e (except Clauses F.1.e.ii and iii) or if the debris is ACD, as described in LAC 33:III.5151.F.1.d.	LAC 33:III.5151.F.2.c.i	\$100	Per occurrence
Failure to provide notice of a new start date to the DEQ regional office if an asbestos renovation or demolition operation will begin on a date other than the one contained in the original notice.	LAC 33:III.5151.F.2.c. v	\$100	Per occurrence

EXPEDITED PENALTIES			
AIR QUALITY			
Violation	Citation	Amount	Frequency
Failure to notify the Office of Environmental Services and the DEQ regional office responsible for inspecting the project site and include information as required by LAC 33:III.5151.F.2.e.i via phone, fax, email, or voice mail as soon as possible, but no later than four hours after learning of the incident that required an emergency response action, demolition or renovation operations.	LAC 33:III.5151.F.2.e	\$200	Per occurrence
Failure to submit a typed notification and/or required fees as specified in LAC 33:III.5151.F.2.a and d within five working days after an emergency asbestos notification has been made by phone, fax, email, or voice mail.	LAC 33:III.5151.F.2.e.ii	\$200	Per occurrence
Acceptance of an invalid Asbestos Disposal Verification Form (ADVF) by a waste transporter or disposal site owner or operator.	LAC 33:III.5151.F.2.f.vi	\$200	Per occurrence
Failure to notify the DEQ regional office responsible for inspecting the project site by fax or Email within 24 hours after the demolition, renovation, response action, or ACDA has ended and the work area has been cleaned in accordance with LAC 33:III.5151.F.3.l.	LAC 33:III.5151.F.3.m	\$200	Per occurrence

EXPEDITED PENALTIES			
AIR QUALITY—LEAD			
Violation	Citation	Amount	Frequency

Failure to submit any applicable course notification in writing prior to class commencement, including changes in instructors, location, or time, or course cancellation.	LAC 33:III.2805.E	\$100	Per occurrence
Failure to submit a notification using a department-approved form and be postmarked or hand-delivered at least five working days prior to beginning any on-site work at the lead abatement project and submit the appropriate fees.	LAC 33:III.2811.E.4.a	\$200	Per occurrence
Failure to notify the Office of Environmental Services if operations will stop for a day or more during the project time noted on the lead project notification (LPN) form or the project has been canceled or postponed. Failure to provide the department with notice 24 hours before the completion of a project. Failure to start the project on the date noted on the LPN form.	LAC 33:III.2811.E.4.b	\$200	Per occurrence

EXPEDITED PENALTIES			
AIR QUALITY—LEAD			
Violation	Citation	Amount	Frequency
Failure to provide notification by fax or email for emergency notification during normal working hours or fax, email, or voice mail for emergency notification after normal working hours to the Office of Environmental Services and the DEQ regional office responsible for inspecting the project site within 24 hours of the start of the project. Failure to submit a complete emergency notification form and appropriate processing fees within five working days to the Office of Environmental Services.	LAC 33:III.2811.E.4.c	\$200	Per occurrence
Failure to submit an amended LPN to the department and appropriate DEQ regional office when changes occur in the completion dates, methodology, and square footage.	LAC 33:III.2811.E.4.d	\$100	Per occurrence
Failure to develop a written occupant and worker protection plan for all abatement projects in accordance with LAC 33:III.2811.E.5.a-c.	LAC 33:III.2811.E.5	\$100	Per occurrence
Failure of an accredited inspector or accredited risk assessor to take pre-abatement composite soil samples next to the foundation or from the dripline below any exterior surface to be abated and to have samples analyzed by a recognized laboratory capable of performing these analyses.	LAC 33:III.2811.E.7	\$100	Per occurrence
Failure of an accredited inspector or an accredited risk assessor to follow post-abatement clearance procedures as described in LAC 33:III.2811.E.9.a-g.	LAC 33:III.2811.E.9	\$500	Per occurrence
Failure to submit an abatement report that was prepared by an accredited lead project supervisor or accredited project designer to the department within 30 days of the completion of the project that includes all the information required by LAC 33:III.2811.E.11.a-g.	LAC 33:III.2811.E.11	\$500	Per occurrence
Failure of an owner of any licensed day care center, preschool, or public or nonpublic elementary school facility that qualifies as a child occupied facility (COF) and that was first placed in operation after August 1, 2012, to have an inspector or risk assessor conduct a thorough inspection of facility or grounds for the presence of lead hazards within 30 days of starting operations.	LAC 33:III.2815.A	\$500	Per occurrence

EXPEDITED PENALTIES			
AIR QUALITY—STAGE II VAPOR RECOVERY			
Violation	Citation	Amount	Frequency
Note: LAC 33:III.2132 is only applicable to subject gasoline dispensing facilities in the parishes of Ascension, East Baton Rouge, West Baton Rouge, Iberville, Livingston, and Pointe Coupee.			
Failure to submit an application to the administrative authority prior to installation of the Stage II vapor recovery system.	LAC 33:III.2132.B.6	\$500	Per occurrence

EXPEDITED PENALTIES			
AIR QUALITY—CHEMICAL ACCIDENT PREVENTION			
Violation	Citation	Amount	Frequency

EXPEDITED PENALTIES			
HAZARDOUS WASTE ¹			
Violation	Citation	Amount	Frequency
Unpermitted/Unauthorized storage of on-site generated hazardous waste for a period greater than the allowable time frame and which did not result in, or significantly increase the risk of, a release of or exposure to hazardous waste.	LAC 33:V.303.B	\$1,000	Per inspection
Failure by a very small quantity generator to comply with hazardous waste determination and recordkeeping requirements as specified in LAC 33:V.1005.A-E.	LAC 33:V.1003.A.1.a.i.; LAC 33:V.1005	\$500	Per occurrence
Failure by a very small quantity generator to properly determine and/or document its hazardous waste generator status in accordance with LAC 33:V.1007.	LAC 33:V.1003.A.1.a.ii ; LAC 33:V.1005	\$250	Per occurrence
Failure by a very small quantity generator to obtain an active EPA identification number within 14 days after first generating a hazardous waste.	LAC 33:V.1003.A.1.a.ii i; LAC 33:V.1005; LAC 33:V.1017	\$250	Per inspection
Failure by a small quantity generator to comply with hazardous waste determination and recordkeeping requirements as specified in LAC 33:V.1005.A-H.	LAC 33:V.1003.A.1.b.i	\$500	Per occurrence
Failure by a small quantity generator to properly determine and/or document its hazardous waste generator status in accordance with LAC 33:V.1007.	LAC 33:V.1003.A.1.b.ii ; LAC 33:V.1007	\$500	Per occurrence
Failure by a small quantity generator to notify the department of its hazardous waste activities in accordance with LAC 33:V.1017.	LAC 33:V.1003.A.1.b.ii i; LAC 33:V.1017	\$250	Per occurrence
Failure by a small quantity generator to comply with applicable recordkeeping and/or reporting requirements specified in LAC 33:V.1019 and LAC 33:V.1027.	LAC 33:V.1003.A.1.b.i v-v; LAC 33:V.1019 and 1027	\$500	Per occurrence
Failure by a small quantity to prepare a uniform hazardous waste manifest when transporting, or offering the transportation, of hazardous waste.	LAC 33:V.1003.A.1.b.v i	\$500	Per occurrence
Failure by a large quantity generator to comply with hazardous waste determination requirements.	LAC 33:V.1003.A.1.c.i; LAC 33:V.1005	\$500	Per occurrence

EXPEDITED PENALTIES			
HAZARDOUS WASTE ¹			
Violation	Citation	Amount	Frequency
Failure by a large quantity generator to comply with hazardous waste determination recordkeeping requirements as specified in LAC 33:V.1005.A-H.	LAC 33:V.1003.A.1.c.i; LAC 33:V.1005	\$500	Per occurrence
Failure by a large quantity generator to properly determine and/or document its hazardous waste generator status in accordance with LAC 33:V.1007.	LAC 33:V.1003.A.1.c.ii ; LAC 33:V.1007	\$500	Per occurrence
Failure by a large quantity generator to notify the department of its hazardous waste activities in accordance with LAC 33:V.1017.	LAC 33:V.1003.A.1.c.ii i; LAC 33:V.1017	\$1,500	Per occurrence
Failure by a large quantity generator to comply with applicable recordkeeping and/or reporting requirements specified in LAC 33:V.1019, 1021, 1023, and 1025.	LAC 33:V.1003.A.1.c.i v; LAC 33:V.1019, 1021, 1023, and 1025	\$500	Per occurrence
Failure by a large quantity generator to prepare a uniform hazardous waste manifest when transporting, or offering the transportation, of hazardous waste.	LAC 33:V.1003.A.1.c.v	\$500	Per occurrence
Failure by a small or large quantity generator to maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste, as defined by LAC 33:V.109.	LAC 33:V.1005.G	\$500	Per occurrence
Failure to identify and/or mark containers with all applicable EPA hazardous waste numbers prior to shipping the waste off-site in accordance with LAC 33:V.1063.C.	LAC 33:V.1005.H	\$250	Per inspection
Failure by a very small quantity generator under the control of a large quantity generator to clearly label or mark a container or containers storing hazardous waste with the words "Hazardous Waste" and/or an indication of the hazards associated with the contents of the container.	LAC 33:V.1009.A.5.h.ii .(a) and (b)	\$250	Per inspection
Failure by a very small quantity generator to keep a container containing non-volatile hazardous waste closed, except when necessary to add or remove waste.	LAC 33:V.1009.A.6.	\$150	Per occurrence
Failure by a very small quantity generator to keep a container containing volatile hazardous waste closed, except when necessary to add or remove waste.	LAC 33:V.1009.A.6	\$500	Per occurrence
Failure by a small or large quantity generator to keep a satellite container storing non-volatile hazardous waste closed, except when necessary to add or remove waste.	LAC 33:V.1011.A.4.	\$150	Per occurrence
Failure by a small or large quantity generator to keep a satellite container storing volatile hazardous waste closed, except when necessary to add or remove waste.	LAC 33:V.1011.A.4.	\$500	Per occurrence
Failure by a small or large quantity generator to clearly label or mark a container storing hazardous waste with the words "Hazardous Waste" and/or an indication of the hazards associated with the contents of the container.	LAC 33:V.1011.A.5.a and b	\$250	Per occurrence

EXPEDITED PENALTIES HAZARDOUS WASTE ¹			
Violation	Citation	Amount	Frequency
Failure by a small quantity generator to store hazardous waste in a container in good condition.	LAC 33:V.1013.C.2.a	\$300	Per occurrence
Failure by a small quantity generator to conduct weekly inspections of hazardous waste containers.	LAC 33:V.1013.C.2.d	\$100	Per occurrence
Failure by a large quantity generator to store hazardous waste in a container in good condition.	LAC 33:V.1015.B.1.b	\$300	Per occurrence
Failure by a large quantity generator to conduct weekly inspections of hazardous waste containers.	LAC 33:V.1015.B.1.e	\$200	Per occurrence
Failure by a large quantity generator to provide an annual review of the training specified in LAC 33:V.1015.B.7.a.	LAC 33:V.1015.B.7	\$750	Per occurrence
Failure by a large quantity generator to have its waste minimization plan certified by a Louisiana registered professional engineer (PE) as required by LAC 33:V.2245.J.	LAC 33:V.1015.B.9	\$500	Per occurrence
Failure by a large quantity generator to prepare develop and retain on-site a waste minimization plan that includes ongoing and proposed waste minimization projects and tentative beginning dates for proposed projects as required by LAC 33:V.2245.K.	LAC 33:V.1015.B.9	\$1,500	Per occurrence
Failure by a hazardous waste generator to submit a timely, accurate, and/or complete hazardous waste annual report.	LAC 33:V.1021	\$500	Per occurrence
Failure by a large quantity generator to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in the event of an emergency.	LAC 33:V.1047.A	\$750	Per occurrence
Failure by a large quantity generator to make or attempt to make arrangements with local authorities.	LAC 33:V.1049.A	\$500	Per occurrence
Failure by a large quantity generator to prepare a site-specific contingency plan.	LAC 33:V.1051.A	\$1,500	Per occurrence
Failure by a large quantity generator to prepare and/or maintain a contingency plan meeting the content requirements specified in LAC 33:V.1053.A-E.	LAC 33:V.1053	\$500	Per occurrence
Failure to make arrangements with local authorities as specified in LAC 33:V.1511.G.1 and 2.	LAC 33:V.1511.G	\$500	Per occurrence
Failure to prepare a facility contingency plan.	LAC 33:V.1513.A	\$1,500	Per occurrence
Failure to prepare a contingency plan meeting the content requirements specified in LAC 33:V.1513.B.1-6.	LAC 33:V.1513.B	\$500	Per occurrence
Failure to provide facility personnel with an annual review of the initial training required in LAC 33:V.1515.A.	LAC 33:V.1515.C	\$750	Per occurrence
Failure to maintain personnel training records as specified in LAC 33:V.1515.D.1-4.	LAC 33:V.1515.D	\$750	Per occurrence
Failure to submit an annual hazardous waste report.	LAC 33:V.1529.D	\$500	Per occurrence
Failure to store universal waste in an appropriate container.	LAC 33:V.3821	\$200	Per occurrence

EXPEDITED PENALTIES HAZARDOUS WASTE ¹			
Violation	Citation	Amount	Frequency
Failure to label or mark each universal waste or a container storing universal waste in accordance with LAC 33:V.3823 and/or LAC 33:V.3845.	LAC 33:V.3823; LAC 33:V.3845	\$250	Per inspection
Failure by a used oil handler to label or mark containers or aboveground tanks storing used oil or fill pipes to transfer used oil into underground storage tanks with the words "Used Oil."	LAC 33:V.4013.D; LAC 33:V.4035.G; LAC 33:V.4049.F; LAC 33:V.4069.F	\$250	Per inspection
* * *			
Failure by a used oil burner to stop, contain, clean up, and/or manage a release of used oil, and/or repair or replace leaking used oil containers or tanks prior to returning them to service.	LAC 33:V.4069.H	\$750	Per occurrence

¹ In July 2020, the Department promulgated new and re-codified existing regulations applicable to generators of hazardous waste resulting in the migration of specific hazardous waste generator regulations from LAC 33:V.Chapter 11 into LAC 33:V.Chapter 10. Violations of specific hazardous waste generator regulations documented/occurring prior to July 2020 may be resolved in accordance with analogous regulations specified in this table.

EXPEDITED PENALTIES SOLID WASTE			
Violation	Citation	Amount	Frequency
Storing and/or allowing the storage of solid waste in an unauthorized off-site location.	LAC 33:VII.315.B	\$500	Per inspection
Storing solid waste on-site for greater than one year.	LAC 33:VII.315.B	\$250	Per inspection
Unauthorized on-site processing and/or disposal of regulated solid waste generated at the site by an individual who owns, leases, or has an actual right, title, or interest in the property.	LAC 33:VII.315.C	\$500	Per occurrence
* * *			
Failure to report any discharge, deposit, injection, spill, dumping, leaking, or placing of solid waste into or on the water, air, or land.	LAC 33:VII.315.F	\$500	Per occurrence
An individual causing, allowing, and/or permitting solid waste to be disposed of in such a manner that it enters waters of the state.	LAC 33:VII.315.L	\$500	Per inspection
A business causing, allowing, and/or permitting solid waste to be disposed of in such a manner that it enters waters of the state.	LAC 33:VII.315.L	\$1,500	Per inspection
An individual engaged in open burning of solid waste as prohibited by regulation.	LAC 33:VII.315.M	\$300	Per inspection
A business engaged in open burning of solid waste as prohibited by regulation.	LAC 33:VII.315.M	\$1,500	Per inspection
Offering residential solid waste to an unauthorized transporter and/or a facility not permitted to receive such waste.	LAC 33:VII.315.O	\$500	Per occurrence
* * *			
Failure to notify the department of generating, transporting, processing, or disposing of solid waste.	LAC 33:VII.401.A	\$300	Per occurrence

EXPEDITED PENALTIES			
SOLID WASTE			
Violation	Citation	Amount	Frequency
Failure to comply with the container requirements of LAC 33:VII.503.A.2 and 507.C.	LAC 33:VII.503.A.2 and 507.C	\$100	Per occurrence
Transportation of solid waste to a processing or disposal facility not permitted to receive such waste.	LAC 33:VII.505.D	\$1,500	Per occurrence
Storage of solid waste in a facility's buffer zone.	LAC 33:VII.508.B, 709.B.3.b, 717.B.3.b and 719.B.3.b	\$250	Per inspection
Failure to submit an annual recycling report by August 1 of each calendar year.	LAC 33:VII.508.C.4	\$200	Per occurrence
Failure to have control measures that prevent ingress and egress.	LAC 33:VII.508.F	\$500	Per inspection
Failure to prevent litter from leaving the tipping area.	LAC 33:VII.508.G	\$200	Per inspection
Failure to have tipping area constructed as required by LAC 33:VII.508.G.	LAC 33:VII.508.G	\$500	Per inspection
Failure to inspect the facility at the end of each day, clean up litter or waste and place into the last transportation vehicle and/or document inspections.	LAC 33:VII.508.H	\$200	Per inspection
Failure to comply with the record requirements of LAC 33:VII.508.J.	LAC 33:VII.508.J	\$200	Per inspection
Failure to submit a permit renewal application to the Office of Environmental Services at least 365 calendar days before the expiration date of the standard permit.	LAC 33:VII.509.D.2.a	\$500	Per occurrence
Failure to submit a minor permit modification request to the Office of Environmental Services in accordance with LAC 33:VII.517.A and C.	LAC 33:VII.517.A and C	\$1,000	Per occurrence
Failure by a permitted solid waste facility to submit a timely and/or accurate Certification of Compliance.	LAC 33:VII.525.A; 711.C.1; 713.C.1; 715.C; 717.F.1; 721.B.1; 723.C.1 and 725.B.1	\$500	Per occurrence
Failure to minimize blowing paper and litter.	LAC 33:VII.711.B.2.a.i v and 721.A.2.a.iv	\$200	Per inspection
Failure to maintain a cover log as required by LAC 33:VII.711.B.2.h and 721.A.2.d.	LAC 33:VII.711.B.2.h and 721.A.2.d	\$200	Per inspection
Failure to maintain records as required.	LAC 33:VII.711.C.2; 717.F.2 and 721.B.2	\$200	Per inspection
Failure to have the required number and/or level of certified operators.	LAC 33:VII.711.C.3.b and 721.B.3.b	\$500	Per inspection
Failure to prevent solid waste from being deposited in standing water and/or failing to immediately remove solid waste from standing water.	LAC 33:VII.711.D.1.i and 721.C.1.g	\$500	Per inspection
Failure to store white goods separately, remove white goods every 30 days and/or maintain a log of dates and volumes of white goods removed from the facility.	LAC 33:VII.711.D.5	\$500	Per inspection

EXPEDITED PENALTIES			
SOLID WASTE			
Violation	Citation	Amount	Frequency
Failure to prevent disposal of waste prohibited by LAC 33:VII.721.C.1.f.	LAC 33:VII.721.C.1.f	\$500	Per inspection
Failure to address unacceptable waste as required by LAC 33:VII.721.C.4.	LAC 33:VII.721.C.4	\$500	Per inspection
Failure to have protective casing with locking covers and a secure locking device in place for all groundwater monitoring wells.	LAC 33:VII.805.A.3.c.i	\$200	Per inspection
Failure to have guard posts firmly anchored outside the well slab, but not in contact with the slab.	LAC 33:VII.805.A.3.c.ii	\$200	Per inspection
Failure to sample all wells every six months.	LAC 33:VII.805.C.3	\$500	Per occurrence
Failure to submit groundwater sampling results no later than 90 days after each sampling event in accordance with LAC 33:VII.805.C.5.	LAC 33:VII.805.C.5	\$300	Per occurrence

EXPEDITED PENALTIES			
SOLID WASTE—Waste Tires			
Violation	Citation	Amount	Frequency
An individual disposing, discarding, burning, and/or abandoning waste tire or waste tire material without written approval from the administrative authority.	LAC 33:VII.10509.B	\$500	Per inspection
A business disposing, discarding, burning, and/or abandoning waste tire or waste tire material without written approval from the administrative authority.	LAC 33:VII.10509.B; 10527.H.2.f	\$1,500	Per inspection
Storage of more than 20 whole waste tires without authorization from the administrative authority.	LAC 33:VII.10509.C	\$200	Per occurrence
Transporting more than 20 waste tires without first obtaining a transporter authorization certificate and a completed manifest satisfying the requirements of LAC 33:VII.10534.	LAC 33:VII.10509.D; 10523.B and 10534.A	\$300	Per occurrence
Storing waste tires for more than 365 days without prior written authorization from the administrative authority.	LAC 33:VII.10509.F; 10527.H.2.f	\$200	Per occurrence
Failure to maintain all required records for five years and/or make available for inspections and/or upon request.	LAC 33:VII.10509.H-J; 10519.D.3; 10519.D.4; 10519.H; 10519.O; 10519.P; 10519.Q; 10521.D.3; 10521.D.4; 10527.A; 10527.H.2.f; 10531.D.6; 10531.D.7; 10532.F; 10534.B.8 and 10534.C.8	\$200	Per inspection

EXPEDITED PENALTIES			
SOLID WASTE—Waste Tires			
Violation	Citation	Amount	Frequency
Failure to maintain required records on-site or at an alternative location approved by the administrative authority.	LAC 33:VII.10509.H; 10509.I; 10509.J; 10519.D.4; 10519.H; 10519.O; 10519.Q; 10521.D.4; 10527.A; 10527.H.2.f; 10531.D.7; and 10532.F	\$200	Per inspection
Failure to obtain an identification number within 30 days of commencing business operations.	LAC 33:VII.10519.A; 10521.A	\$300	Per occurrence
Failure to accept one waste tire for every new tire sold unless the purchaser chooses to keep the waste tire.	LAC 33:VII.10519.B	\$100	Per inspection
Failure to collect appropriate waste tire fee for each tire sold.	LAC 33:VII.10519.C; 10521.B; 10535.B	\$200	Per inspection
Failure to submit monthly waste tire fees and/or fee reports to the state on a monthly basis, as specified in the regulations.	LAC 33:VII.10519.D; 10521.D	\$250	12 or fewer months in violation
Failure to submit monthly waste tire fees and/or fee reports to the state on a monthly basis, as specified in the regulations.	LAC 33:VII.10519.D; 10521.D	\$500	More than 12 months in violation
Failure to post required notifications to the public.	LAC 33:VII.10519.F; 10521.F	\$100	Per inspection
Failure to list the waste tire fee as "LDEQ waste tire fee".	LAC 33:VII.10519.G; 10521.G	\$100	Per inspection
Failure to list the waste tire fee on a separate line on the invoice.	LAC 33:VII.10519.G; 10521.G	\$100	Per inspection
Applying tax to the waste tire fee.	LAC 33:VII.10519.G; 10521.G	\$100	Per inspection
Failure to keep waste tires covered as specified.	LAC 33:VII.10519.I; 10521.J; 10527.H.2.f	\$200	Per inspection
Storing waste tires for more than 120 days without complying with the exceptions for the extended storage time.	LAC 33:VII.10519.J	\$200	Per inspection
Failure to store more than 150 waste tires indoors or in a transportable container.	LAC 33:VII.10519.K	\$250	Per inspection
Failure to use an authorized transporter for removal of waste tires from a place of business.	LAC 33:VII.10519.L	\$500	Per occurrence
Failure to notify authority within 10 days of closure or relocation of the business.	LAC 33:VII.10519.M	\$300	Per occurrence
Failure to segregate waste tires from new or used tires offered for sale.	LAC 33:VII.10519.N	\$200	Per occurrence
Failure to notify within 10 days when any information provided on the waste tire notification changes.	LAC 33:VII.10519.R	\$200	Per occurrence
Failure of a transporter to only accept and transport waste tire from an authorized generator.	LAC 33:VII.10523.F	\$500	Per inspection

EXPEDITED PENALTIES			
SOLID WASTE—Waste Tires			
Violation	Citation	Amount	Frequency
Failure of a transporter to transport all waste tires to an authorized collection center, an authorized waste tire transfer station, a permitted processing facility, or an authorized end-market use.	LAC 33:VII.10523.G	\$1,000	Per occurrence
Failure to affix the transporter decal to the driver and passenger sides of each registered vehicle listed on the notification form and/or keep the transporter authorization certificate in the registered vehicle.	LAC 33:VII.10523.H	\$100	Per occurrence
Failure to provide notification in writing within 10 days when any information on the authorization certificate changes or if they cease transporting waste tires.	LAC 33:VII.10523.I	\$100	Per occurrence
Operating a waste tire transfer station without authorization.	LAC 33:VII.10524.A	\$300	Per occurrence
Storing waste tires at a transfer station for more than 10 days.	LAC 33:VII.10524.E	\$200	Per inspection
Failure to store waste tires in accordance with LAC 33:VII.10524.F.	LAC 33:VII.10524.F	\$200	Per inspection
Failure to maintain waste tire manifests in accordance with LAC 33:VII.10524.G.	LAC 33:VII.10524.G	\$200	Per inspection
Accepting waste tires from a person other than an authorized transporter.	LAC 33:VII.10524.H	\$500	Per inspection
Failure to notify the administrative authority within 10 days of closure or relocation.	LAC 33:VII.10524.I	\$300	Per occurrence
Failure to comply with the provisions of LAC 33:VII.10524.K.	LAC 33:VII.10524.K	\$250	Per inspection
Failure to verify, by counting, the number of eligible and ineligible waste tires upon receiving a shipment.	LAC 33:VII.10525.B.1	\$1,500	Per inspection
Acceptance by a processor of more than 20 unmanifested waste tires per day per customer.	LAC 33:VII.10525.B.2	\$300	Per occurrence
Failure of a processor to maintain a log for all unmanifested loads in accordance with LAC 33:VII.10525.B.2.a-e.	LAC 33:VII.10525.B.2	\$200	Per inspection
Listing, on the unmanifested waste tire log, an ineligible tire as eligible.	LAC 33:VII.10525.C	\$500	Per inspection
Failure to submit monthly reports on or before the 12 day of each month in accordance with LAC 33:VII.10525.D.1-7.	LAC 33:VII.10525.D	\$100	Per occurrence
Failure to submit a timely annual report of the previous year's activity of end-market use projects.	LAC 33:VII.10525.E	\$200	Per occurrence
Failure to meet any of the facility standards listed in LAC 33:VII.10525.G.	LAC 33:VII.10525.G	\$300	Per occurrence
Failure to comply with the provisions of LAC 33:VII.10525.J prior to operating tire splitting equipment.	LAC 33:VII.10525.J	\$300	Per inspection
Failure to maintain complete records in accordance with LAC 33:VII.10525.K.	LAC 33:VII.10525.K	\$200	Per inspection
Failure by a collection center to submit monthly waste tire reports by the 15 of each month.	LAC 33:VII.10527.A; 10527.H.2.f	\$250	12 or fewer months in violation

EXPEDITED PENALTIES			
SOLID WASTE—Waste Tires			
Violation	Citation	Amount	Frequency
Failure by a collection center to submit monthly waste tire reports by the 15 of each month.	LAC 33:VII.10527.A; 10527.H.2.f	\$500	More than 12 months in violation
Failure by a collection center to count the number of tires in each shipment.	LAC 33:VII.10527.A; 10527.H.2.f	\$500	Per inspection
Failure by a collection center to accept no more than five unmanifested waste tires per individual, per day, per vehicle.	LAC 33:VII.10527.A.2; 10527.H.2.f	\$300	Per inspection
Failure by a collection center to follow the log requirements for accepting unmanifested waste tires.	LAC 33:VII.10527.A.2; 10527.H.2.f	\$200	Per inspection
Failure of collection center operator to meet the standards in LAC 33:VII.10527.B.	LAC 33:VII.10527.B	\$300	Per occurrence
Failure to store no more than 3,000 whole waste tires at a time.	LAC 33:VII.10527.C; 10527.H.2.f	\$500	Per inspection
Failure by a government-operated collection center to have personnel present during operational hours, control ingress and/or egress during non-operational hours and/or have staff witnessing the loading and unloading of waste tires.	LAC 33:VII.10527.H.1. b and c	\$500	Per inspection
Failure by a government-operated collection center to comply with the facility standards of LAC 33:VII.10527.H.2.a-d.	LAC 33:VII.10527.H.2. a-d	\$500	Per inspection
Failure by a government-operated collection center to comply with the notification requirements of LAC 33:VI.10527.H.2.e.	LAC 33:VII.10527.H.2. e	\$300	Per occurrence
Failure by property owners to remove waste tires in accordance with LAC 33:VII.10529.A.	LAC 33:VII.10529.A.1	\$200	Per inspection
Failure by property owners to provide adequate disease vector control measures, keep the site free of excess grass, underbrush, and other harborage and/or prevent further disposal of waste tires or other waste.	LAC 33:VII.10529.A.2 and 3	\$200	Per inspection
Failure to have waste tires removed by an authorized waste tire transporter and/or processed by the permitted waste tire processor indicated on the single event clean up form.	LAC 33:VII.10529.B.2	\$200	Per occurrence
Failure by high volume end use facilities to meet the requirements of LAC 33:VII.10531.A.	LAC 33:VII.10531.A	\$300	Per inspection
Failure by high volume end use facilities to maintain a log as required by LAC 33:VII.10531.B.3.	LAC 33:VII.10531.B.3	\$200	Per inspection
Failure to provide a manifest for all waste tire shipments containing more than 20 tires.	LAC 33:VII.10519.H; 10521.I; 10523.B; 10525.F; 10527.F; and 10534.A	\$200	Per occurrence
Failure by a waste tire generator to list ineligible tires on a manifest.	LAC 33:VII.10519.H and 10534.A	\$500	Per inspection
Failure to comply with the provisions of LAC 33:VII.10534.B.1-6.	LAC 33:VII.10519.H; 10521.I; 10525.F; 10527.F; 10527.H.2.f and 10534.B.1-6	\$200	Per inspection

EXPEDITED PENALTIES			
SOLID WASTE—Waste Tires			
Violation	Citation	Amount	Frequency
Failure to follow the requirements for manifest discrepancies.	LAC 33:VII.10525.F; 10527.H.2.f; 10534.B.7 and C.7	\$300	Per occurrence
Failure to comply with the provisions of LAC 33:VII.10534.C.1-6.	LAC 33:VII.10525.F; 10527.H.2.f and 10534.C.1-6	\$200	Per inspection

EXPEDITED PENALTIES			
WATER QUALITY—Storm Water General Permit Series (LAR040000, LAR050000, LAR100000, and LAR200000)			
Violation	Citation	Amount ¹	Frequency
* * *			
Failure to prepare and/or implement any portion or portions of a Storm Water Pollution Prevention Plan (SWPPP) as required by LPDES General Permit LAR040000 and LAR200000.	LAC 33:IX.2701.A	\$300	Per occurrence
Failure to prepare and/or implement any portion or portions of a Storm Water Pollution Prevention Plan (SWPPP) as required by LPDES General Permit LAR100000 and LAR050000.	LAC 33:IX.2701.A	\$1,000	Per occurrence
Failure to install and maintain erosion and sediment controls from a facility eligible for coverage under LAR100000.	LAC 33:IX.4903.A	\$500	Per occurrence

¹ For each applicable violation that potentially contributes to impairment of a water body, an additional \$500 penalty amount shall be added to the penalty amount specified with the violation.

EXPEDITED PENALTIES			
WATER QUALITY—Sanitary General Permit Series LAG530000, LAG540000, LAG560000, LAG570000, and LAG750000			
Violation	Citation	Amount ¹	Frequency
* * *			
Unauthorized discharge of pollutants to waters of the state that do not cause an emergency condition and is from a facility eligible for coverage under LPDES General Permit LAG560000 or LAG570000.	LAC 33:IX.501.D	\$750	Per occurrence
Failure to submit an initial application or Notice of Intent (NOI) for authorization under an LPDES permit within the Sanitary General Permit Series.	LAC 33:IX.2501.A	\$500	Per required submittal
Failure to comply with effluent limitations and/or monitoring requirements of LPDES General Permit LAG530000.	LAC 33:IX.2701.A	\$250	10 or fewer violations
Failure to comply with effluent limitations and/or monitoring requirements of LPDES General Permit LAG530000.	LAC 33:IX.2701.A	\$500	More than 10 violations

EXPEDITED PENALTIES			
WATER QUALITY—Sanitary General Permit Series LAG530000, LAG540000, LAG560000, LAG570000, and LAG750000			
Violation	Citation	Amount ¹	Frequency
Failure to comply with effluent limitations and/or monitoring requirements of LPDES General Permit LAG540000 or LAG750000.	LAC 33:IX.2701.A	\$300	10 or fewer violations
Failure to comply with effluent limitations and/or monitoring requirements of LPDES General Permit LAG540000 or LAG750000.	LAC 33:IX.2701.A	\$600	More than 10 violations
Failure to comply with effluent limitations and/or monitoring requirements of an LPDES General Permit LAG560000 or LAG570000.	LAC 33:IX.2701.A	\$750	20 or fewer violations
Failure to comply with effluent limitations and/or monitoring requirements of an LPDES General Permit LAG560000 or LAG570000.	LAC 33:IX.2701.A	\$1,500	More than 20 violations
Failure to properly operate and maintain all facilities and systems of treatment and control including sanitary sewer overflows.	LAC 33:IX.2701.E	\$250	Per occurrence

¹ For each applicable violation that potentially contributes to impairment of a water body, an additional \$500 penalty amount shall be added to the penalty amount specified with the violation.

EXPEDITED PENALTIES			
WATER QUALITY—Industrial/Commercial General Permit Series LAG030000, LAG110000, LAG380000, LAG420000, LAG470000, LAG480000, LAG490000, LAG670000, and LAG780000			
Violation	Citation	Amount ¹	Frequency

Failure to comply with effluent limitations and/or monitoring requirements from a facility covered under an LPDES permit within the Industrial/Commercial General Series.	LAC 33:IX.2701.A	\$1,000	More than 10, but less than or equal to 20 violations

¹ For each applicable violation that potentially contributes to impairment of a water body, an additional \$500 penalty amount shall be added to the penalty amount specified with the violation.

EXPEDITED PENALTIES			
WATER QUALITY—Oil and Gas General Permit Series LAG260000, LAG300000, LAG330000, or LAG830000			
Violation	Citation	Amount ¹	Frequency

Failure to comply with effluent limitations and/or monitoring requirements from a facility covered under an LPDES permit within the Oil and Gas General Series.	LAC 33:IX.2701.A	\$1,000	More than 10, but less than or equal to 20 violations

¹ For each applicable violation that potentially contributes to impairment of a water body, an additional \$500 penalty amount shall be added to the penalty amount specified with the violation.

EXPEDITED PENALTIES			
WATER QUALITY—Other Permits			
Violation	Citation	Amount ¹	Frequency
Unauthorized discharge of pollutants from a permitted facility, which is not covered under a <i>General Permit</i> , as defined in LAC 33:IX.2313.	LAC 33:IX.501.D	\$1,000	Per occurrence
Failure to comply with effluent limitations and/or monitoring requirements from a facility covered under an LPDES permit, which is not covered under a <i>General Permit</i> as defined in LAC 33:IX.2313.	LAC 33:IX.2701.A	\$500	10 or fewer violations
Failure to comply with effluent limitations and/or monitoring requirements from a facility covered under an LPDES permit, which is not covered under a <i>General Permit</i> as defined in LAC 33:IX.2313.	LAC 33:IX.2701.A	\$1,000	More than 10, but less than or equal to 20 violations
Failure to comply with effluent limitations and/or monitoring requirements from a facility covered under an LPDES permit, which is not covered under a <i>General Permit</i> , as defined in LAC 33:IX.2313.	LAC 33:IX.2701.A	\$1,500	More than 20, but less than or equal to 30 violations
Failure to properly operate and maintain all facilities and systems of treatment and control including sanitary overflows.	LAC 33:IX.2701.E	\$500	Per occurrence

¹ For each applicable violation that potentially contributes to impairment of a water body, an additional \$500 penalty amount shall be added to the penalty amount specified above.

EXPEDITED PENALTIES			
WATER QUALITY—Nonspecific			
Violation	Citation	Amount ¹	Frequency
Failure to submit any periodic (monthly or quarterly) compliance schedule status report as required in an issued enforcement action.	LAC 33:IX.501.A	\$300	Per required submittal
Unauthorized discharge of any pollutant not specifically authorized by a permit or the Water Quality Regulations.	LAC 33:IX.501.C	\$1,000	Per occurrence
Failure to develop a Spill Prevention and Control (SPC) plan for any applicable facility.	LAC 33:IX.708.C.1.b; LAC 33:IX.905	\$1,000	Per occurrence
Failure to implement any component of an SPC plan which does not result in a release of pollutants to waters of the state.	LAC 33:IX.708.C.1.b; LAC 33:IX.905	\$500	Per occurrence
Failure to implement any component of an SPC plan which results in a release of pollutants to waters of the state.	LAC 33:IX.708.C.1.b; LAC 33:IX.905	\$1,000	Per occurrence
Unauthorized discharge of oily fluids, oil field wastes, and/or produced water.	LAC 33:IX.708.C.1.a; LAC 33:IX.708.C.2; LAC 33:IX.1701.B; LAC 33:IX.1901.A	\$1,000	Per occurrence

EXPEDITED PENALTIES			
WATER QUALITY—Nonspecific			
Violation	Citation	Amount ¹	Frequency
Failure to submit an initial application or Notice of Intent (NOI) for authorization under an LPDES permit (excluding permits within the Sanitary General Series and Storm Water General Permit Series).	LAC 33:IX.2501.A	\$1,000	Per required submittal
Failure to reapply for authorization under an LPDES General permit in a timely manner prior to the expiration date of the current permit or as required by the permit.	LAC 33:IX.2501.D	\$250	Per required submittal
Failure to reapply for an LPDES permit no later than 180 days prior to the expiration date of the permit from a facility not covered under a <i>General Permit</i> , as defined in LAC 33:IX.2313.	LAC 33:IX.2501.D	\$500	Per required submittal
Failure to maintain or submit certain reports as required by any LPDES permit, including, but not limited to, noncompliance reports, storm water reports, pretreatment reports, biomonitoring reports, overflow reports, construction schedule progress reports, environmental audit reports as required by a municipal pollution prevention plan, and toxicity reduction evaluation reports. This does not include the failure to submit Discharge Monitoring Reports (DMRs).	LAC 33:IX.2701.A	\$300	Per required submittal
Failure to maintain any records as required by an LPDES permit.	LAC 33:IX.2701.A	\$200	Per occurrence
Failure to prepare and/or implement any portion or portions of a Storm Water Pollution Prevention Plan (SWPPP), a Pollution Prevention Plan (PPP), or a Best Management Practices (BMP) Plan as required by any LPDES permit not specified elsewhere in this Chapter.	LAC 33:IX.2701.A	\$1,000	Per occurrence
Failure to submit DMRs as required by any LPDES permit.	LAC 33:IX.2701.L.4	\$100/DMR	Six or less required DMR submittals
Failure to submit DMRs as required by any LPDES permit.	LAC 33:IX.2701.L.4	\$125/DMR	7-12 required DMR submittals
Failure to submit DMRs as required by any LPDES permit.	LAC 33:IX.2701.L.4	\$150/DMR	Greater than 12 and less than or equal to 24 required DMR submittals
Failure to timely submit DMRs as required by any LPDES permit.	LAC 33:IX.2701.L.4	\$150	10 or less required DMR submittals
Failure to timely submit DMRs as required by any LPDES permit.	LAC 33:IX.2701.L.4	\$250	Greater than 10 and less than or equal to 20 required DMR submittals

EXPEDITED PENALTIES			
WATER QUALITY—Nonspecific			
Violation	Citation	Amount ¹	Frequency
Failure to comply with sampling requirements of Sewage Sludge and Biosolids Use or Disposal Permit LAJ650000.	LAC 33:IX.7313.A.2	\$400	Per occurrence
Failure to maintain records or submit certain reports as required by any Sewage Sludge and Biosolids Use or Disposal General Permit LAJ650000 or LAJ660000.	LAC 33:IX.7313.A.2	\$100	Per occurrence
* * *			

¹ For each applicable violation that potentially contributes to impairment of a water body, an additional \$500 penalty amount shall be added to the penalty amount specified with the violation.

EXPEDITED PENALTIES			
UNDERGROUND STORAGE TANKS			
Violation	Citation	Amount ¹	Frequency
Failure to register an existing or new UST.	LAC 33:XI.301.A, B, and C	\$300	Per inspection
Failure to certify and provide required information on the department's approved registration form.	LAC 33:XI.301.B.1-2 and 301.C.1	\$200	Per inspection
Failure to provide notification within 30 days after selling a UST system or acquiring a UST system.	LAC 33:XI.301.C.4 and 5	\$300	Per inspection
Failure to keep a current copy of the registration form and registration certificate on-site or at the nearest staffed facility.	LAC:XI.301.C.7 and 8 and/or 509.B.5	\$200	Per inspection
Failure to submit an updated UST-REG form as required.	LAC 33:XI.301.C.2 and 3	\$200	Per inspection
Allowing a regulated substance to be placed into a UST system that has not been registered.	LAC 33:XI.301.C.9	\$1,500	Per inspection
Placing a regulated substance into a UST system that has not been registered.	LAC 33:XI.301.C.10	\$1,500	Per inspection
Allowing a regulated substance to be placed into a UST system that does not have a current registration certificate.	LAC 33:XI.301.C.11	\$1,500	Per inspection
Placing a regulated substance to be placed into a UST system that does not have a current registration certificate.	LAC 33:XI.301.C.12	\$1,500	Per inspection
Failure to install a secondarily contained tank as required after December 20, 2008.	LAC 33:XI.303.D.1.f	\$1,000	Per inspection
Failure to install secondarily contained piping as required after December 20, 2008.	LAC 33:XI.303.D.2.f, g, and h	\$1,000	Per inspection
Failure to install under-dispenser secondary containment as required after December 20, 2008.	LAC 33:XI.303.D.4.a	\$750	Per inspection
Failure to install submersible turbine pump secondary containment as required after December 20, 2008.	LAC 33:XI.303.D.5.a	\$750	Per inspection
Failure to provide corrosion protection to tanks that routinely contain regulated substances using one of the specified methods.	LAC 33:XI.303.D.1	\$500	Per inspection

EXPEDITED PENALTIES			
UNDERGROUND STORAGE TANKS			
Violation	Citation	Amount ¹	Frequency
* * *			
Failure to provide corrosion protection to flex hoses and/or sub-pumps that routinely contain regulated substances using one of the specified methods.	LAC 33:XI.303.D.2	\$500	Per inspection
Failure to comply with the spill and/or overfill prevention equipment requirements as specified.	LAC 33:XI.303.D.3	\$300	Per inspection
Failure to ensure that the individual exercising supervisory control over installation-critical junctures is certified in accordance with LAC 33:XI.Chapter 13.	LAC 33:XI.303.D.6.b.ii and iii	\$1,500	Per occurrence
Failure of a UST owner or operator to notify the department in writing at least 30 days before beginning an installation, renovation, upgrade, or repair as specified.	LAC 33:XI.303.D.6.c; 303.E.7.a; 507.A.1	\$200	Per occurrence
Failure of a UST owner, operator, or certified worker to notify the department seven days prior to performing an installation, repair, or closure critical juncture as specified.	LAC 33:XI.303.D.6.d; 303.E.7.b; 507.A.1.d; 905.A.2	\$100	Per occurrence
Failure to upgrade an existing UST system to new system standards as specified.	LAC 33:XI.303.E	\$1,300	Per inspection
Failure to pay fees by the required date.	LAC 33:XI.307.F	\$200	Per inspection
Failure to report any spill and/or overfill, as specified in LAC 33:XI.713.	LAC 33:XI.501.C	\$500	Per inspection
Failure to investigate and/or clean up any spill and/or overfill.	LAC 33:XI.501.C	\$1,500	Per inspection
Failure to inspect an overfill device by removal in accordance with LAC 33:XI.511.A.3 within seven days of any tank overfill event.	LAC 33:XI.501.D	\$500	Per inspection
Failure to remove from service and repair, replace, permanently or temporarily close a UST system that overfills due to tank or piping manifold issues.	LAC 33:XI.501.E	\$1,000	Per inspection
Failure to continuously operate and maintain corrosion protection to the metal components of portions of the tank and piping that routinely contain regulated substances and are in contact with the ground or water.	LAC 33:XI.503.A.1	\$300	Per inspection
Failure to have a UST system equipped with a cathodic protection system inspected and/or tested for proper operation as specified.	LAC 33:XI.503.A.2	\$300	Per inspection
Failure to inspect a UST system with an impressed current cathodic protection system every 60 days to ensure that the equipment is running properly.	LAC 33:XI.503.A.3	\$300	Per inspection

EXPEDITED PENALTIES			
UNDERGROUND STORAGE TANKS			
Violation	Citation	Amount ¹	Frequency
Failure to notify the department within 30 days of September 20, 2018, or prior to switching to a regulated substance containing greater than 10 percent ethanol or greater than 20 percent biodiesel as specified.	LAC 33:XI.505.C	\$200	Per inspection
Failure to demonstrate compatibility of the UST system if storing a regulated substance containing greater than 10 percent ethanol or greater than 20 percent biodiesel.	LAC 33:XI.505.C	\$750	Per inspection
Failure to meet requirements for repairs to UST systems.	LAC 33:XI.507	\$300	Per inspection
Failure to ensure that the individual exercising supervisory control over repair-critical junctures is certified.	LAC 33:XI.507.A.2	\$1,000	Per occurrence
Failure to maintain required information and/or keep records at the UST site and make them immediately available or keep them at an alternative site and provide them after a request.	LAC 33:XI.509.B and C	\$200	Per inspection
Failure to test/inspect spill prevention equipment, overfill prevention equipment, or containment sumps used for interstitial monitoring as required.	LAC 33:XI.511	\$500	Per inspection
Failure to conduct periodic operation and maintenance walkthrough inspections as required.	LAC 33:XI.513	\$300	Per inspection
Failure to conduct shear valve testing as required.	LAC 33:XI.515	\$500	Per inspection
Failure of Class A, B, or C UST operators to be trained and certified in accordance with the regulations and deadlines in LAC 33:XI.607.	LAC 33:XI.603.A.2	\$250	Per occurrence
Failure of Class A or B UST operators to be retrained in accordance with LAC 33:XI.603 and 605 within three years of initial training.	LAC 33:XI.609.A	\$250	Per occurrence
Failure of a Class C operator to be re-trained after beginning work at a UST facility owned by an operator that did not provide the Class C operators initial training.	LAC 33:XI.609.B	\$150	Per occurrence
Failure to meet the performance requirements when performing release detection required in LAC 33:XI.703.	LAC 33:XI.701; 703.A.2.b, c, and d, 703.A.4	\$500	Per inspection
Failure to conduct an annual performance test on automatic line leak detectors as required.	LAC 33:XI.701.B.1	\$350	Per occurrence
Failure to use a method or combination of methods of release detection described in LAC 33:XI.701 for all UST systems.	LAC 33:XI.703.A.1	\$1,500	Per inspection
Failure to monitor tanks for releases at least once every 30 days as specified.	LAC 33:XI.703.B.1.a	\$350	Per inspection

EXPEDITED PENALTIES			
UNDERGROUND STORAGE TANKS			
Violation	Citation	Amount ¹	Frequency
Failure to conduct tank interstitial monitoring as specified.	LAC 33:XI.703.B.1.b	\$500	Per inspection
Failure to monitor underground piping for releases as specified.	LAC 33:XI.703.B.2.a	\$500	Per occurrence
Failure to conduct interstitial monitoring on piping as specified.	LAC 33:XI.703.B.2.b	\$500	Per inspection
Failure to report any suspected release within 24 hours after becoming aware of the occurrence or when a leak detection method indicates that a release may have occurred.	LAC 33:XI.703.A.3 or 707	\$500	Per occurrence
Failure to investigate and confirm any suspected release of a regulated substance requiring reporting under LAC 33:XI.707 within seven days of detection.	LAC 33:XI.711	\$1,500	Per occurrence
Failure to immediately stop ongoing aboveground releases.	LAC 33:XI.713.A	\$1,500	Per inspection
Failure to maintain corrosion protection on a UST system that is temporarily closed as specified.	LAC 33:XI.903.A	\$500	Per inspection
Failure to permanently close a UST system that has not maintained the corrosion protection system requirements as specified.	LAC 33:XI.903.A.1.a; LAC 33:XI.903.A.3.a; and LAC 33:XI.903.A.4.a	\$1,000	Per inspection
Failure to maintain release detection on a UST system that is temporarily closed and contains more than 2.5 cm (1 inch) of residue, or 0.3 percent by weight of the total capacity of the UST system.	LAC 33:XI.903.B	\$500	Per inspection
Failure to permanently close tanks that do not meet the required performance standards.	LAC 33:XI.903.D	\$1,000	Per inspection
Failure to perform and/or submit a site assessment within 24 months of the date tanks are placed into temporary closure.	LAC 33:XI.903.E	\$500	Per inspection
Failure to conduct a tank, line or leak detector test within five days of returning to service a UST system that has been temporarily closed for three months or more.	LAC 33:XI.903.F	\$1,000	Per inspection
Failure to comply with permanent closure and/or changes in service procedures.	LAC 33:XI.905	\$500	Per inspection
Failure to use a certified worker for tank closure.	LAC 33:XI.905.A.2	\$1,000	Per inspection
Failure to assess the site at closure or change-in-service where contamination is most likely to be present in accordance with the guidelines established by the department.	LAC 33:XI.907.A	\$500	Per occurrence
Failure to submit the closure assessment form and the closure assessment results in duplicate within 60 days following permanent closure or change-in-service.	LAC 33:XI.907.A	\$500	Per occurrence

EXPEDITED PENALTIES			
UNDERGROUND STORAGE TANKS			
Violation	Citation	Amount ¹	Frequency
Failure to begin corrective action of contaminated soils, contaminated groundwater, or free product discovered through methods in LAC 33:XI.907.A, in accordance with LAC 33:XI.715.	LAC 33:XI.907.B	\$1,500	Per occurrence
Failure of a UST owner or operator covered by the Underground Motor Fuel Storage Tank Trust Fund to maintain on file a copy of the current registration certificate.	LAC 33:XI.1133.B.5	\$200	Per inspection
No person shall conduct critical junctures of a UST system unless the person present at the site and exercising responsible supervisory control over the critical juncture is currently certified in accordance with LAC 33:XI.Chapter 13.	LAC 33:XI.1301.B	\$1,500	Per inspection

¹In accordance with LAC 33:XI.609.C, the department may require the Class A and/or Class B UST operator to attend either a department-sponsored compliance class that addresses the noted noncompliant areas or an acceptable operator training course as determined by the department within the time frame given in the notification by the department.

EXPEDITED PENALTIES			
RADIATION			
Violation	Citation	Amount	Frequency
Failure to perform and maintain records of an annual inventory of all sealed sources, showing the sealed source identity, location, date of inventory, and name of individual(s) performing the inventory.	LAC 33:XV.104.B	\$300	Per occurrence
Failure to register the radiation machine or facility in accordance with LAC 33:XV.204.A.1-3.	LAC 33:XV.204.A	\$500	Per occurrence
Failure to comply with any license condition.	LAC 33:XV.320	\$400	Per occurrence
Failure to request, in writing, a termination of license when licensee decides to terminate all activities involving radioactive material authorized under the license.	LAC 33:XV.332.B	\$250	Per inspection
Failure to submit a timely and complete license renewal application 30 days prior to expiration of existing license or notify the Office of Environmental Compliance, in writing, if the licensee decides not to renew the license.	LAC 33:XV.332.C	\$250	Per occurrence
Failure of licensed transferor to verify that the transferee is licensed to receive the radioactive materials.	LAC 33:XV.340.C	\$1,000	Per occurrence
Failure to immediately report after the discovery of an event that prevents immediate protective actions to avoid exposure or releases of materials that could exceed regulatory limits.	LAC 33:XV.341.A	\$1,500	Per occurrence

EXPEDITED PENALTIES			
RADIATION			
Violation	Citation	Amount	Frequency
Failure to notify the Office of Environmental Compliance by telephone within 24 hours after discovery of an event involving licensed material as specified in LAC 33:XV.341.B.1-4.	LAC 33:XV.341.B	\$500	Per occurrence
Failure to submit a written follow-up within 30 days of the initial report required by LAC 33:XV.341.A or B.	LAC 33:XV.341.C	\$500	Per occurrence
Failure to provide adequate or accurate information on notification of reciprocity.	LAC 33:XV.390.A.2	\$250	Per occurrence
Failure to test sealed sources for leakage or contamination.	LAC 33:XV.426.A; or LAC 33:XV.544.B	\$500	Per occurrence
Failure to use an authorized person(s) to conduct tests for leakage and contamination of sealed sources.	LAC 33:XV.426.C	\$250	Per occurrence
Failure to perform required surveys or monitoring with properly calibrated instruments.	LAC 33:XV.430	\$500	Per inspection
Failure to secure licensed or registered radioactive material from unauthorized removal or access.	LAC 33:XV.445.A	\$500	Per occurrence
Failure to maintain constant surveillance or use devices or administrative procedures to prevent unauthorized use of licensed or registered radioactive material that is in a controlled or unrestricted area and that is not storage.	LAC 33:XV.445.B	\$500	Per occurrence
Failure to secure registered radiation machines from unauthorized removal.	LAC 33:XV.445.C	\$500	Per occurrence
Failure to post each radiation area with conspicuous signage.	LAC 33:XV.451; LAC 33:XV.586.A	\$300	Per occurrence
Failure to ensure labeling of each container and source of radiation in accordance with LAC 33:XV.453.A.	LAC 33:XV.453.A	\$250	Per occurrence
Failure to maintain records of results of surveys and calibrations as required by LAC 33:XV.430 and LAC 33:XV.455.D for three years after the record is made.	LAC 33:XV.472.A	\$200	Per inspection
Failure to maintain records of tests for leakage or contamination of sealed sources as required by LAC 33:XV.426 for five years after the record is made.	LAC 33:XV.426.D; and 473.A	\$200	Per inspection
Failure to maintain records of doses received by all individuals for whom monitoring was required.	LAC 33:XV.476.A	\$200	Per inspection
Failure to immediately report lost, stolen, or missing licensed or registered radioactive material in an aggregate quantity greater than 1,000 times the quantity specified in LAC 33:XV.499.Appendix C.	LAC 33:XV.485.A.1	\$1,500	Per occurrence

EXPEDITED PENALTIES			
RADIATION			
Violation	Citation	Amount	Frequency
Failure to submit a written report within 30 days following a required telephone report to the Office of Environmental Compliance.	LAC 33:XV.485.B	\$500	Per occurrence
Failure to submit a written report within 30 days to the Office of Environmental Compliance following any of the occurrences specified in LAC 33:XV.487.A.1-3.	LAC 33:XV.487	\$500	Per occurrence
Failure to have a locked or outer locked container on each radiographic exposure device to prevent unauthorized or accidental removal.	LAC 33:XV.541	\$500	Per occurrence
Failure to perform a vehicle survey on any vehicle used for storage of radioactive material after securing material but before transport, to ensure that radiation levels do not exceed limits specified in LAC 33:XV.421.A.	LAC 33:XV.542.C	\$500	Per occurrence
Failure to test for depleted uranium (DU) contamination annually.	LAC 33:XV.544.F	\$300	Per occurrence
Failure to maintain records of sealed sources using depleted uranium (DU) for shielding for a period of three years.	LAC 33:XV.544.G	\$200	Per inspection
Failure to maintain current utilization logs and make them available to inspectors for three consecutive years.	LAC 33:XV.546.A	\$250	Per inspection
Failure to ensure that, whenever radiography is performed at a location other than the permanent radiographic installation, the radiographer is accompanied by at least one other qualified radiographer or, if the radiographer is a qualified instructor, a qualified radiographer trainee.	LAC 33:XV.573	\$500	Per occurrence
Failure to ensure an individual has completed the requirements specified in LAC 33:XV.575.A-B, before permitting such individual to act as a radiographer or radiographer trainee.	LAC 33:XV.575.A-B	\$1,500	Per occurrence
Failure to maintain records for each radiographer and radiographer trainee, as specified in LAC 33:XV.575.C.1-2.	LAC 33:XV.575.C	\$300	Per occurrence
Failure to conduct internal audits at least every six months and maintain records for two years.	LAC 33:XV.575.D	\$200	Per occurrence
Failure to ensure that any individual acting as a radiographer is wearing, on the trunk of the body, a direct-reading pocket dosimeter, an alarm ratemeter, and a personnel dosimeter.	LAC 33:XV.577.A	\$1,000	Per occurrence

EXPEDITED PENALTIES			
RADIATION			
Violation	Citation	Amount	Frequency
Failure to ensure pocket dosimeters are: in range and charged at least daily or at the start of each shift, assigned and worn by one individual, and checked for proper response annually.	LAC 33:XV.577.B	\$500	Per occurrence
Failure to read and record exposures of direct reading dosimeters, such as electronic personal dosimeters or pocket dosimeters, daily with use at the beginning and end of each shift.	LAC 33:XV.577.D	\$300	Per occurrence
Failure to maintain records of direct reading dosimeters for three years,	LAC 33:XV.577.D	\$200	Per occurrence
Failure to perform radiation survey after each radiographic exposure.	LAC 33:XV.587.B	\$500	Per occurrence
Failure to have documents or records available at the job site for inspection, as specified in LAC 33:XV.588.A.1-11.	LAC 33:XV.588.A	\$200	Per inspection
Failure to ensure X-ray operator, other professional staff, and ancillary personnel are protected from direct scatter radiation by protective aprons or whole body protective barriers.	LAC 33:XV.603.A.5.b	\$500	Per inspection
Failure to perform periodic measurement of entrance exposure rates at installation, annually thereafter, or after any maintenance of the X-ray fluoroscopic system.	LAC 33:XV.605.A.3.b.i	\$1,000	Per occurrence
Failure to ensure that individuals are not exposed to the useful beam except for healing arts purposes and unless such exposure has been authorized by a licensed practitioner of the healing arts.	LAC 33:XV.603.A.7	\$1,000	Per occurrence
Failure to report any medical event, in which the administration of radiation involves the wrong patient, a procedure different than that which was authorized by the licensed practitioner, or a body site different from that which was authorized and intended to be exposed by the authorized X-ray procedure, as specified in LAC 33:XV.613.A.1-4.	LAC 33:XV.613.A	\$500	Per occurrence
Failure to internally report, investigate, document and address within the facility any administration of radiation involving a wrong patient, a procedure different than that which was authorized by a licensed practitioner, or a wrong body site imaged.	LAC 33:XV.613.B	\$500	Per occurrence
Failure to maintain records for a period of five years of any internal investigation within the facility of the administration of radiation involving a wrong patient, a procedure different from that which was authorized by a licensed practitioner, or a wrong body site imaged.	LAC 33:XV.613.B	\$200	Per inspection

EXPEDITED PENALTIES			
RADIATION			
Violation	Citation	Amount	Frequency
Failure to develop a written program to maintain radiation doses and releases of radioactive material in effluents to unrestricted areas as low as reasonably achievable (ALARA).	LAC 33:XV.705.A	\$1,000	Per occurrence
Failure to implement any component of the written ALARA program.	LAC 33:XV.705.A	\$500	Per occurrence
Failure to check each dose calibrator for constancy at the beginning of each day of use.	LAC 33:XV.715.B.1	\$300	Per occurrence
Failure to test each dose calibrator for accuracy upon installation and not to exceed 12 months thereafter.	LAC 33:XV.715.B.2	\$300	Per occurrence
Failure to test each dose calibrator for linearity upon installation and not to exceed three months thereafter.	LAC 33:XV.715.B.3	\$300	Per occurrence
Failure to test each dose calibrator for geometry dependence upon installation over the range of volumes and volume configurations.	LAC 33:XV.715.B.4	\$300	Per occurrence
Failure to maintain records of each test and check specified in LAC 33:XV.715.B.1-4 for a period of two years.	LAC 33:XV.715.E	\$200	Per inspection
Failure to calibrate survey instruments before first use, annually, and following repair.	LAC 33:XV.716.A	\$300	Per occurrence
Failure to ensure that sealed sources are tested for leakage at intervals not to exceed once every six months or at other approved intervals.	LAC 33:XV.719.B.2	\$500	Per occurrence
Failure to maintain records of leak test for two years.	LAC 33:XV.719.D	\$200	Per inspection
Failure to conduct a physical inventory of all sealed sources and brachytherapy sources every three months.	LAC 33:XV.719.G	\$300	Per occurrence
Failure to conduct a survey every three months of all areas where sealed sources or brachytherapy sources are stored.	LAC 33:XV.719.H	\$500	Per occurrence
Failure to ensure individuals who prepare or administer radiopharmaceuticals use a syringe shield.	LAC 33:XV.720.B	\$500	Per inspection
Failure to post current copies of all documents listed in LAC 33:XV.1011.A-C.	LAC 33:XV.1011	\$200	Per inspection
Failure to transport radioactive material in accordance with LAC 33:XV.1504.A-D.	LAC 33:XV.1504	\$500	Per inspection
Failure to coordinate with a local law enforcement agency (LLEA) at least every 12 months, or when changes to the facility design or operation adversely affect the potential vulnerability of the respondent's material to theft, sabotage, or diversion.	LAC 33:XV.1625.D	\$500	Per occurrence

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular R.S. 30:2025(D).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:2243 (December 2006), amended LR 34:1393 (July 2008), LR 35:62 (January 2009), amended by the Office of the Secretary, Legal Division, LR 42:236 (February 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small business as described in R.S. 49:965.2 - 965.8.

Provider Impact Statement

This 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 regulation. Persons commenting should reference this proposed regulation by OS097. Such comments must be received no later than March 4, 2022, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Affairs and Criminal Investigations Division, P.O. Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-4068 or by e-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of these proposed regulations can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of OS097. These proposed regulations are available on the Internet at <https://www.deq.louisiana.gov/page/monthly-regulation-changes-2022%20>.

Public Hearing

A public hearing will be held via Zoom on February 25, 2022, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or Android at <https://deqlouisiana.zoom.us/j/9373792954> or by telephone by dialing 636-651-3182 using the conference code 725573. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985.

These proposed regulations are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, 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.

Courtney J. Burdette
General Counsel

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Expansion of the Expedited Penalty Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule will have no implementation costs or savings to State or Local Governmental Units.

The proposed rule expands the Expedited Penalty Agreement (XP) Program within the Louisiana Department of Environmental Quality. The revisions include increasing the number of citations included in the Louisiana Environmental Code of regulations, increasing the regulatory maximum cap from \$3,000 to \$5,000 for each enforcement case that can be used to assess penalties from multiple violations, and adjusting the amount of assessed penalties for specific existing citations to create greater consistency across all of the environmental programs.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will not have any effect on the revenue collections of the state and no effect on local governmental units' revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule does not impose any additional costs or economic benefits to directly affected persons, small businesses, or non-governmental groups. The revisions to the existing XP rule will allow more enforcement cases to be resolved quicker by allowing greater access to the program. The regulated sector will be able to take the necessary corrective steps and pay the monetary penalty in a timelier manner. Therefore, businesses will be able to achieve compliance earlier.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will not have any effect on competition and employment.

Courtney J. Burdette
General Counsel
2112#018

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division

X-Rays in the Healing Arts
(LAC 33:XV.Chapter 6)(RP068)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Radiation Protection regulations, LAC 33:XV.602, 603, 604, 605, 606, 607, 610, 611, and 699 (RP068).

The proposed Rule updates the radiation regulations pertaining to X-rays in the healing arts. This will more closely align the Louisiana regulations with current national standards. The changes in the state regulations are necessary to align with current manufacturer requirements and new X-ray technology and industry standards that have evolved over the last decade. The basis and rationale for this Rule are to enable the state to mirror other states' regulations and regulate the use of new X-ray technologies. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33
ENVIRONMENTAL QUALITY
Part XV. Radiation Protection

Chapter 6. X-Rays in the Healing Arts

§602. Definitions

A. As used in this Chapter, the following definitions apply. Other definitions applicable to this Chapter may be found in LAC 33:XV.Chapters 1 and 2.

* * *

Air Kerma (K)—the kinetic energy released in air by ionizing radiation. Kerma is determined as the quotient of dE by dM, where dE is the sum of the initial kinetic energies of all the charged ionizing particles liberated by uncharged ionizing particles in air of mass dM. The SI unit of air kerma is joule per kilogram and the special name for the unit of kerma is the gray (Gy).

Air Kerma Rate (AKR)—air kerma per unit time.

Alert Value—a dose rate index (e.g. of CTDI_{vol}(mGy) or DLP(mGy-cm)) that is set by the registrant to trigger an alert to the CT operator prior to scanning within an ongoing examination. The alert value represents a universal dose index value well above the registrant's established range for the examination that warrants more stringent review and consideration before proceeding.

Aluminum Equivalent—the thickness of type 1100 aluminum alloy affording the same attenuation, under specified conditions, as the material in question.

Articulated Joint—a joint between two separate sections of a tabletop which joint provides the capacity of one of the sections to pivot on the line segment along which the sections join.

* * *

Attenuation Block—a block or stack of type 1100 aluminum alloy, or aluminum alloy having equivalent attenuation, with dimensions 20 centimeters or larger by 20 centimeters or larger by 3.8 centimeters, that is large enough to intercept the entire X-ray beam.

Automatic Exposure Control (AEC)—a device which automatically controls one or more technique factors in order to obtain at a preselected location(s) a required quantity of radiation (see also *Phototimer*).

Automatic Exposure Rate Control (AERC)—a device which automatically controls one or more technique factors in order to obtain, at a preselected location(s), a required quantity of radiation per unit time.

* * *

Bone Densitometer—a device intended for medical purposes to measure bone density and mineral content by X-ray or gamma ray transmission measurements through the

bone and adjacent tissues. This generic type of device may include signal analysis and display equipment, patient and equipment supports, component parts, and accessories.

Bone Densitometry—a noninvasive measurement of certain physical characteristics of bone that reflect bone strength. Test results are typically reported as bone mineral content or density and are used for diagnosing osteoporosis, estimating fracture risk, and monitoring changes in bone mineral content.

* * *

Cantilevered Tabletop—a tabletop designed such that the unsupported portion can be extended at least 100 cm beyond the support.

Cassette Holder—a device, other than a spot-film device, that supports and/or fixes the position of the image receptor during a radiographic exposure.

* * *

Certified Components—components of X-ray systems that are certified by the U.S. Food and Drug Administration (FDA).

* * *

Coefficient of Variation or "C"—Repealed.

Coefficient of Variation (C)—the ratio of the standard deviation to the mean value of a population of observations. It is estimated using the following equation:

$$C = \frac{s}{\bar{x}} = \frac{1}{\bar{x}} \left[\frac{\sum_{i=1}^n (x_i - \bar{x})^2}{n - 1} \right]^{1/2}$$

where:

s = estimated standard deviation of the population;

x = mean value of observations in sample;

x_i = ith observation in sample; and

n = number of observations sampled.

Computed Radiography (CR; also see DR)—a digital X-ray imaging method in which a photostimulable phosphor is used to capture and store a latent image. The latent image is read out by stimulating the phosphor with a laser. Computed radiography systems may use cassettes to house the phosphor, or it may be integrated into a digital radiography system.

* * *

Computed Tomography Dose Index (CTDI)—the average absorbed dose, along the z-axis, from a series of contiguous irradiations. It is measured from one axial CT scan (one rotation of the X-ray tube), and is calculated by dividing the integrated absorbed dose by the nominal total beam collimation. The scattering media for CTDI consist of two (16 and 32 cm in diameter) polymethylmethacrylate (PMMA, e.g., acrylic or Lucite) cylinders. The equation is:

$$CTDI = \frac{1}{NT} \int_{-\infty}^{\infty} D(z) dz$$

where:

D(z) = the radiation dose profile along the z-axis;

N = the number of tomographic sections imaged in a single axial scan. This is equal to the number of data channels used in a particular scan. The value of N may be less than or equal to the maximum number of data channels available on the system; and

T = the width of the tomographic section along the z-axis imaged by one data channel. In multiple-detector-row (multislice) CT scanners, several detector elements may be grouped together to form one data channel. In single-detector-

row (single-slice) CT, the z-axis collimation (T) is the nominal scan width.

CTDI₁₀₀—the accumulated multiple scan dose at the center of a 100-mm scan and underestimates the accumulated dose for longer scan lengths. It is thus smaller than the equilibrium dose. The CTDI₁₀₀, requires integration of the radiation dose profile from a single axial scan over specific integration limits. In the case of CTDI₁₀₀, the integration limits are +50 mm, which corresponds to the 100-mm length of the commercially available “pencil” ionization chamber. CTDI₁₀₀ is acquired using a 100-mm long, 3-cc active volume CT “pencil” ionization chamber and one of the two standard CTDI acrylic phantoms (16 and 32 cm diameter) and a stationary patient table. The equation is:

$$CTDI_{100} = \frac{1}{NT} \int_{-50\text{mm}}^{+50\text{mm}} D(z) dz$$

CTDI_{vol}—see Volume Computed Tomography Dose Index (CTDI_{vol})/

CTDI_w—see Weighted Computed Tomography Dose Index (CTDI_w).

Cone Beam Computed Tomography (CBCT)—a volumetric imaging modality. Volumetric data are acquired using two dimensional digital detector arrays, and a cone-shaped (instead of fan-shaped) X-ray beam that rotates around the patient. Reconstruction algorithms can be used to generate images of any desired plane.

$$CS = \frac{\mu_x - \mu_w}{(CTN)_x - (CTN)_w}$$

Contrast Scale—the change in the linear attenuation coefficient per CTN relative to water, that is:

where:

μ_x = linear attenuation coefficient of the material of interest;

μ_w = linear attenuation coefficient of water;

$(CTN)_x$ = CTN of the material of interest; and

$(CTN)_w$ = CTN of water.

Control Panel—that part of the X-ray control upon which are mounted the switches, knobs, pushbuttons, keypads, touchscreens, and other hardware necessary for manually setting the technique factors.

Cradle—a removable device which supports and may restrain a patient above an X-ray table; or a device:

a. where patient support structure is interposed between the patient and the image receptor during normal use;

b. which is equipped with means for patient restraint; and

c. which is capable of rotation about its long (longitudinal) axis.

CS—see *Contrast Scale*.

CT—see *Computed Tomography*.

CT Conditions of Operation—all selectable parameters governing the operation of a CT X-ray system including, but not limited to, nominal tomographic section thickness, filtration, and the technique factors as defined in LAC 33:XV.602.

CT Gantry—the tube housing assemblies, beam-limiting devices, detectors, and the supporting structures and frames that hold these components.

CTN—see *CT Number*.

CT Number—the number used to represent the X-ray attenuation associated with each elemental area of the CT image. The equation is:

where:

$$CTN = \frac{k(\mu_x - \mu_w)}{\mu_w}$$

k = a constant. The constant has a normal value of 1,000 when the Hounsfield unit of CTN is used;

μ_x = linear attenuation coefficient of the material of interest; and

μ_w = linear attenuation coefficient of water.

Cumulative Air Kerma—the total air kerma accrued from the beginning of an examination or procedure and includes all contributions from fluoroscopic and radiographic irradiation.

Diagnostic Reference Level (DRL)—an investigational level used to identify unusually high radiation doses or dose rates for common medical X-ray imaging procedures. DRLs are suggested action levels above which a facility should review its methods and determine if acceptable image quality can be achieved at lower doses. DRLs should not be applied to an individual patient.

Digital Radiography (DR)—an X-ray imaging method (or radiography) which produces a digital rather than analog image. DR includes both computed radiography and direct digital radiography.

Direct Digital Radiography (DDR; also see CR and DR)—an X-ray imaging method in which a digital sensor, usually incorporating a thin-film transistor, is used to capture an X-ray image. Some DDR systems use a scintillator to convert X-rays to light and a photodiode array to convert light to charge, while others use a photoconductor to convert X-rays directly to charge, which is stored on the thin-film transistor.

Direct Scattered Radiation—that scattered radiation which has been deviated in direction only by materials irradiated by the useful beam. (See *Scattered Radiation*)

Direct Supervision—general supervision by a qualified practitioner present in the facility and immediately available to furnish assistance and direction throughout the performance of the procedure. It does not mean that the licensed practitioner shall be present in the room when the procedure is being performed.

Dose—the absorbed dose as defined by the International Commission on Radiation Units and Measurements. The absorbed dose, D, is the quotient of de by dm, where de is the mean energy imparted to matter of mass dm; thus D=de/dm, in units of J/kg, where the special name of the unit of absorbed dose is gray (Gy).

Dose Area Product (DAP) (aka Kerma-Area Product (KAP))—the product of the air kerma and the area of the irradiated field and is typically expressed in Gy-cm², so it does not change with distance from the X-ray tube.

Dose Length Product (DLP)—the indicator of the integrated radiation dose from a complete CT examination. It addresses the total scan length by the formula:

$$DLP \text{ (mGy-cm)} = CTDI_{vol} \text{ (mGy)} \times \text{scan length (cm)}$$

Dose Profile—the dose as a function of position along a line.

Effective Dose (E)—the sum of the tissue-weighted equivalent doses for the radiosensitive tissues and organs of the body. It is given by the expression $E = \sum_T (w_T H_T)$, in which H_T is the equivalent dose in tissue or organ T and w_T is the tissue weighting factor for tissue or organ T. The unit of E and H_T is joule per kilogram (J/kg), with the special name sievert (Sv).

Elemental Area—the smallest area within a tomogram for which the X-ray attenuation properties of a body are depicted. (See also *Picture Element*)

Exposure (X)—the quotient of dQ by dm where "dQ" is the absolute value of the total charge of the ions of one sign produced in air when all the electrons and positrons liberated or created by photons in air of mass "dm" are completely stopped in air; thus $X=dQ/dm$, in units of C/kg. Exposure is also the process or condition during which the X-ray tube produces X-ray radiation.

Fluoroscopic Imaging Assembly—a subsystem in which X-ray photons produce a set of fluoroscopic images or radiographic images recorded from the fluoroscopic image receptor. It includes the image receptor(s), electrical interlocks, if any, and structural material providing linkage between the image receptor and diagnostic source assembly.

Fluoroscopic Irradiation Time—the cumulative duration during an examination or procedure of operator-applied continuous pressure to the device, enabling X-ray tube activation in any fluoroscopic mode of operation.

Fluoroscopically-Guided Interventional (FGI) Procedures—an interventional diagnostic or therapeutic procedure performed via percutaneous or other access routes, usually with local anesthesia or intravenous sedation, which uses external ionizing radiation in the form of fluoroscopy to localize or characterize a lesion, diagnostic site, or treatment site, to monitor the procedure, and to control and document therapy.

Fluoroscopy—a technique for generating X-ray images and presenting them simultaneously and continuously as visible images. This term has the same meaning as the term "radioscopy" in the standards of the International Electrotechnical Commission.

Focal Spot (actual)—the area projected on the anode of the X-ray tube bombarded by the electrons accelerated from the cathode and from which the useful beam originates.

General Supervision—supervision of a procedure under the overall direction and control of the qualified practitioner but who is not required to be physically present during the performance of the procedure.

Gonad Shield—Repealed.

Hand-Held X-Ray Equipment—X-ray equipment that is designed to be hand-held during operation.

Heat Unit—a unit of energy equal to the product of the peak kilovoltage, milliamperes, and seconds, i.e., kVp x mA x second.

Image Intensifier—a device, installed in its housing, that instantaneously converts an X-ray pattern into a corresponding light image of higher intensity.

Image Receptor—any device, such as a fluorescent screen, radiographic film, X-ray image intensifier tube, solid-state detector, or gaseous detector, that transforms incident X-ray photons either into a visible image or into another form that can be made into a visible image by further transformations. In those cases where means are provided to preselect a portion of the image receptor, the term *image receptor* shall mean the preselected portion of the device.

Isocenter—the center of the smallest sphere through which the beam axis passes when the equipment moves through a full range of rotations about its common center.

Kerma—a measurement defined by the International Commission on Radiation Units and Measurements. The kerma, K, is the quotient of dE_{tr} by dm, where dE_{tr} is the sum of the initial kinetic energies of all the charged particles liberated by uncharged particles in a mass dm of material; thus $K=dE_{tr}/dm$, in units of J/kg, where the special name for the unit of kerma is gray (Gy). When the material is air, the quantity is referred to as "air kerma."

Kerma-Area Product (KAP)—see Dose Area Product.

kVp—see *Peak Tube Potential*.

Last-Image Hold (LIH) Radiograph—an image obtained either by retaining one or more fluoroscopic images, which may be temporarily integrated, at the end of a fluoroscopic exposure or by initiating a separate and distinct radiographic exposure automatically and immediately in conjunction with termination of the fluoroscopic exposure.

Lead Equivalent—the thickness of the material in question affording the same attenuation, under specified conditions, as lead.

Licensed Practitioner—a person licensed or otherwise authorized by law to practice medicine, dentistry, chiropractic, osteopathy or podiatry, or a licensed nurse practitioner, or physician assistant.

Medical Event—one or more of the criteria that are listed in LAC 33:XV.613 have occurred.

Mode of Operation—for fluoroscopic systems, a distinct method of fluoroscopy or radiography provided by the manufacturer and selected with a set of several technique factors or other control settings uniquely associated with the mode. The set of distinct technique factors and control settings for the mode may be selected by the operation of a single control. Distinct modes of operation include normal fluoroscopy (analog or digital), high-level control fluoroscopy, cineradiography (analog and digital), digital subtraction angiography, electronic radiography using the fluoroscopic image receptor, and photospot recording. In a

specific mode of operation, certain system variables affecting kerma, AKR, or image quality, such as image magnification, X-ray field size, pulse rate, pulse duration, number of pulses, source-image receptor distance (SID), or optical aperture, may be adjustable or may vary; their variation per se does not comprise a mode of operation different from the one that has been selected.

Multiple Tomogram System—a computed tomography X-ray system that obtains X-ray transmission data simultaneously during a single scan to produce more than one tomogram.

Noise—the standard deviation of the fluctuations in CTN expressed as a percentage of the attenuation coefficient of water. Its estimate (S_n) is calculated using the following expression:

where:

CS = contrast scale;

μ_w = linear attenuation coefficient of water; and

s = estimated standard deviation of the CTN of picture

$$S_n = \frac{100 \times C \times S \times s}{\mu_w}$$

elements in a specified area of the CT image.

Nominal Tomographic Section Thickness—the full width at half-maximum of the sensitivity profile taken at the center of the cross-sectional volume over which X-ray transmission data are collected.

PBL—see *Positive Beam Limitation*.

Personal Supervision—general supervision by a qualified practitioner present in the room or adjacent control area during the performance of the procedure.

Photostimulable Storage Phosphor (PSP)—a material used to capture and store radiographic images in computed radiography systems.

PID—see *Position Indicating Device*.

Picture Element—an elemental area of a tomogram.

Pitch—the table incrementation, in CT, per X-ray tube rotation, divided by the nominal X-ray beam width at isocenter.

Protected Area—an area shielded with primary or secondary protective barriers or an area removed from the radiation source such that the exposure rate within the area due to normal operating procedures and workload does not exceed any of the following limits:

- a. 2 milliroentgens (20 micro Gray) in any one hour;
- b. 100 milliroentgens (1 milli Gray) in any seven consecutive days; or
- c. 500 milliroentgens (5 milli Gray) in any one year.

Protective Apron—an apron made of radiation absorbing or lead equivalent materials used to reduce radiation exposure.

Protocol—a collection of settings and parameters that fully describe an examination.

Pulsed Mode—operation of the X-ray system such that the X-ray tube current is pulsed by the X-ray control to

produce one or more exposure intervals of duration less than one-half second.

Qualified Expert—an individual who meets one of the following criteria:

- a. a qualified medical physicist;
- b. not board certified in the required subspecialty but with a graduate degree in medical physics, radiologic physics, physics, or other relevant physical science or engineering discipline from an accredited institution, and formal coursework in the biological sciences with at least one course in biology or radiation biology and one course in anatomy, physiology, or similar topics related to the practice of medical physics and three years of documented experience in a clinical CT environment;
- c. grandfathered by having conducted surveys of at least three CT units between January 1, 2007, and January 1, 2010; or
- d. an individual approved by the department.

Qualified Medical Physicist (QMP)—an individual who meets each of the following credentials:

- a. has earned a master's and/or doctoral degree in physics, medical physics, biophysics, radiological physics, medical health physics, or equivalent disciplines from an accredited college or university; and
- b. has been granted certification in the specific subfield(s) of medical physics with its associated medical health physics aspects by an appropriate national certifying body and abides by the certifying body's requirements for continuing education.

Qualified Practitioner—an individual who is qualified by education, training, licensure/regulation (when applicable), and facility privileging (when applicable) who performs a professional service within his/her scope of practice and independently reports that professional service.

Quality Assurance (QA)—a program providing for verification by written procedures such as testing, auditing, and inspection to ensure that deficiencies, deviations, defective equipment, or unsafe practices, or a combination thereof, relating to the use, disposal, management, or manufacture of radiation devices are identified, promptly corrected, and reported to the appropriate regulatory authorities as required.

Quality Control (QC)—the routine measurement of image quality and the performance of the diagnostic X-ray imaging system, from X-ray beam output to the viewing of radiographs, and the continual adjustment of that performance to an optimal and consistent level.

Radiation Protocol Committee (RPC)—the representative group of qualified individuals in a CT or FGI facility responsible for the ongoing review and management of CT or FGI protocols to ensure that exams being performed achieve the desired diagnostic image quality at the lowest radiation dose possible while properly exploiting the capabilities of the equipment being used.

Radiography—a technique for generating and recording an X-ray pattern for the purpose of providing the user with an image(s) after termination of the exposure.

Recording—producing a permanent or retrievable form of an image resulting from X-ray photons.

Reference Plane—a plane that is displaced from and parallel to the tomographic plane.

Scan—the complete process of collecting X-ray transmission data for the production of a tomogram. Data can be collected simultaneously during a single scan for the production of one or more tomograms.

Scan Increment—the amount of relative displacement of the patient with respect to the CT X-ray system between successive scans measured along the direction of such displacement.

Scan Sequence—a preselected set of two or more scans performed consecutively under preselected CT conditions of operation.

Scan Time—the period of time between the beginning and end of X-ray transmission data accumulation for a single scan.

Sensitivity Profile—the relative response of the CT X-ray system as a function of position along a line perpendicular to the tomographic plane.

SID—see *Source-Image Receptor Distance*.

Single Tomogram System—a CT X-ray system that obtains X-ray transmission data during a scan to produce a single tomogram.

Size-Specific Dose Estimate (SSDE)—a patient dose estimate which takes into consideration corrections based on the size of the patient, using linear dimensions measured on the patient or patient images.

Source—the focal spot of the X-ray tube or the region and/or material from which the radiation emanates.

Source-Skin Distance (SSD)—the distance from the source to the center of the entrant X-ray field in the plane tangent to the patient skin surface.

Spot Film Device—a device intended to transport and/or position a radiographic image receptor between the X-ray source and fluoroscopic image receptor. The term includes a device intended to hold a cassette over the input end of the fluoroscopic image receptor for the purpose of producing a radiograph.

Substantial Radiation Dose Level (SRDL)—an appropriately-selected dose used to trigger additional dose-management actions during a procedure and medical follow-up for a radiation level that might produce a clinically-relevant injury in an average patient.

Tomographic Plane—that geometric plane identified as corresponding to the output tomogram.

Tomographic Section—the volume of an object whose X-ray attenuation properties are imaged in a tomogram.

Unintended—a radiation dose received by a patient in diagnostic or interventional X-ray resulting from human error or equipment malfunction during a procedure.

Useful Beam—the radiation which passes through the tube housing port and the aperture of the beam-limiting device when the exposure switch or timer is activated.

Volume Computed Tomography Dose Index (CTDI_{vol})—a radiation dose parameter derived from the CTDI_w (weighted or average CTDI given across the field of view). The equation is:

$$CTDI_{vol} = (N)(T)(CTDI_w)/I,$$

where

N = number of simultaneous axial scans per X-ray source rotation;

T = thickness of one axial scan (mm); and

I = table increment per axial scan (mm).

Or, for helical scans,

$$CTDI_{vol} = CTDI_w / \text{pitch}$$

Wedge Filter—an added filter effecting continuous progressive attenuation on all or part of the useful beam.

Weighted Computed Tomography Dose Index (CTDI_w)—the estimated average CTDI₁₀₀ across the field of view (FOV). The equation is:

$$CTDI_w = 1/3CTDI_{100, \text{center}} + 2/3CTDI_{100, \text{edge}}$$

Where 1/3 and 2/3 approximate the relative areas represented by the center and edge values derived using the 16 or 32 cm acrylic phantom. CTDI_w uses CTDI₁₀₀ and an f-factor for air (0.87 rad/R or 1.0 mGy/mGy).

X-Ray Equipment—an X-ray system, subsystem, or component thereof. Types of X-ray equipment are as follows:

a. *Mobile X-Ray Equipment*—X-ray equipment mounted on a permanent base with wheels and/or casters for moving while completely assembled.

b. *Portable X-Ray Equipment*—X-ray equipment designed to be hand-carried.

c. *Stationary X-Ray Equipment*—X-ray equipment that is installed in a fixed location.

d. *Transportable X-Ray Equipment*—X-ray equipment installed in a vehicle or trailer.

e. *Hand-Held X-Ray Equipment*—X-ray equipment that is designed to be hand-held during operation.

X-Ray Exposure Control—a device, switch, button or other similar means by which an operator initiates and/or terminates the radiation exposure. The X-ray exposure control may include such associated equipment as timers and back-up timers.

X-Ray Field—that area of the intersection of the useful beam and any one of the set of planes parallel to and including the plane of the image receptor, whose perimeter is the locus of points at which the AKR is one-fourth of the maximum in the intersection.

X-Ray Table—a patient support device with its patient support structure (tabletop) interposed between the patient and the image receptor during radiography and/or fluoroscopy. This includes, but is not limited to, any stretcher equipped with a radiolucent panel and any table equipped with a cassette tray (or bucky), cassette tunnel, fluoroscopic image receptor, or spot-film device beneath the tabletop.

X-Ray Tube—any electron tube which is designed for the conversion of electrical energy into X-ray energy.

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HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), LR 23:1139 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2585 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2362 (November 2007), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§603. General and Administrative Requirements

A. Radiation Safety Requirements. The registrant shall be responsible for directing the operation of the X-ray system(s) under his or her administrative control. The registrant or his or her agent shall assure that the requirements of LAC 33:XV are met in the operation of the X-ray system(s).

1. An X-ray system that does not meet the provisions of LAC 33:XV shall not be operated for diagnostic or therapeutic purposes unless approved by the department.

2. ...

3. The qualified expert, if required in this Section, shall complete initial and routine compliance evaluations following nationally recognized procedures. These evaluations shall include a review of the required quality control tests.

4. All X-ray equipment shall be installed and used in accordance with the equipment manufacturer's specifications.

5. For general radiographic systems not equipped with an operational anatomic programming option, protocols shall be documented and readily available to the operator. At a minimum, these protocols shall include:

- a. patient's (adult and pediatric, if appropriate) body part and anatomical size;
- b. technique factors;
- c. type of image receptor used;
- d. source to image receptor distance used (except for dental intraoral radiography); and
- e. type of grid, if any.

6. At the request of the department, the registrant shall create and make available written safety procedures to each individual operating X-ray equipment, including any restrictions of the operating technique required for the safe operation of the particular X-ray system. The operator shall be able to demonstrate familiarity with these procedures.

7. Except for human patients who cannot be moved out of the room, only the staff and ancillary personnel, including parents or guardians, required for the medical procedure or training shall be in the room during the radiographic exposure. The following conditions shall be met for those other than the patient being examined:

- a. all individuals shall be protected by not less than 0.5 millimeter lead equivalent;
- b. the X-ray operator, other professional staff, and ancillary personnel shall be protected from the direct scatter radiation by protective aprons or whole body protective barriers of not less than 0.25 millimeter lead equivalent material; and
- c. human patients who cannot be removed from the room shall be protected from the direct scatter radiation by whole body protective barriers of not less than 0.25 millimeter lead equivalent material or shall be so positioned

that the nearest portion of the body is at least 2 meters from both the tube head and the nearest edge of the image receptor.

8. Individuals shall not be exposed to the useful beam except for healing arts purposes and unless such exposure has been authorized by a licensed practitioner of the healing arts. Any diagnostic information obtained from each exposure shall be reviewed by a licensed practitioner of the healing arts. This provision specifically prohibits deliberate exposure for the following purposes:

- a. exposure of an individual for training, demonstration, or other non-healing arts purposes; and
- b. exposure of an individual for the purpose of healing arts screening without prior written approval of the department.

9. In cases where a patient or image receptor must be provided with auxiliary support, mechanical support devices shall be used whenever possible. If a patient or image receptor must be provided with auxiliary support during a radiation exposure:

- a. written safety procedures, as required by LAC 33:XV.603.A.19, shall indicate the requirements for selecting a holder and the procedure the holder shall follow;
- b. the human holder shall be instructed in personal radiation safety and protected as required by LAC 33:XV.603.A.6;
- c. no individual shall be used routinely to hold the image receptor or patients;
- d. in those cases where the patient must hold the image receptor, except during intraoral examinations, any portion of the body other than the area of clinical interest struck by the useful beam shall be protected by not less than 0.5 millimeter lead equivalent material;
- e. when an animal must be held by an individual during an exposure, that individual shall be protected with appropriate shielding devices, such as lead equivalent aprons and gloves, and shall be positioned such that no part of his or her body shall be struck by the useful beam.

10. Each facility shall have lead equivalent aprons and gloves available in sufficient numbers to provide protection to all personnel who are involved in X-ray operations and who are otherwise not shielded.

11. All protective apparel and auxiliary shields shall be evaluated at intervals of no less than 12 months, and no more than 14 months, for integrity and clearly labeled with their lead equivalence.

12. Each registrant shall have a mechanism in place for the referring physician to access information on selecting the most appropriate diagnostic procedure to answer the clinical question.

13. Nationally recognized diagnostic reference levels (DRLs) shall be utilized when applicable.

14. The registrant shall use auxiliary equipment designed to minimize patient and personnel exposure commensurate with the needed diagnostic information.

15. Portable or mobile X-ray equipment shall be used only for examinations where it is impractical to transfer the patient(s) to a stationary X-ray installation.

16. Neither the X-ray tube housing nor the collimating device shall be held during an exposure. Exceptions are allowed for department approved devices specifically designed to be hand-held.

17. The useful X-ray beam shall be limited to the area of clinical interest.

18. Consideration shall be given to selecting the appropriate technique and employing available dose reduction methods and technologies across all patient sizes and clinical indications.

19. A registrant shall have a documented procedure in place for verification of patient identity and exam performed, including identification of the appropriate body part.

20. Each registrant, except for veterinarians, covered under this Chapter shall establish written standards for the proper performance of each diagnostic X-ray imaging system under the control of the registrant, and shall document by routine test record that the system is performing in accordance with these standards (quality control). Copies of this documentation shall be retained for at least six months and be available for inspection by the department. If a test interval is greater than six months, then a copy of the most recent test record shall be retained.

21. All individuals who are associated with the operation of an X-ray system are subject to the requirements of LAC 33:XV.410 and 411. In addition, when protective clothing or devices are worn on portions of the body and a personnel monitoring device or devices are required in accordance with LAC 33:XV.431, monitoring devices shall be used as follows:

a. when a protective apron is worn, at least one such monitoring device shall be worn at the collar outside of the protective apron;

b. the dose to the whole body based on the maximum dose attributed to the most critical organ shall be recorded in the reports required by LAC 33:XV.476. If more than one device is used and a record is made of the data, each dose shall be identified with the area where the device was worn on the body; and

c. deliberate exposure to an individual's personnel monitoring device is prohibited.

22. Any person proposing to conduct a healing arts screening program shall not initiate such a program without prior approval of the department. When requesting such approval, that person shall submit the information outlined in LAC 33:XV.699.Appendix C to the Office of Environmental Compliance. If any information submitted to the department becomes invalid or outdated, the Office of Environmental Compliance shall be immediately notified. See the definition of *healing arts screening* in LAC 33:XV.602.

23. Any person proposing to conduct a diagnostic or screening mammography program shall not initiate such a program without having a complete mammography facility survey performed by a mammography physicist initially and at intervals of no less than 12 months, and no more than 14 months thereafter.

B. X-Ray Film Processing Facilities and Practices. See Appendix D.

C. Facilities Using Computed Radiography (CR) or Direct Digital Radiography (DDR)

1. When exposure indicators are available, the facility shall establish and document an acceptable range for the exposure values for examinations routinely performed at the facility. The indicated exposure values for each image shall

be compared to the established range. Consistent deviations from established ranges shall be investigated, corrective actions taken as necessary, and results documented.

2. Facilities shall establish and follow an image quality control program in accordance with the recommendations of a qualified expert, the system manufacturer, or a nationally recognized organization.

D. Exemptions

1. Dental Facilities. Dental facilities performing only intraoral, panoramic, or cephalometric imaging are exempt from following the provisions of LAC 33:XV.603.A.12.

2. Podiatry Facilities. Podiatry facilities are exempt from following the provisions of LAC 33:XV.603.A.12.

3. Veterinary Facilities. Veterinary facilities are exempt from following the provisions of LAC 33:XV.603.A.12-14, LAC 33:XV.603.A.19-20, and LAC 33:XV.603.A.22.

E. Plans Review

1. Except for dedicated mammography radiographic systems, podiatric radiographic systems, panoramic dental radiographic systems, intraoral dental radiographic systems, and bone density radiographic systems prior to construction, the floor plans and equipment arrangement of all new installations, or modifications of existing installations, utilizing X-rays for diagnostic or therapeutic purposes shall be submitted to the Office of Environmental Compliance for review and approval. The required information is specified in LAC 33:XV.699.Appendices A and B.

2. The floor plans and equipment arrangement for all new, or modifications of existing, installations for veterinary and dental CBCT X-ray systems shall be reviewed for adequacy by the department on a case-by-case basis.

3. The department may require the applicant to utilize the services of a qualified expert to determine the shielding requirements prior to the plans review and approval.

4. The approval of such plans shall not preclude the requirement of additional modifications should a subsequent analysis of operating conditions indicate the possibility of an individual receiving a dose in excess of the limits prescribed in LAC 33:XV.410, 416, and 421.

F. Quality Assurance

1. The registrant shall establish and maintain a quality assurance (QA) program. In addition to the standards in the modality specific sections, the registrant shall:

a. maintain documentation of minimum qualifications for practitioners, medical physicists, and X-ray equipment operators;

b. designate an individual to manage the QA program;

c. establish and maintain written QA and quality control (QC) procedures, including evaluation frequencies and tolerances;

d. complete preventative maintenance on the X-ray systems in accordance with manufacturer specifications. In lieu of manufacturer's specifications, maintenance shall be completed at intervals of no less than 12 months, and no more than 14 months;

e. complete and document an annual review of the QA program; and

f. retain QA/QC records of evaluations and reviews for three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), LR 22:976 (October 1996), LR 23:1139 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2585 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2532 (October 2005), LR 33:2184 (October 2007), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§604. General Requirements for All Diagnostic X-Ray Systems

A. ...

1. Warning Label

a. On systems manufactured on or before June 10, 2006, the control panel containing the main power switch shall bear the warning statement, legible and accessible to view: "WARNING: This X-ray unit may be dangerous to patient and operator unless safe exposure factors and operating instructions are observed."

b. On systems manufactured after June 10, 2006, the control panel containing the main power switch shall bear the warning statement, legible and accessible to view: "WARNING: This X-ray unit may be dangerous to patient and operator unless safe exposure factors, operating instructions, and maintenance schedules are observed."

2. - 8.b....

c. The accuracy of the indicated kilovoltage peak (kVp) shall meet manufacturer specifications. In the absence of a manufacturer specification, kVp accuracy shall be within +/- 10 percent.

9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§605. Fluoroscopic X-Ray Systems

A. Only image-intensified or direct digital receptor fluoroscopic equipment shall be used for fluoroscopy.

1. Primary Protective Barrier

a. The fluoroscopic imaging assembly shall be provided with a primary protective barrier that intercepts the entire cross section of the useful beam at any SID.

b. The X-ray tube used for fluoroscopy shall not produce X-rays unless the primary protective barrier is in position to intercept the entire useful beam.

2. Field Limitation

a. Neither the length nor the width of the X-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than 3 percent of the SID. The sum of the excess length and the excess width shall be no greater than 4 percent of the SID. In addition, the following requirements apply:

i. a means shall be provided to permit further limitation of the field. Beam-limiting devices manufactured after May 22, 1979, and incorporated in equipment with a variable SID and/or a visible area of greater than 300 square centimeters shall be provided with means for stepless adjustment of the X-ray field;

ii. all equipment with a fixed SID and a visible area of 300 square centimeters or less shall be provided with either stepless adjustment of the X-ray field or with means to further limit the X-ray field size at the plane of the image receptor to 125 square centimeters or less. Stepless adjustment shall provide continuous field sizes from the maximum obtainable to a field size of 5 centimeters by 5 centimeters or less;

iii. for equipment manufactured after February 25, 1978, when the angle between the image receptor and beam axis is variable, means shall be provided to indicate when the axis of the X-ray beam is perpendicular to the plane of the image receptor; and

iv. compliance shall be determined with the beam axis indicated to be perpendicular to the plane of the image receptor. For rectangular X-ray fields used with circular image reception, the error in alignment shall be determined along the length and width dimensions of the X-ray field that pass through the center of the visible area of the image receptor.

b. Spot-film devices shall meet the following additional requirements:

i. means shall be provided between the source and the patient for adjustment of the X-ray field size in the plane of the image receptor to the size of that portion of the image receptor that has been selected on the spot film selector. Such adjustment shall be automatically accomplished when the X-ray field size in the plane of the image receptor is greater than that of the selected portion of the image receptor. If the X-ray field size is less than that of the selected portion of the image receptor, the field size shall not open automatically to the size of the selected portion of the image receptor unless the operator has selected that mode of operation;

ii. it shall be possible to adjust the X-ray field size in the plane of the image receptor to a size smaller than the selected portion of the image receptor. The minimum field size at the greatest SID shall be equal to, or less than, 5 centimeters by 5 centimeters;

iii. the center of the X-ray field in the plane of the image receptor shall be aligned with the center of the selected portion of the image receptor to within 2 percent of the SID; and

iv. means shall be provided to reduce the X-ray field size in the plane of the image receptor to a size smaller than the selected portion of the image receptor such that:

(a) for spot-film devices used on fixed-SID fluoroscopic systems which are not required to, and do not provide stepless adjustment of the X-ray field, the minimum field size, at the greatest SID, does not exceed 125 square cm; or

(b) for spot-film devices used on fluoroscopic systems that have a variable SID and/or stepless adjustment of the field size, the minimum field size, at the greatest SID, shall be containable in a square of 5 cm by 5 cm.

c. A capability may be provided for overriding the automatic X-ray field size adjustment in case of system failure. If it is so provided, a signal visible at the fluoroscopist's position shall indicate whenever the automatic X-ray field size adjustment override is engaged. Each such system failure override switch shall be clearly labeled as follows:

FOR X-RAY FIELD LIMITATION SYSTEM FAILURE.

d. On spot-film devices manufactured after February 25, 1978, if the angle between the plane of the image receptor and beam axis is variable, means shall be provided to indicate when the axis of the X-ray beam is perpendicular to the plane of the image receptor, and compliance shall be determined with the beam axis indicated to be perpendicular to the plane of the image receptor.

e. Fluoroscopy and Radiography Using the Fluoroscopic Imaging Assembly with Inherently Circular Image Receptors

i. For fluoroscopic equipment manufactured before June 10, 2006, other than radiation therapy simulation systems, the following applies:

(a). neither the length nor width of the X-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than 3 percent of the SID. The sum of the excess length and the excess width shall be no greater than 4 percent of the SID; and

(b). for rectangular X-ray fields used with circular image receptors, the error in alignment shall be determined along the length and width dimensions of the X-ray field which pass through the center of the visible area of the image receptor.

ii. For fluoroscopic equipment manufactured on or after June 10, 2006, other than radiation simulation systems, the maximum area of the X-ray field in the plane of the image receptor shall conform with one of the following requirements:

(a). when any linear dimension of the visible area of the image receptor measured through the center of the visible area is less than or equal to 34 cm in any direction, at least 80 percent of the area of the X-ray field overlaps the visible area of the image receptor; or

(b). when any linear dimension of the visible area of the image receptor measured through the center of the visible area is greater than 34 cm in any direction, the X-ray field measured along the direction of greatest misalignment with the visible area of the image receptor does not extend beyond the edge of the visible area of the image receptor by more than 2 cm.

f. Fluoroscopy and Radiography Using Fluoroscopic Imaging Assembly with Inherently Rectangular Image Receptors

i. For X-ray systems manufactured on or after June 10, 2006, the following applies:

(a). neither the length nor width of the X-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than 3 percent of the SID. The sum of the excess length and the excess width shall be no greater than 4 percent of the SID; and

(b). the error in alignment shall be determined along the length and width dimensions of the X-ray field which pass through the center of the visible area of the image receptor.

g. Override Capability. If the fluoroscopic X-ray field size is adjusted automatically as the SID or image receptor size is changed, a capability may be provided for overriding the automatic adjustment in case of system failure. If it is so provided, a signal visible at the fluoroscopist's position shall indicate whenever the

automatic field adjustment is overridden. Each such system failure override switch shall be clearly labeled as follows:

FOR X-RAY FIELD LIMITATION SYSTEM FAILURE.

3. Activation of the Fluoroscopic Tube. X-ray production in the fluoroscopic mode shall be controlled by a device that requires continuous pressure by the operator for the entire time of any exposure. When recording serial fluoroscopic images, the operator shall be able to terminate the X-ray exposure(s) at any time, but means shall be provided to permit completion of any single exposure of the series in process.

4. Air Kerma Rates (AKR)

a. Fluoroscopic Equipment Manufactured Before May 19, 1995

i. Fluoroscopic equipment provided with automatic exposure rate control (AERC) shall not be operable at any combination of tube potential and current that will result in an AKR in excess of 88 mGy per minute (vice 10 R/min exposure rate) at the measurement point specified in LAC 33:XV.605.A.4.d, except as specified in LAC 33:XV.605.A.4.a.v.

ii. Equipment provided without AERC shall not be operable at any combination of tube potential and current that will result in an AKR in excess of 44 mGy per minute (vice 5 R/min exposure rate) at the measurement point specified in LAC 33:XV.605.A.4.d, except as specified in LAC 33:XV.605.A.4.a.v.

iii. Equipment provided with both an AERC mode and a manual mode shall not be operable at any combination of tube potential and current that will result in an AKR in excess of 88 mGy per minute (vice 10 R/min exposure rate) in either mode at the measurement point specified in LAC 33:XV.605.A.4.d, except as specified in LAC 33:XV.605.A.4.a.v.

iv. Equipment may be modified in accordance with this Section to comply with LAC 33:XV.605.A.4.b. When the equipment is modified, it shall bear a label indicating the date of the modification and the statement:

MODIFIED TO COMPLY WITH LAC 33:XV.605.

v. Exceptions: during recording of fluoroscopic images.

b. Fluoroscopic Equipment Manufactured on or after May 19, 1995

i. Equipment shall be equipped with AERC if operable at any combination of tube potential and current that results in an AKR greater than 44 mGy per minute (vice 5 R/min exposure rate) at the measurement point specified in LAC 33:XV.605.A.4.d. Provision for manual selection of technique factors may be provided.

ii. Equipment shall not be operable at any combination of tube potential and current that will result in an AKR in excess of 88 mGy per minute (vice 10 R/min exposure rate) at the measurement point specified in LAC 33:XV.605.A.4.d, except as specified in LAC 33:XV.605.A.4.b.iii.

iii. Exceptions:

(a). for equipment manufactured prior to June 10, 2006, during the recording of images from a fluoroscopic image receptor using photographic film or a video camera when the X-ray source is operated in a pulsed mode; or

(b). for equipment manufactured on or after June 10, 2006, during the recording of images from the fluoroscopic image receptor for the purpose of providing the user with a recorded image(s) after termination of the exposure. Such recording does not include images resulting from a last-image-hold feature that are not recorded.

c. When optional high level control is selected and the control is activated, the equipment shall not be operable at any combination of tube potential and current that will result in an AKR in excess of 176 mGy per minute (vice 20 R/min exposure rate) at the measurement point specified in LAC 33:XV.605.A.4.d. Special means of activation of high level control shall be required. The high level control shall only be operable when continuous manual activation is provided by the operator. A continuous signal audible to the operator shall indicate that the high level control is being employed.

d. Compliance with the requirements of LAC 33:XV.605.A.4 shall be determined as follows:

i. if the source is below the X-ray table, the AKR shall be measured 1 centimeter above the tabletop or cradle;

ii. if the source is above the X-ray table, the AKR shall be measured at 30 centimeters above the tabletop with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement;

iii. in a C-arm or L-U arm type of fluoroscope, the AKR shall be measured 30 centimeters from the input surface of the fluoroscopic imaging assembly, with the source positioned at any available SID, provided that the end of the beam-limiting device or spacer is no closer than 30 centimeters from the input surface of the fluoroscopic imaging assembly;

iv. in a C-arm type fluoroscope having an SID less than 45 cm, the AKR shall be measured at the minimum SSD; and

v. in a lateral type fluoroscope, the AKR shall be measured at a point 15 centimeters from the centerline of the X-ray table and in the direction of the X-ray source with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement. If the tabletop is movable, it shall be positioned as closely as possible to the lateral X-ray source, with the end of the beam-limiting device or spacer no closer than 15 centimeters to the center line of the X-ray table.

5. Barrier Transmitted Radiation Rate Limits

a. The AKR due to transmission through the primary protective barrier with the attenuation block in the useful beam, combined with radiation from the image intensifier, shall not exceed 3.34×10^{-3} percent of the entrance AKR at 10 centimeters from any accessible surface of the fluoroscopic imaging assembly beyond the plane of the image receptor. Radiation therapy simulation systems shall be exempt from this requirement provided the systems are intended only for remote control operation.

b. Measuring Compliance of Barrier Transmission

i. The AKR due to transmission through the primary protective barrier combined with radiation from the image intensifier shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.

ii. If the source is below the tabletop, the measurement shall be made with the input surface of the

fluoroscopic imaging assembly positioned 30 centimeters above the tabletop.

iii. If the source is above the tabletop and the SID is variable, the measurement shall be made with the end of the beam-limiting device or spacer as close to the tabletop as it can be placed, provided that it shall not be closer than 30 centimeters.

iv. Movable grids and compression devices shall be removed from the useful beam during the measurement.

v. For all measurements, the attenuation block shall be positioned in the useful beam 10 cm from the point of measurement of entrance AKR and between this point and the input surface of the fluoroscopic imaging assembly.

6. Indication of Potential and Current. During fluoroscopy and cinefluorography the kV and the mA shall be continuously indicated.

7. Source-to-Skin Distance. The SSD shall not be less than:

a. 38 centimeters on stationary fluoroscopic systems;

b. 30 centimeters on all mobile fluoroscopes; and

c. 20 centimeters for fluoroscopes intended for specific surgical or interventional applications that would be prohibited at the source-to-skin distances specified in this Paragraph. Provisions shall be made for operating at shorter source-to-skin distances.

d. For stationary, mobile, or portable C-arm fluoroscopic systems manufactured on or after June 10, 2006, having a maximum source-to-image receptor distance of less than 45 cm, means shall be provided to limit the source-to-skin distance to not less than 19 cm. Such systems shall be labeled for extremity use only. In addition, for those systems intended for specific surgical applications that would be prohibited at the source-to-skin distance specified in this Paragraph, provisions shall be made for operation at shorter source-to-skin distances, but not less than 10 cm.

8. Fluoroscopic Irradiation Time, Display, and Signal

a. Fluoroscopic equipment manufactured before June 10, 2006:

i. shall be provided with means to preset the cumulative irradiation time of the fluoroscopic tube. The maximum cumulative time of the timing device shall not exceed five minutes without resetting. A signal audible to the fluoroscopist shall indicate the completion of any preset cumulative irradiation time. Such signal shall continue to sound while X-rays are produced until the timing device is reset. Fluoroscopic equipment shall be modified in accordance with LAC 33:XV.605 to comply with the requirements of this Paragraph. When the equipment is modified, it shall bear a label indicating the statement; or

MODIFIED TO COMPLY WITH LAC 33:XV.605

ii. as an alternative to the requirements of this Paragraph, radiation therapy simulation systems shall be provided with a means to indicate the total cumulative exposure time during which X-rays were produced, and which is capable of being reset between X-ray examinations.

b. For X-ray controls manufactured on or after June 10, 2006, there shall be provided for each fluoroscopic tube:

i. a display of the fluoroscopic irradiation time at the fluoroscopist's working position. This display shall function independently of the audible signal described in this Subparagraph. The following requirements apply:

(a). when the X-ray tube is activated, the fluoroscopic irradiation time in minutes and tenths of minutes shall be continuously displayed and updated at least once every six seconds;

(b). the fluoroscopic irradiation time shall also be displayed within six seconds of termination of an exposure and remain displayed until reset; and

(c). means shall be provided to reset the display to zero prior to the beginning of a new examination or procedure;

ii. a signal audible to the fluoroscopist shall sound for each passage of five minutes of fluoroscopic irradiation time during an examination or procedure. The signal shall sound until manually reset or, if automatically reset, for at least two seconds.

9. Display of Last-Image-Hold (LIH). Fluoroscopic equipment manufactured on or after June 10, 2006, shall be equipped with means to display LIH image following termination of the fluoroscopic exposure.

a. For an LIH image obtained by retaining pretermination fluoroscopic images, if the number of images and method of combining images are selectable by the user, the selection shall be indicated prior to the initiation of the fluoroscopic exposure.

b. For an LIH image obtained by initiating a separate radiographic-like exposure at the termination of fluoroscopic imaging, the technique factors for the LIH image shall be selectable prior to the fluoroscopic exposure, and the combination selected shall be indicated prior to initiation of the fluoroscopic exposure.

c. Means shall be provided to clearly indicate to the user whether a displayed image is the LIH radiograph or fluoroscopy. Display of the LIH radiograph shall be replaced by the fluoroscopic image concurrently with re-initiation of fluoroscopic exposure, unless separate displays are provided for the LIH radiograph and fluoroscopic images.

10. Displays of Values of AKR and Cumulative Air Kerma. Fluoroscopic equipment manufactured on or after June 10, 2006, shall display at the fluoroscopist's working position the AKR and cumulative air kerma. The following requirements apply for each X-ray tube used during an examination or procedure.

a. When the X-ray tube is activated and the number of images produced per unit time is greater than six images per second, the AKR in mGy/min shall be continuously displayed and updated at least once every second.

b. The cumulative air kerma in units of mGy shall be displayed either within five seconds of termination of an exposure or displayed continuously and updated at least once every five seconds.

c. The display of the AKR shall be clearly distinguishable from the display of the cumulative air kerma.

d. The AKR and cumulative air kerma shall represent the value for conditions of free-in-air irradiation at one of the following reference locations specified according to the type of fluoroscope.

i. For fluoroscopes with X-ray source below the X-ray table, X-ray source above the table, or of lateral type, the reference location shall be the respective locations specified in LAC 33:XV.605.A.4.d.i, ii, or v for measuring compliance with AKR limits.

ii. For C-arm fluoroscopes, the reference location shall be 15 cm from the isocenter toward the X-ray source along the beam axis. Alternatively, the reference location shall be at a point specified by the manufacturer to represent the location of the intersection of the X-ray beam with the patient's skin.

e. Means shall be provided to reset to zero the display of cumulative air kerma prior to the commencement of a new examination or procedure.

f. The displayed AKR and cumulative air kerma shall not deviate from the actual values by more than +/- 35 percent over the range of 6 mGy/min and 100 mGy to the maximum indication of AKR and cumulative air kerma, respectively. Compliance shall be determined with an irradiation time greater than three seconds.

11. Protection from Scattered Radiation

a. For stationary fluoroscopic systems, ancillary shielding, such as drapes, self-supporting curtains, or viewing shields, shall be available and used as supplemental protection for all individuals other than the patient in the room during a fluoroscopy procedure.

b. Where sterile fields or special procedures prohibit the use of normal protective barriers or drapes, all of the following conditions shall be met.

i. Shielding required under LAC 33:XV.605.A.11.a shall be maintained to the degree possible under the clinical conditions.

ii. All persons, except the patient, in the room where fluoroscopy is performed shall wear protective aprons that provide a lead equivalent shielding of at least 0.25 mm.

iii. The fluoroscopic field size shall be reduced to the minimum required for the procedure being performed (area of clinical interest).

iv. Operating and safety procedures shall reflect the above conditions, and fluoroscopy personnel shall exhibit awareness of situations requiring the use and/or nonuse of the protective drapes.

12. Radiation Therapy Simulation Systems. Radiation therapy simulation systems shall be exempt from all the requirements of LAC 33:XV.605.A.1, 4, 5, and 8, provided that:

a. such systems are designed and used in such a manner that no individual other than the patient is in the X-ray room during periods when the system is producing X-rays; and

b. systems that do not meet the requirements of LAC 33:XV.605.A.8 are provided with a means of indicating the cumulative time that an individual patient has been exposed to X-rays. Procedures shall require in such cases that the timer be reset between examinations.

B. Operator Qualifications

1. In addition to the applicable sections of these regulations, the operation of a fluoroscopic X-ray system for clinical purposes shall be limited to:

a. a licensed practitioner or medical resident working within his or her scope of practice;

b. an individual who has passed the American Registry of Radiologic Technologists (ARRT) Fluoroscopy Exam (or equivalent) and holds a valid certification, and only under the general supervision of the licensed practitioner meeting the conditions in LAC 33:XV.605.B.1.a; or

c. a radiologic technologist not meeting LAC 33:XV.605.B.1.b, or a radiologic technology student, in training, and only under the personal supervision of the licensed practitioner meeting the conditions of LAC 33:XV.605.B.1.a.

2. All persons operating, or supervising the operation of, fluoroscopy systems shall have completed a minimum of two hours of training that includes but is not limited to the following:

- a. basic properties of radiation;
- b. biological effects of X-ray;
- c. radiation protection methods for patients and staff;
- d. units of measurement and dose, including dose-area product (DAP) values and air kerma;
- e. factors affecting fluoroscopic outputs;
- f. high level control options;
- g. dose management including dose reduction techniques, monitoring, and recording;
- h. principles and operation of the specific fluoroscopic X-ray system(s) to be used;
- i. fluoroscopic and fluorographic outputs of each mode of operation on the system(s) to be used clinically; and
- j. applicable requirements of these regulations.

3. Documentation pertaining to the requirements of LAC 33:XV.605 shall be maintained for review by the department for three years.

C. Equipment Operation

1. All fluoroscopic images shall be viewed, directly or indirectly, and interpreted by a licensed practitioner of the healing arts.

2. Overhead fluoroscopy shall not be used as a positioning tool for general purpose radiographic examinations.

3. Operators shall be competent in the standard operating procedures of the unit in use, including the use of available dose-saving features, and the relative radiation output rates of the various modes of operation.

4. Procedure planning for fluoroscopic procedures on pregnant patients shall include feasible modifications to minimize dose to the conceptus.

5. Procedure planning for fluoroscopic procedures on pediatric patients shall include feasible modifications to minimize dose.

6. The registrant shall use all methods available on the fluoroscopy system to monitor dose during a fluoroscopic procedure.

7. The facility shall establish a written policy regarding patient dose management in fluoroscopically guided procedures.

D. Qualified Expert (QE) Evaluations

1. Fluoroscopic equipment shall be evaluated by a QE within 30 days of installation and of any maintenance of the system that may affect the exposure rate. Thereafter, the measurements shall be made at intervals of no less than 12 months, and no more than 14 months, from the date of the prior measurement by or under the direction of a QE. At a minimum, these evaluations shall include:

- a. a measurement of entrance exposure rates that covers the full range of patient thicknesses including those that are expected to drive the system to maximum output in normal mode. In addition, a single representative

measurement of maximum output in all other available modes clinically used must be performed. These measurements shall:

- i. for systems without automatic exposure control, be made utilizing a milliamperage and kVp typical of the clinical use of the fluoroscopic system;

- ii. for systems with automatic exposure control, be made utilizing sufficient attenuating material in the useful beam to produce a milliamperage and kVp typical of the clinical use of the fluoroscopic system;

- b. a measurement and verification of compliance of maximum AKR for fluoroscopy and high-level control, if available. Measurements shall be made in accordance with LAC 33:XV.605.A.4.d;

- c. an evaluation of high contrast resolution and low contrast resolution in both fluoroscopic and spot-film modes;

- d. an evaluation of the operation of the five-minute timer, warning lights, interlocks, and collision sensors;

- e. an evaluation of the beam quality;

- f. an evaluation of collimation in the fluoroscopy and spot-film modes;

- g. an evaluation of the availability and accuracy of technique indicators and integrated radiation dose displays; and

- h. an evaluation of any changes that may impact patient and personnel protection devices.

2. Measurements required in LAC 33:XV.605.D.1 shall be performed with a calibrated dosimetry system per manufacturer recommendations not to exceed two years and records maintained for five years for inspection by the department.

E. Additional requirements for facilities performing fluoroscopically-guided interventional (FGI) procedures are as follows:

1. provide an annual report to the radiation safety committee or the person responsible for radiation safety, in the absence of a radiation safety committee;

2. establish and implement FGI procedure protocols as follows:

- a. the registrant shall establish and implement written protocols, or protocols documented in an electronic report system, that include but are not limited to the following:

- i. identification of individuals who are authorized to use fluoroscopic systems for interventional purposes;

- ii. a method to be used to monitor patient radiation dose during FGI;

- iii. dose notification levels, as appropriate, at which the physician is notified and appropriate actions are taken for patient safety; and

- iv. a review of the established protocols at intervals of no less than 12 months, and no more than 14 months, from the previous review;

- b. a record of each protocol shall be maintained for inspection by the department. If the registrant revises a protocol, documentation shall be maintained that includes the justification for the revision and the previous protocol for inspection by the department;

3. develop procedures for maintaining records as follows:

- a. a record of radiation output information shall be maintained in an area where any fluoroscopist shall have

ready access to such results while using the fluoroscope so the radiation dose to the skin may be estimated in accordance with established protocols. The record shall include the following:

- i. patient identification;
- ii. type and date of examination;
- iii. identification of the fluoroscopic system used;
- iv. peak skin dose, cumulative air kerma, or dose area product used if the information is available on the fluoroscopic system; and
- v. if the peak skin dose, cumulative air kerma, or dose area product are not displayed on the fluoroscopic system, records shall include other information necessary to estimate the radiation dose to the skin in accordance with established protocol or the following, as necessary:

- (a). fluoroscopic mode, such as, high-level or pulsed mode of operation;
 - (b). cumulative fluoroscopic exposure time; and
 - (c). number of films or recorded exposures;
- b. the registrant shall maintain records required by this Paragraph for inspection by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2270 (October 2000), LR 26:2586 (November 2000), LR 28:1952 (September 2002), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§606. Radiographic Systems Other Than Fluoroscopic, Dental, or Computed Tomography X-Ray Systems

A. - A.1. ...

a. there shall be provided a means of stepless adjustment of the size of the X-ray field. The minimum field size at an SID of 100 centimeters shall be equal to or less than 5 centimeters by 5 centimeters;

b. a method shall be provided for visually defining the perimeter of the X-ray field. The total misalignment of the edges of the visually defined field with the respective edges of the X-ray field along either the length or width of the visually defined field shall not exceed 2 percent of the distance from the source to the center of the visually defined field when the surface upon which it appears is perpendicular to the axis of the X-ray beam;

c. when a light localizer is used to define the X-ray field, it shall provide an average illumination of not less than 160 lux or 15 footcandles at 100 centimeters or at the maximum SID, whichever is less. The average illumination shall be based upon measurements made in the approximate center of each quadrant of the light field. Radiation therapy simulation systems manufactured on and after May 27, 1980, are exempt from this requirement;

d. the edge of the light field at 100 cm or at the maximum SID, whichever is less, shall have a contrast ratio, corrected for ambient lighting, of not less than 4 in the case of beam-limiting devices designed for use on stationary equipment, and a contrast ratio of not less than 3 in the case of beam-limiting devices designed for use on mobile and portable equipment. The contrast ratio is defined as I_1/I_2 ,

where I_1 is the illuminance 3 mm from the edge of the light field toward the center of the field; and I_2 is the illuminance 3 mm from the edge of the light field away from the center of the field. Compliance shall be determined with a measuring aperture of 1 mm; and

e. the department may grant an exemption on X-ray systems to LAC 33:XV.606.A.1.a-d provided the registrant makes a written application for such exemption and in that application:

- i. demonstrates that it is impractical to comply with LAC 33:XV.606.A.1.a-d; and
- ii. the purposes of LAC 33:XV.606.A.1.a-d will be met by other methods.

2. Additional Requirements for Stationary General Purpose X-Ray Systems, Including Veterinary Systems Installed after February 21, 1991. In addition to the requirements of LAC 33:XV.606.A.1, stationary general purpose X-ray systems shall meet the following requirements:

a. ...

b. the beam-limiting device shall indicate numerically the field size in the plane of the image receptor to which it is adjusted;

c. indication of the field size dimensions and SID's shall be specified in inches and/or centimeters, and shall be such that aperture adjustments result in X-ray field dimensions in the plane of the image receptor that correspond to those indicated by the beam-limiting device to within 2 percent of the SID when the beam axis is indicated to be perpendicular to the plane of the image receptor; and

d. compliance measurements will be made at discrete SID's and image receptor dimensions in common clinical use or at any other specific dimensions at which the beam-limiting device or its associated diagnostic X-ray system is uniquely designed to operate.

3. ...

4. Beam Limitation and Alignment on Stationary General Purpose X-Ray Systems. For stationary, general purpose X-ray systems that contain a tube housing assembly, an X-ray control, and for those systems so equipped, with a table, all certified in accordance with the USFDA regulations, the following requirements apply.

a. Positive beam limitation (PBL) shall be provided whenever all the following conditions are met:

i. the image receptor is inserted into a permanently mounted cassette holder;

ii. the image receptor length and width are each less than 50 centimeters;

iii. the X-ray beam axis is within +3 degrees of vertical, and the SID is 90 centimeters to 130 centimeters inclusive, or the X-ray beam axis is within +3 degrees of horizontal, and the SID is 90 centimeters to 205 centimeters inclusive;

iv. the X-ray beam axis is perpendicular to the plane of the image receptor to within +3 degrees;

v. neither tomographic nor stereoscopic radiography is being performed; and

vi. the PBL system has not been intentionally overridden. This override provision is subject to LAC 33:XV.606.A.4.c.

b. Positive beam limitation (PBL) shall prevent the production of X-rays when:

i. either the length or width of the X-ray field in the plane of the image receptor differs, except as permitted by LAC 33:XV.606.A.4.e., from the corresponding image receptor dimensions by more than 3 percent of the SID;

ii. the sum of the length and width differences as stated in LAC 33:XV.606. A.4.b.i. without regard to sign exceeds 4 percent of the SID; or

iii. the beam-limiting device is at an SID for which PBL is not designed for sizing.

c. If a means of overriding the positive beam limitation (PBL) system exists, that means shall meet the following criteria:

i. the means of overriding the PBL system shall be designed for use only in the event of PBL system failure or if the system is being serviced; and

ii. if in a position that the operator would consider it part of the operational controls or if it is referenced in the operator's manual or in other materials intended for the operator, the means for overriding the PBL system shall require that:

(a). a key be utilized to defeat the PBL;

(b). the key remain in place during the entire time the PBL system is overridden; and

(c). the key or key switch be clearly and durably labeled as follows:

FOR X-RAY FIELD LIMITATION
SYSTEM FAILURE

d. Compliance with LAC 33:XV.606. A.4.b. shall be determined when the equipment indicates that the beam axis is perpendicular to the plane of the image receptor and the provisions of LAC 33:XV.606. A.4.a. are met. Compliance shall be determined no sooner than five seconds after insertion of the image receptor.

e. The positive beam limitation system shall be capable of operation, at the discretion of the operator, such that the size of the field may be made smaller than the size of the image receptor through stepless adjustment of the field size. The minimum field size at a SID of 100 centimeters shall be equal to or less than 5 centimeters by 5 centimeters.

f. The positive beam limitation system shall be designed such that if a change in image receptor does not cause an automatic return to positive beam limitation function as described in LAC 33:XV.606.A.5.b, then any change of image receptor size or SID shall cause the automatic return.

5. X-Ray Systems Other Than Those Described in LAC 33:XV.606.A.1, 2, 3, and 4, including Veterinary Systems Prior to February 21, 1991. These systems shall meet the following requirements:

A.5.a. - B.2.b.iv. ...

v. a visible signal shall indicate when an exposure has been terminated at the limits specified in LAC 33:XV.606.B.2.b.iv, and manual resetting shall be required before further automatically timed exposures can be made.

3. - 6. ...

a. stationary X-ray systems shall be required to have the X-ray control, including the exposure switch, permanently mounted in a protected area so that the operator is required to remain in that protected area during the entire exposure; and

b. - b.ii. ...

7. Operator Protection for Veterinary Systems and Panoramic Dental Systems. All stationary, mobile, or portable X-ray systems used for veterinary work or panoramic dental systems shall be provided with either a 6.5 feet (2 meters) high protective barrier for operator protection during exposures, or shall be provided with means to allow the operator to be at least 12 feet (3.7 meters) from the tube housing assembly during exposures. Otherwise, in cases where animals are held, the operator and ancillary personnel shall be protected by a minimum of 0.25 mm lead equivalent from scatter radiation and 0.5 mm from the useful beam.

8. Multiple Tubes. Where two or more radiographic tubes are controlled by one exposure switch, the tube or tubes which have been selected shall be clearly indicated before initiation of the exposure. This indication shall be both on the X-ray control and at or near the tube housing assembly which has been selected.

C. Source-to-Skin Distance. All mobile or portable radiographic systems shall be provided with means to limit the source-to-skin distance to be equal to or greater than 30 centimeters, except veterinary equipment.

D. Exposure Reproducibility. When all technique factors are held constant, including control panel selections associated with automatic exposure control (phototiming) systems, the coefficient of variation of exposure for both manual and phototimed systems shall not exceed 0.05. This requirement shall be deemed to have been met if, when 10 exposures are made at identical technique factors, the difference between the maximum exposure (E_{max}) and the minimum exposure (E_{min}) shall be less than or equal to 10 percent of the average exposure (E):

$$(E_{max} - E_{min}) \leq 0.1E$$

E. Radiation from Capacitor Energy Storage Equipment in Standby Status. Radiation emitted from the X-ray tube when the exposure switch or timer is not activated shall not exceed a rate of 2 milliroentgens (0.516 μ C/kg) per hour at 5 centimeters from any accessible surface of the diagnostic source assembly, with the beam-limiting device fully open, the system fully charged, and the exposure switch, timer, or any discharge mechanism not activated. Compliance shall be determined by measurements averaged over an area of 100 square cm, with no linear dimensions greater than 20 cm.

F. ...

G. Linearity. The following requirements apply when the equipment is operated on a power supply as specified by the manufacturer for any fixed X-ray tube potential within the range of 40 percent to 100 percent of the maximum rated.

1. Equipment Having Independent Selection of X-Ray Tube Current (mA). The average ratios of exposure to the indicated milliampere-seconds product (C/kg/mAs or mR/mAs) obtained at any two consecutive tube current settings shall not differ by more than 0.10 times their sum. This is:

$$(X_1 - X_2) \leq 0.10(X_1 + X_2)$$

where:

X_1 and X_2 are the average C/kg/mAs (or mR/mAs) values obtained at any two consecutive mAs selector settings.

2. Equipment Having a Combined X-Ray Tube. Current Exposure Time Product (mAs) Selector. The average ratios of exposure to the indicated milliampere-seconds product (C/kg/mAs or mR/mAs) obtained at any two consecutive mAs selector settings shall not differ by more than 0.10 times their sum. This is:

$$(X_1 - X_2) \leq 0.10 (X_1 + X_2)$$

where:

X1 and X2 are the average C/kg/mAs (or mR/mAs) values obtained at any two consecutive mAs selector settings.

3. Measuring Compliance. Determination of compliance shall be based on 10 exposures, of no less than 0.05 seconds each, taken within a time period of one hour, at each of the two settings. These two settings may include any two focal spot sizes provided that neither focal spot size is equal to or less than 0.45 millimeter, in which case the two settings shall be restricted to the same focal spot size. For purposes of this requirement, focal spot size is the nominal focal spot size specified by the X-ray tube manufacturer.

H. Portable Radiographic X-Ray Systems. A tube stand or other mechanical support shall be used for portable X-ray systems except during veterinary field operations where it is impractical to do so.

I. Systems Designed for Mammography. Systems designed for mammography use shall meet all applicable sections of the most current Mammography Quality Standards Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2586 (November 2000), LR 27:1237 (August 2001), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§607. Dental Radiographic Systems

A. In addition to the provisions of LAC 33:XV.603 and 604, the requirements of this Section apply to dental radiographic facilities using intraoral, panoramic, and cephalometric systems. Dental facilities using cone beam computed tomography (CBCT) technology shall follow applicable provisions of LAC 33:XV.610.G.

1. Warning Label

a. On systems manufactured on or before June 10, 2006, the control panel containing the main power switch shall bear the warning statement, or the warning statement in LAC 33:XV.607.A.1.b, legible and accessible to view: "WARNING: This X-ray unit may be dangerous to patient and operator unless safe exposure factors and operating instructions are observed."

b. On systems manufactured after June 10, 2006, the control panel containing the main power switch shall bear the warning statement, legible and accessible to view:

"WARNING: This X-ray unit may be dangerous to patient and operator unless safe exposure factors, operating instructions, and maintenance schedules are observed."

2. - 2.c. ...

3. Radiation Exposure Control for Certified Systems. The following requirements shall be met.

a. - b. ...

i. Means shall be provided to terminate the exposure at a preset time interval, a preset product of current and time, a preset number of pulses, or a preset radiation exposure to the image receptor;

ii. - iii. ...

c. Exposure Indication. The X-ray control shall provide visual indication observable at or from the operator's protected position whenever X-rays are produced. In addition, a signal audible to the operator shall indicate that the exposure has terminated.

$$(T_{\max} - T_{\min}) \leq 0.10T$$

d. Exposure Duration (Timer) Reproducibility. With a timer setting of 0.5 seconds or less, the difference between the maximum exposure time (T_{\max}) and the minimum exposure time (T_{\min}) shall be less than or equal to 10 percent of the average time (T), when 10 timing tests are performed:

e. Exposure Control Location and Operator Protection. Each X-ray control shall be located in such a way as to meet the following requirements. Except for units designed to be hand-held, the exposure control shall allow the operator to be:

i. behind a protective barrier at least 6.5 feet (2.0 m) high; or

ii. at least 12 feet (3.7 m) from the tube housing assembly while making exposures; and

iii. the operator's protected area shall provide means to view the patient during the X-ray procedure.

f. Administrative controls include the following.

i. For human use:

(a). patient and film holding devices shall be used when the techniques permit;

(b). except for units designed to be hand-held, the tube housing and the PID shall not be hand-held during an exposure;

(c). the X-ray system shall be operated in such a manner that the useful beam at the patient's skin does not exceed the requirements of LAC 33:XV.607.A.2.a; and

(d). dental fluoroscopy without image intensification shall not be used.

ii. For Nonhuman Use

(a). Except for units designed to be hand-held, the tube housing and the PID shall not be hand-held during the exposure.

(b). The X-ray system shall be operated in such a manner that the useful beam at the patient's skin does not exceed the requirements of LAC 33:XV.607.A.2.a.

(c). Dental fluoroscopy without image intensification shall not be used.

(d). An operator shall wear a 0.25 lead equivalent apron during an exposure or a personal dosimetry badge.

(e). Unless required to restrain an animal, the operator shall stand at least six feet away from the useful beam and the animal during radiographic exposures.

(f). No individual, other than the operator, shall be in the X-ray room or area while exposures are being made unless such individual's assistance is required.

(g). When an animal must be held in position during radiography, mechanical supporting or restraining devices shall be used when technique permits.

$$(E_{\max} - E_{\min}) \leq 0.10 E$$

4. Exposure Reproducibility. The coefficient of variation shall not exceed 0.05 when all technique factors are held constant. This requirement shall be deemed to have been met if, when 10 exposures are made within a period of one hour at identical technique factors, the difference between the maximum exposure value (E_{\max}) and the minimum exposure value (E_{\min}) shall be less than or equal to 10 percent of the average exposure (E):

5. - 7. ...

8. Source-to-Skin Distance. X-ray systems designed for use with an intraoral image receptor shall be provided with means to limit source-to-skin distance to not less than 18 centimeters.

9. Hand-Held Intraoral Equipment. In addition to the standards in this Chapter, the following applies specifically to hand-held devices.

a. The hand-held X-ray system shall be equipped with a backscatter shield of not less than 0.25 mm lead equivalent and 15.2 cm (6 inches) in diameter that is positioned as close as practicable to the distal end of the position indication device.

b. The facility shall maintain documentation that each operator has completed training as specified by the manufacturer.

c. The facility shall adopt and follow protocols provided by the manufacturer regarding the safe operation of the device.

d. If the operator has difficulty in holding the device stationary during the exposure, the operator shall use a stand to immobilize the device.

e. The registrant shall secure the hand-held device from unauthorized removal or use.

10. Multiple Tubes. Where two or more radiographic tubes are controlled by one exposure switch, the tube which has been selected shall be clearly indicated prior to initiation of the exposure. Only the selected tube can be energized. This indication shall be both on the X-ray control panel and at or near the tube housing assembly which has been selected.

11. Mechanical Support of Tube Head. The tube housing assembly supports shall be adjusted such that the tube housing assembly will remain stable during an exposure unless tube housing movement is a designed function of the X-ray system.

12. Battery Charge Indicator. On battery-powered generators, visual means shall be provided on the control panel to indicate whether the battery is in a state of charge adequate for proper operation.

13. Locks. All position locking, holding, and centering devices on the X-ray system components and systems shall function as intended.

B. Additional Requirements for Extraoral, Panoramic, and Cephalometric Units

1. X-ray systems designed for use with extraoral image receptors and when used with an extraoral image receptor, shall be provided with means to limit the X-ray field in the plane of the image receptor so that such field

does not exceed each dimension of the image receptor by more than 2 percent of the SID, when the axis of the X-ray beam is perpendicular to the plane of the image receptor. In addition, means shall be provided to align the center of the X-ray field with the center of the image receptor to within 2 percent of the SID, or means shall be provided to both size and alignment of the X-ray field such that the X-ray field at the plane of the image receptor does not extend beyond any edge of the image receptor. These requirements may be met with:

a. an assortment of removable, fixed-aperture, beam-limiting devices sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is designed. Each such device shall have clear and permanent markings to indicate the image receptor size and SID for which it is designed; or

b. a beam-limiting device having multiple fixed apertures sufficient to meet the requirements for each combination of image receptor size and SID for which the unit is designed. Permanent, clearly legible markings shall indicate the image receptor size and SID for which each aperture is designed and shall indicate which aperture is in position for use.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of the Secretary, Legal Affairs Division, LR 33:449 (March 2007), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§610. Computed Tomography X-Ray Systems

Contrast Scale—Repealed.

CS—Repealed.

CT Conditions of Operation—Repealed.

CT Gantry—Repealed.

CTN—Repealed.

CT Number—Repealed.

Dose Profile—Repealed.

Elemental Area—Repealed.

Multiple Tomogram System—Repealed.

Noise—Repealed.

Nominal Tomographic Section Thickness—Repealed.

Picture Element—Repealed.

Reference Plane—Repealed.

Scan—Repealed.

Scan Increment—Repealed.

Scan Sequence—Repealed.

Scan Time—Repealed.

Single Tomogram System—Repealed.

Tomographic Plane—Repealed.

A. Requirements for CT Equipment

1. Technical and Safety Information. The technical and safety information relating to the conditions of operation, dose information, and imaging performance provided by the CT manufacturer shall be maintained by the facility.

2. Termination of Exposure

a. Means shall be provided to terminate the X-ray exposure automatically by either de-energizing the X-ray source or shuttering the X-ray beam in the event of

equipment failure affecting data collection. Such termination shall occur within an interval that limits the total scan time to no more than 110 percent of its preset value through the use of either a backup timer or devices that monitor equipment function.

b. A visible signal shall indicate when the X-ray exposure has been terminated through the means required by LAC 33:XV.610.A.2.a.

c. The operator shall be able to terminate the X-ray exposure at any time during a scan, or series of scans under CT X-ray system control, of greater than 0.5 second duration.

3. Tomographic Plane Indication and Alignment

a. For any single tomogram system, means shall be provided to permit visual determination of the tomographic plane or a reference plane offset from the tomographic plane.

b. For any multiple tomogram system, means shall be provided to permit visual determination of the location of a reference plane. This reference plane can be offset from the location of the tomographic planes.

c. If a mechanism using a light source is used to satisfy LAC 33:XV.610.A.3.a or b, the light source shall allow visual determination of the location of the tomographic plane or reference plane under ambient light conditions of up to 500 lux.

4. Beam On and Shutter Status Indicators and Control Switches.

a. The CT X-ray control and gantry shall provide visual indication whenever X-rays are produced.

b. Each emergency button or switch shall be clearly labeled as to its function.

5. Indication of CT Conditions of Operation. The CT X-ray system shall be designed such that the CT conditions of operation to be used during a scan or a scan sequence shall be indicated prior to the initiation of a scan or a scan sequence. On equipment having all or some of these conditions of operation at fixed values, this requirement may be met by permanent markings. Indication of CT conditions of operation shall be visible from any position from which scan initiation is possible.

6. Additional Requirements Applicable to CT X-ray Systems Containing a Gantry Manufactured After September 3, 1985

a. The total error in the indicated location of the tomographic plane or reference plane shall not exceed 5 millimeters.

b. If the X-ray production period is less than 0.5 second, the indication of X-ray production shall be actuated for at least 0.5 second. Indicators at or near the gantry shall be discernible from any point external to the patient opening where insertion of any part of the human body into the primary beam is possible.

c. The deviation of indicated scan increment versus actual increment shall not exceed +1 millimeter with any mass from zero to 100 kilograms resting on the support device. The patient support device shall be incremented from a typical starting position to the maximum incremented distance or 30 centimeters, whichever is less, and then returned to the starting position. Measurement of actual versus indicated scan increment may be taken anywhere along this travel.

d. Premature termination of the X-ray exposure by the operator shall necessitate resetting of the CT conditions of operation prior to the initiation of another scan.

B. Facility Design Requirements

1. Aural Communication. Provision shall be made for two way aural communication between the patient and the operator at the control panel.

2. Viewing Systems. Provisions shall be made as follows:

a. windows, mirrors, closed-circuit television, or an equivalent shall be provided to permit continuous observation of the patient during irradiation and shall be so located that the operator can observe the patient from the control panel; and

b. when the primary viewing system is by electronic means, an alternate viewing system (which may be electronic) shall be available for use in the event of failure of the primary viewing system.

C. CT Surveys, Performance Evaluations, Routine Quality Control, and Operating Procedures

1. Radiation Protection Surveys

a. All CT X-ray systems installed after February 20, 1991, shall have a radiation protection survey completed by, or under the general supervision of, a qualified expert within 30 days of installation. Existing systems not previously surveyed shall have a survey completed by, or under the general supervision of, a qualified expert. The survey shall be completed in no less than 12 months, and no more than 14 months, from [promulgation date], the effective date of these regulations. In addition, such surveys shall be done after any change in the facility or equipment that might cause a significant increase in radiation hazard.

b. The registrant shall obtain a written report of the survey from the qualified expert, and a copy of the report shall be made available to the department upon request.

2. System Performance Evaluations

a. The testing of the CT X-ray system shall be at intervals of no less than 12 months, and no more than 14 months, performed by, or under the general supervision of, a qualified expert who assumes the responsibility and signs the final performance evaluation report.

b. Evaluation standards and tolerances shall be established by the qualified expert and maintained by the facility. These standards and tolerances shall meet nationally recognized standards and tolerances for the CT X-ray system.

c. The evaluation of a CT X-ray system shall be performed within 30 days after initial installation and at intervals of no less than 12 months, and no more than 14 months thereafter. In addition, the qualified expert shall complete an evaluation of the CT system within 30 days or after any change or replacement of components which, in the opinion of the qualified expert, could cause a change in the radiation output or image quality.

d. The evaluation shall include but not be limited to:

i. geometric factors and alignment including:

(a) alignment light accuracy; and

(b) table increment accuracy;

ii. image localization from scanned projection radiograph (localization image);

iii. radiation beam width;

- iv. image quality including:
 - (a). high-contrast (spatial) resolution;
 - (b). low-contrast resolution;
 - (c). image uniformity;
 - (d). noise; and
 - (e). artifact evaluation;
- v. CT number accuracy;
- vi. image quality for acquisition workstation display devices;
- vii. a review of the results of the routine QC required under LAC 33:XV.610.C.3;
- viii. a safety evaluation of audible and visual signals, posting requirements; and
- ix. dosimetry.

e. The measurement of the radiation output of a CT X-ray system shall be performed with a calibrated dosimetry system. The calibration of such system shall be traceable to a national standard. The dosimetry system shall be calibrated per manufacturer recommendations not to exceed two years.

3. Routine Quality Control. A routine QC program on the CT system shall:

- a. be developed by a qualified expert and include acceptable tolerances for points evaluated;
- b. incorporate the use of a water equivalent phantom. At a minimum, noise, CT number, and artifacts shall be evaluated;
- c. be completed at time intervals and under system conditions specified by the qualified expert. The interval shall not exceed one week; and
- d. be documented and maintained for inspection by the department.

4. Operating Procedures

a. The operator of the CT X-ray system shall meet the minimum operator requirements of these regulations and be specifically trained on the operational features of the unit by a manufacturer's applications specialist or a qualified expert.

b. The following information shall be readily available to the CT operator:

- i. instructions on performing routine QC, including the use of the CT phantom(s), a schedule of routine QC appropriate for the system, allowable variations set by the qualified expert for the indicated parameters, and the results of at least the most recent routine QC completed on the system; and
- ii. if the qualified expert evaluation or routine QC of the CT X-ray system identifies that a system operating parameter has exceeded a tolerance established by the qualified expert, use of the CT X-ray system on patients shall be limited to those uses permitted by established written instructions of the qualified expert.

D. CT Radiation Protocol Committee (RPC). The registrant shall develop and maintain an RPC in accordance with the following.

1. Members of the RPC.

- a. Members of the RPC shall include but not be limited to the:
 - i. lead CT radiologist;
 - ii. lead CT technologist;

- iii. qualified expert; and
- iv. other individuals as deemed necessary by the registrant (e.g., radiation safety officer, chief medical or administrative officer, radiology department administrator/manager).

b. If the registrant has more than one site with CT, they may establish a system-wide RPC.

c. Two or more registrants may form a cooperative RPC as long as each facility has a representative on the committee.

d. If the registrant has already established a radiation safety committee, the requirements of this Subsection may be delegated to that committee if the members meet the requirements of LAC 33:XV.610.D.1.

2. Responsibilities of the RPC. The RPC shall:

a. review existing CT protocols along with the evaluation and implementation of new and innovative technologies that can improve image quality and/or lower patient dose in comparison with the older protocol;

b. review the capabilities of the individual CT scanner to ensure maximum performance is achieved;

c. determine and review the protocols used frequently or that could result in significant doses. This review shall include acquisition and reconstruction parameters, image quality, and radiation dose. At a minimum, the facility shall review the following clinical protocols, if performed, at 12 month intervals:

- i. pediatric head;
- ii. pediatric abdomen;
- iii. adult head;
- iv. adult abdomen;
- v. adult chest; and
- vi. brain perfusion;

d. establish and implement written protocols, or protocols documented in an electronic reporting system that include, but are not limited to, the following:

- i. a method to be used to monitor the CT radiation output;
- ii. a standardized protocol naming policy;
- iii. a DRL and alert value for CT procedures reviewed in LAC 33:XV.610.D.2.c. Alert values may be applied by using trigger values in conformance with NEMA XR-29 or facility-established values and procedures as defined by the qualified expert;
- iv. actions to be taken for cases when the dose alert value was exceeded which may include patient follow-up; and
- v. a process determining who has access and authority to make changes to the protocol management systems, including a method to prevent inadvertent or unauthorized modifications to a CT protocol;

e. if CT fluoroscopy is performed, the RPC shall establish and implement operating procedures and training designed to minimize patient and occupational radiation exposure;

f. provide a report to the radiation safety committee, or in the absence of a radiation safety committee, the person responsible for radiation safety. Report shall be

provided at intervals of no less than 12 months, and no more than 14 months; and

g. at a minimum, the RPC members in LAC 33:XV.610.D.1.a.i-iii shall meet as often as necessary to conduct business, but at 12 month intervals.

3. Records

a. A record of each RPC meeting shall be maintained. The record shall include the date, names of individuals in attendance, minutes of the meeting, and any action taken.

b. The registrant shall maintain a record of the RPC policies and procedures.

c. The registrant shall maintain a record of radiation output information so the radiation dose may be estimated in accordance with established protocols (e.g., SSDE). The record shall include:

- i. patient identification;
- ii. type and date of examination;
- iii. identification of the CT system used; and
- iv. the dose values the CT system provides (e.g.,

CTDI_{vol}, DLP, SSDE).

E. Reserved.

F. PET CT and SPECT CT Systems. CT systems solely used to calculate attenuation coefficients in nuclear medicine studies shall meet the requirements in Subsections A – D of this Section, unless otherwise exempted below.

1. In lieu of LAC 33:XV.610.C.2, a qualified expert shall complete a performance evaluation of the CT system following manufacturer's protocol. The evaluation shall be completed at intervals of no less than 12 months, and no more than 14 months.

2. In lieu of LAC 33:XV.610.C.3, routine QC checks shall be completed at intervals not to exceed one week. These checks shall be established and documented by a qualified expert following manufacturer's protocol.

3. Accreditation. Unless otherwise authorized by the department, all diagnostic CT x-ray systems for human use shall be accredited by a department-recognized accredited organization.

G. Cone Beam Computed Tomography (CBCT) Systems

1. CBCT facilities shall meet LAC 33:XV.604, 606.B and C, and 610.A.2-6, as applicable.

2. Beam Alignment. The X-ray field in the plane of the image receptor shall not exceed beyond the edge of the image receptor by more than 2 percent of the SID, when the axis of the X-ray beam is perpendicular to the plane of the image receptor. In addition, the center of the X-ray field shall be aligned with the center of the image receptor to within 2 percent of the SID.

3. A performance evaluation shall be performed by, or under the general supervision of, a qualified expert. The evaluation shall follow nationally recognized standards and tolerances. The evaluation shall be performed within 30 days of the initial installation, at intervals of no less than 12 months, and no more than 14 months, and within 30 days after any change or replacement of components which, in the opinion of the qualified expert, could cause a change in the radiation output or image quality. The facility shall maintain documentation of the established standards and tolerances and testing results.

4. The registrant shall follow the quality control recommendations provided by the CBCT manufacturer. In the absence of manufacturer provided quality control recommendations, the registrant shall implement and document quality control guidelines established by the qualified expert in accordance with nationally recognized guidelines.

5. The registrant or radiation protocol committee, if established, shall implement and document a policy addressing deviations from established protocols.

6. The CBCT X-ray system shall only be operated by an individual who has been specifically trained in its operation.

7. The following information shall be readily available to the CBCT operator:

a. instructions on performing routine quality control, including the use of the CBCT phantom(s), a schedule of routine quality control appropriate for the system, allowable variations set by the qualified expert, if required, for the indicated parameters, and the results of at least the most recent routine quality control completed on the system.

8. Exemption. A qualified expert performance evaluation on CBCT systems capable of operating at no greater than 100 kV or 20 mA shall be performed at intervals not to exceed 24 months, or an interval approved by the department.

9. Exemption. The registrant using fluoroscopy systems capable of CBCT shall meet LAC 33:XV.610.G, except LAC 33:XV.610.A.2-6 in LAC 33:XV.610.G.1.

H. Veterinary CT Systems. CT systems, including CBCT systems, solely used in nonhuman imaging shall meet the requirements of LAC 33:XV.610.C.1 (radiation protection surveys) and are otherwise exempt from the standards of LAC 33:XV.610.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2586 (November 2000), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§611. Dual-Energy X-ray Absorptiometry (DXA) (Bone Densitometry)

A. DXA systems shall be:

1. registered in accordance with Chapter 2 of these regulations; and

2. at a minimum, maintained and operated in accordance with the manufacturer's specifications.

B. Operator Requirements. Operators shall complete training specific to patient positioning and the operation of the DXA system.

C. During the operation of any DXA system:

1. in the absence of a survey performed by or under the supervision of a qualified expert determining the minimum distance the operator may be from the patient and radiation source, the operator, ancillary personnel, and members of the general public shall be positioned at least

two meters from the patient and DXA system during the examination.

D. Quality Assurance. In addition to the applicable requirements in LAC 33:XV.603.F.1, a facility performing DXA shall conform to the DXA system manufacturer recommendations and recommendations of recognized professional societies, such as the International Society for Clinical Densitometry or the American College of Radiology.

E. Records. The registrant shall keep the following records for a minimum of three years:

1. the maintenance and QC tests as prescribed by LAC 33:XV.611.A.2 and 611.D; and

2. operator training records as prescribed by LAC 33:XV.611.B.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

§699. Appendices A, B, C, and D

Appendix A Information on Radiation Shielding Required for Plan Reviews

* * *

Appendix B Design Requirements for an Operator's Booth

A. - B. ...

1. When a door or movable panel is used as an integral part of the booth structure, it shall have an interlock that will prevent an exposure when the door or panel is not closed.

B.2. - D.1.a. ...

b. the operator can have full view of any occupant of the room, and the operator can view any entry into the room. If any door that allows access to the room cannot be seen from the booth, then that door shall have an interlock controlling the exposure that will prevent the exposure if the door is not closed.

D.2. - D.4.b. ...

Appendix C Information to be Submitted by Persons Proposing to Conduct Healing Arts Screening

Persons requesting that the department approve a healing arts screening program shall submit the following information for evaluation and approval.

A. - B. ...

C. A detailed description of the X-ray examinations proposed in the screening program, i.e., type and number of views.

D. Description of the population to be examined in the screening program, i.e., age range, sex, physical condition, and other appropriate information.

E. - F. ...

G. A description of the X-ray quality control program.

H. A copy of the protocol information for the X-ray examination procedures to be used.

I. - J. ...

K. The name and address of the practitioner licensed in Louisiana who will interpret the radiograph(s).

L. Procedures to be used in advising the individuals screened and their practitioner of the healing arts or health care provider of the results of the screening procedure and any further medical needs indicated.

M. Procedures for the retention or disposition of the radiograph(s) and other records pertaining to the X-ray examination(s).

N. - P. ...

Q. Frequency of screening of individuals.

R. The duration of the screening program.

Appendix D

A. Each installation using a radiographic X-ray system and using analog image receptors (radiographic film) shall have available suitable equipment for handling and processing radiographic film in accordance with the following provisions:

1. manually developed film:

a. processing tanks for manually developed film shall be constructed of mechanically rigid, corrosion resistant material;

b. the temperature of solutions in the tanks for manually developed film shall be maintained within the range of 60°-80°F (16°-27°C). Film shall be developed in accordance with the time-temperature relationships recommended by the film manufacturer or, in the absence of such recommendations, with the following time-temperature chart.

Time-Temperature Chart		
Thermometer Reading (Degrees)		Minimum Developing Time (Minutes)
°C	°F	
26.7	80	2
26.1	79	2
25.6	78	2 1/2
25.0	77	2 1/2
24.4	76	3
23.9	75	3
23.3	74	3 1/2
22.8	73	3 1/2
22.2	72	4
21.7	71	4
21.1	70	4 1/2
20.6	69	4 1/2
20.0	68	5
19.4	67	5 1/2
18.9	66	5 1/2
18.3	65	6
17.8	64	6 1/2
17.2	63	7
16.7	62	8
16.1	61	8 1/2
15.6	60	9 1/2

c. devices shall be utilized for manually developed film that will:

i. indicate the actual temperature of the developer; and

ii. signal the passage of a preset time appropriate to the developing time required;

2. automatic processors and other closed processing systems:

a. films shall be developed by automatic processors and other closed processing systems in accordance with the time-temperature relationships recommended by the film manufacturer; in the absence of such recommendations, the film shall be developed using the following chart.

Developer Temperature		Minimum Immersion Time*
°C	°F	
35.5	96	19
35	95	20
34.5	94	21
34	93	22
33.5	92	23
33	91	24
32	90	25
31.5	89	26
31	88	27
30.5	87	28
30	86	29
29.5	85	30

*Immersion time only, no crossover time included.

b. the specified developer temperature and immersion time shall be posted in the darkroom or on the automatic processor in a manner that provides sufficient and legible notice to persons present in these areas;

3. other requirements:

a. pass boxes, if provided, shall be so constructed as to exclude light from the darkroom when cassettes are placed in or removed from the boxes, and shall incorporate adequate shielding from stray radiation to prevent exposure of undeveloped film;

b. the darkroom shall be light tight and use proper safelighting such that any film type in use exposed in a cassette to X-radiation sufficient to produce an optical density from one to two when processed shall not suffer an increase in density greater than 0.1 (0.05 for mammography) when exposed in the darkroom for two minutes with all safelights on. If used, daylight film handling boxes shall preclude fogging of the film;

c. darkrooms typically used by more than one individual shall be provided a positive method to prevent accidental entry while undeveloped films are being handled or processed;

d. film shall be stored in a cool, dry place and shall be protected from exposure to stray radiation. Film in open packages shall be stored in a light tight container;

e. film cassettes and intensifying screens shall be inspected periodically and shall be cleaned and replaced as necessary to best assure radiographs of acceptable diagnostic quality;

f. outdated X-ray film shall not be used for human diagnostic radiographs, unless the film has been stored in accordance with the manufacturer's recommendations and a sample of the film passes a sensitometric test for normal ranges of base plus fog and speed; and

g. film developing solutions shall be prepared in accordance with the directions given by the manufacturer of the chemicals, and shall be maintained in strength by replenishment or renewal so that full development of film is accomplished within the time specified by the manufacturer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2586 (November 2000), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 48:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small business as described in R.S. 49:978.1 - 978.8.

Provider Impact Statement

This 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 regulation. Persons commenting should reference this proposed regulation by RP068. Such comments must be received no later than March 4, 2022, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Affairs and Criminal Investigations Division, P.O. Box 4302, Baton Rouge, LA 70821-4302 or by fax (225) 219-4068 or by e-

mail to DEQ.Reg.Dev.Comments@la.gov. Copies of these proposed regulations can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of RP068. These proposed regulations are available on the Internet at <https://www.deq.louisiana.gov/page/monthly-regulation-changes-2022%20>.

Public Hearing

A public hearing will be held via Zoom on February 25, 2022, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or Android at <https://deqlouisiana.zoom.us/j/9373792954> or by telephone by dialing 636-651-3182 using the conference code 725573. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985.

These proposed regulations are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, 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.

Courtney J. Burdette
General Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: X-Rays in the Healing Arts**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There will be no implementation costs or savings to state or local governmental units.

The proposed rule will update the majority of Chapter 6 X-Rays in the Healing Arts. The regulations need updating to align with current manufacturer requirements and new x-ray technology and industry standards. The proposed rule will more closely align Louisiana regulations with current national standards.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state and local governmental units from this proposed action.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed action may have a minimal effect on costs to the regulated entities (x-ray registrants) due to possible additional time that it may take health physicists to perform the newly required quality control checks of x-ray units. Health physicists may have slightly increased income due to the need for them to perform more quality control testing of x-ray units. Consequently, the regulated entities that employ these health physicists may experience a slight increase in costs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed action will have no impact on competition and employment in the public and private sectors.

Courtney J. Burdette
General Counsel
2112#019

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Commission on Law Enforcement and Administration of Criminal Justice

Peace Officer Training (LAC 22:III.Chapter 47)

In accordance with the provision of R.S. 40:2401 et seq., the Peace Officer Standards and Training Act, and R.S. 40:905 et. seq., which is the Administrative Procedure Act, the Peace Officer Standards and Training Council hereby, gives notice of its intent to promulgate rules and regulations relative to the suspension of a peace officer's certification.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part III. Commission on Law Enforcement and Administration of Criminal Justice

Subpart 4. Peace Officers

Chapter 47. Standards and Training

§4733. Suspension of Certification

A. The POST Council may consider the suspension of a peace officer's certification when an incident involving the officer has been referred to it for review.

B. A *referred incident* is an incident:

1. which has been investigated; and
2. where the investigation has resulted in evidence of misconduct or violation of law; and
3. where either:
 - a. the law enforcement agency head has referred the incident to the POST Council for review; or
 - b. a district attorney, or the Attorney General has referred the incident to the POST Council for review; or
 - c. an official acting in their elected/appointed capacity, such as a judge or mayor, has referred the incident to the POST Council for review.

C. Referred Incidents Subject to Review

1. The POST council may conduct a suspension hearing to review referred incidents involving misconduct, as found by a court or law enforcement agency, which includes:

- a. violation of any statute or ordinance; or
- b. use of excessive force; or
- c. dishonesty or deception in violation of statute, ordinance, or policy of the employing law enforcement agency; or
- d. biased or prejudicial misconduct against one or more individuals based on the individual's race, color, sex, pregnancy, age, religion, national origin, disability, sexual orientation, or gender identity; or
- e. failure to perform duties and/or willful neglect of duties; or
- f. misuse of authority.

2. The POST council shall conduct a suspension hearing to review referred incidents involving misconduct, as found by a court or law enforcement agency, which includes:

- a. conviction of violation of any statute or ordinance; or
- b. resignation from an employing agency in lieu of termination or while under investigation; or

c. involuntarily terminated from an employing agency for cause; or

d. failure to meet annual POST in-service training requirements.

3. The POST council may not suspend or revoke the certification of a peace officer for a violation of statute or ordinance, or a violation of the employing law enforcement agency's policies, that does not include misconduct listed in sections 1 or 2 above.

4. Due process requirements by law shall be afforded to the peace officer whose misconduct is under review.

D. Emergency Suspensions

1. Upon arrest or indictment of a peace officer for any crime which is punishable as a felony, the Chairman of the POST Council may order the emergency suspension of the peace officer's POST certification, upon their determination that the suspension is in the best interest of the health, safety, or welfare of the public;

2. The order of emergency suspension shall be made in writing, and specify the basis for the chairman's determination. The emergency suspension order of the chairman shall continue in effect until issuance of a final decision of the POST Council or when such order is withdrawn by the chairman/POST council.

E. Any hearings conducted by the council or appeal by an officer are conducted by rules and regulations established by the council.

1. An officer subject to a suspension hearing shall be duly notified at least 30 days in advance of the hearing by the council.

2. The council may take testimony and evidence during the hearing, and make findings of fact and conclusions of law.

3. The council shall notify the officer and the officer's employing agency regarding any decision.

4. Suspension hearings conducted the council can be conducted during a regularly scheduled meeting.

F. Conditions of Suspension

1. A suspension cannot begin sooner than the date of the misconduct;

2. A suspension may be ordered to run concurrently OR consecutively with any other suspension.

3. Any suspension period cannot extend beyond 36 months (3 years).

G. Reinstatement after Suspension

1. A suspension issued for "Failure to meet annual POST In-Service Training requirements" shall be automatically withdrawn upon confirmation that required training has been completed within the prescribed timeframe or by the issuance of a waiver by the POST Council. The peace officer's POST Certification will be immediately reinstated, provided there are no other existing suspensions.

2. If the POST council/staff is informed that criminal charges are dropped, withdrawn, or dismissed, the suspension is automatically removed. The peace officer's POST certification will be immediately reinstated, provided there are no other existing suspensions.

3. Any peace officer has the right to request an appeal of decision after being suspended or revoked by the POST council. The request shall be submitted in writing to the POST council, and include the reasons/justification for the reinstatement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1204 and R.S. 15:1207.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, LR 48:

§4750. In Service Training and Certification

A - C.2. ...

D. Training Coordinators

1. Each law enforcement agency shall designate one training coordinator to manage the training affairs of their agency's officers through the year. The agency head may serve as the training coordinator.

2. The training coordinators are required to use the designated learning management system (LMS) to schedule and document their officer's training.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1204 and R.S. 15:1207.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, LR 42:274 (February 2016), amended LR 43:316(February 2017), LR 44:1009(June 2018), LR 48:

§4761. Advanced Training

A. - D. ...

E. Officer Involved Shooting Investigator Certification

1. Agency Certification

a. In order for an agency to be certified by the council to conduct officer involved shooting investigations, the agency must have at least three certified officer involved shooting investigators.

b. The POST council will review each agency's certification annually, ensuring at least three investigators remain certified, according to the required criteria.

2. Investigator Certification

a. In order for an investigator to be certified by the council to conduct officer involved shooting investigations, the investigator must meet the following criteria:

1. must be a POST certified homicide investigator; and

2. must have five years of general investigative experience; and

3. must have three years of homicide investigative experience; and

4. must have successfully completed a POST approved officer involved shooting investigator training.

b. The council may issue a waiver for the officer involved shooting investigator training, on a case-by-case basis, declaring that an investigator has previously experience and/or training that is substantially equal to or exceeds that provided by a training course. The waiver request must be submitted to the council for review/approval.

c. In order for an investigator to remain certified by the council to conduct officer involved shooting investigations, the investigator must meet the following criteria:

1. must complete eight hours of continuing education annually (each calendar year);

2. the following topics areas are recommended for the required continuing education hours: crime scene investigation, interview and interrogation, use of force, de-escalation, bias policing recognition, critical thinking,

investigative techniques, investigation ethics, internal affairs, etc.;

3. continuing education hours must be reported to POST, by the agency training coordinator, by December 31 of each calendar year;

4. POST staff must report all deficiencies to the POST Council annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1204 and R.S. 15:1207.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, LR 42:274 (February 2016), amended by the Office of the Governor, Commission on Law Enforcement, LR 43:316 (February 2017), LR 44:1009 (June 2018), LR 48:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed rule has been considered. This proposed Rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972 since it outlines the actions that the POST Council may take to suspend the certification of a peace officer and establishes the criteria for the training and certification of investigators who conduct officer-involved shootings.

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 post-secondary 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

An analysis of the proposed Rule shows that it will have no impact on the family as described in R.S. 49:972, nor any impact on small business as defined by Act 820 of 2008.

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 requirement 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 the same level of service.

Public Comments

Interested persons may submit written comments on this proposed Rule no later than February 20, 2022 at 5 pm to Bob Wertz, Peace Officer Standards and Training Council, Louisiana Commission on Law Enforcement, Box 3133 Baton Rouge, LA 70821.

Mr. Jim Craft
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

RULE TITLE: Peace Officer Training

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions may impact expenditures of the Louisiana Commission on Law Enforcement (LCLE) and/or local law enforcement entities to the extent new training is required; however, this is indeterminable. Per Act 418 of the 2021 Regular Session, the revisions align the administrative code with existing practices regarding the suspension of a peace officer's certification, emergency suspensions, in-service training and certification, and advanced training. LCLE and/or local law enforcement entities can utilize existing training modules and programs in order to maintain compliance with the proposed rules. However, to the extent the LCLE is required to develop new training modules, associated cost increases are anticipated to be minimal and will not exceed \$20,000. Any additional administrative duties brought about by the proposed rules will be carried out utilizing existing staff and resources at LCLE and/or local law enforcement entities.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will not increase revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

To the extent the proposed rules mirror existing practices concerning peace officer suspensions, there will be no impact to directly affected persons, small businesses, or non-governmental groups. However, any changes to existing practices and procedures due to the proposed rules may result in a peace officer's suspension and/or the requirement of additional training for the peace officer.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no effect on competition or employment in the public or private sector as a result of this proposed amendment.

Jim Craft
Executive Director
2201#014

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing
and
Office of Behavioral Health**

Adult Mental Health Services
Crisis Stabilization
(LAC 50:XXXIII.6307)

The Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health propose to amend LAC 50:XXXIII.6307 in the Medical Assistance Program 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 and the U.S. Department of Justice signed an agreement on June 6, 2018 which required the department to develop crisis receiving system components in community-based settings to provide timely

and accessible services and supports to individuals with severe mental illness experiencing a behavioral health crisis within their local community. In compliance with this agreement, the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health propose to amend the provisions governing adult mental health services in order to add crisis stabilization as a covered service.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XXXIII. Behavioral Health Services

Subpart 7. Adult Mental Health Services

Chapter 63. Services

§6307. Covered Services

A. The following mental health services shall be reimbursed under the Medicaid Program:

1. ...
2. rehabilitation services, including community psychiatric support and treatment (CPST), psychosocial rehabilitation (PSR), and peer support services;
3. crisis intervention; and
4. crisis stabilization.

B. - B.3. ...

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 38:359 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 42:61 (January 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 44:1015 (June 2018), LR 46:795 (June 2020), repromulgated LR 46:952 (July 2020), amended LR 46:1680 (December 2020), LR 48:

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.

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 a positive impact on family functioning, stability and autonomy as described in R.S. 49:972 as it provides access to behavioral health services that were not previously covered for adults with severe mental illness.

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 a positive impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973 as it provides Medicaid reimbursement for behavioral health services that were not previously covered for adults with severe mental illness.

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 a positive

impact on small businesses, as described in R.S. 49:978.1 et seq., since it provides Medicaid reimbursement for behavioral health services that were previously not covered for adults with severe mental illness.

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, but may enhance the provider’s ability to provide the same level of service as described in HCR 170 since this proposed Rule increases payments to providers.

Public Comments

Interested persons may submit written comments to Patrick Gillies, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821—9030. Mr. Gillies is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on March 2, 2022.

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 February 9, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on February 24, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after February 9, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Adult Mental Health Services
Crisis Stabilization**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is anticipated that implementation of this proposed rule will result in increased state costs of approximately \$270 for FY 21-22, \$4,367,381 for FY 22-23 and \$4,542,076 for FY 23-24. It is anticipated that \$540 (\$270 SGF and \$270 FED) will be expended in FY 21-22 for the state’s administrative expense for promulgation of this proposed rule and the final rule.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE
OR LOCAL GOVERNMENTAL UNITS (Summary)**

It is anticipated that the implementation of this proposed rule will increase federal revenue collections by approximately \$270 for FY 21-22, \$9,323,467 for FY 22-23, and \$9,696,406 for FY 23-24. It is anticipated that \$270 will be collected in FY 21-22 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)**

In compliance with the June 6, 2018 agreement between the Department of Health and the U.S. Department of Justice, this proposed rule amends the provisions governing adult mental health services in order to add crisis stabilization as a covered service. This proposed rule will be beneficial to adult recipients with severe mental illness that are experiencing a behavioral health crisis by providing access to services within their local community. Providers will benefit from implementation of this proposed rule since they will receive reimbursement for the provision of services that were previously not covered for this population. It is estimated that implementation of this proposed rule will increase expenditures for Medicaid services by \$13,690,848 for FY 22-23 and \$14,238,482 for FY 23-24.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

This rule has no known effect on competition and employment.

Patrick Gillies
Medicaid Executive Director
2201#022

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing
and
Office of Aging and Adult Services**

Adult Residential Care Waiver
(LAC 50:XXI.Chapters 301, 303, 305, 307, and 309)

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services propose to repeal LAC 50:XXI.Subpart 15 in the Medical Assistance Program 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 and the Office of Aging and Adult Services propose to repeal the provisions of LAC 50:XXXI.Subpart 15 governing the Adult Residential Care Waiver in its entirety, since the waiver was not approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Title 50

**PUBLIC HEALTH-MEDICAL ASSISTANCE
Part XXI. Home and Community-Based Services
Waivers**

Subpart 15. Adult Residential Care

Chapter 301. General Provisions

§30101. Introduction

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 and the Office of Aging and Adult Services, LR 35:2442 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30103. Target Population

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, and the Office of Aging and Adult Services, LR 35:2442 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30105. Request for Services Registry

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 and the Office of Aging and Adult Services, LR 35:2443 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30107. Programmatic Allocation of Waiver Opportunities

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 and the Office of Aging and Adult Services, LR 35: 2443 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and, LR 48:

§30109. Waiver Costs Limit

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 and the Office of Aging and Adult Services, LR 35:2443 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

Chapter 303. Services

§30301. Covered Services

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 and the Office of Aging and Adult Services, LR 35:2243 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30303. Comprehensive Plan of Care

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 and the Office of Aging and Adult Services, LR 35:2444 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

Chapter 305. Admission and Discharge Criteria

§30501. Admission Criteria

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 and the Office of Aging and Adult Services, LR 35:2444 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30503. Admission Denial or Discharge Criteria

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 and the Office of Aging and Adult Services, LR 35:2444 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

Chapter 307. Provider Participation

§30701. ARC Provider Responsibilities

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 and the Office of Aging and Adult Services, LR 35:2442 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30703. Support Coordination Agency Responsibilities

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 and the Office of Aging and Adult Services, LR 35:2442 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30705. Reporting Requirements

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 and the Office of Aging and Adult Services, LR 35:2445 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30707. Recordkeeping

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 and the Office of Aging and Adult Services, LR 35:2445 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

Chapter 309. Reimbursement

§30901. General Provisions

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 and the Office of Aging and Adult Services, LR 35:2446 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30903. Provider Reimbursement

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 and the Office of Aging and Adult Services, LR 35:2446 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30905. Room and Board

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, and the Office of Aging and Adult Services, LR 35:2446 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

§30907. Cost Reporting

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, and the Office of Aging and Adult Services, LR 35:2446 (November 2009), repealed by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 48:

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.

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 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. 49:978.1 et seq.

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, 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 Patrick Gillies, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821—9030. Mr. Gillies is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on March 2, 2022.

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 February 9, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on February 24, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after February 9, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

RULE TITLE: Adult Residential Care Waiver

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 21-22. It is anticipated that \$1,080 (\$540 SGF and \$540 FED) will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will have no effect on revenue collections other than the federal share of the promulgation costs for FY 21-22. It is anticipated that \$540 will be collected in FY 21-22 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 provisions of LAC 50:XXXI.Subpart 15 governing the Adult Residential Care Waiver in its entirety, since the waiver was not approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services. This proposed rule will not result in costs or benefits to Medicaid providers or small businesses in FY 21-22, FY 22-23 and FY 23-24, since the provisions of the waiver were never implemented.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Patrick Gillies
Medicaid Executive Director
2201#023

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Bureau of Health Services Financing

Home and Community-Based Services Providers
Licensing Standards
(LAC 48:I.Chapter 50)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.Chapter 50 as authorized by R.S. 36:254 and R.S. 40:2120.1 et seq. 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 amend the provisions governing the licensing of home and community-based services providers in order to clarify the requirements regarding worker's compensation, general and professional liability insurance, hours of operation, and business location closure.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 50. Home and Community-Based Services Provider Licensing Standards

Subchapter A. General Provisions

§5001. Introduction

A. - C.8. ...

D. The following entities shall be exempt from the licensure requirements for HCBS providers:

1. - 1.e. ...

2. any person, agency, institution, society, corporation, or group that provides gratuitous HCBS;

3. - 5. ...

a. Repealed.

6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2120.1. et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:63 (January 2012), amended LR 38:1410 (June 2012), LR 40:1007 (May 2014), LR 41:2638 (December 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 43:2498 (December 2017), LR 48:

§5007. Initial Licensure Application Process

A. ...

B. The initial licensing application packet shall include:

1. ...

2. a copy of the approval letter of the architectural facility plans for the adult day care (ADC) module and the center-based respite (CBR) module from the Office of the State Fire Marshal (OSFM), and any other office/entity designated by the department to review and approve the facility's architectural plans;

3. a copy of the on-site inspection report for the ADC module and the CBR module with approval for occupancy by the OSFM;

4. a copy of the health inspection report with approval of occupancy from the Office of Public Health (OPH) for the ADC module and the CBR module;

5. - 5.a. ...

6. proof of financial viability, comprised of the following:

a. - a. ii. ...

b. general and professional liability insurance in the amount of at least \$300,000 that is current and in effect at the time of license application and ongoing through the term of licensure; and

c. worker's compensation insurance that is current and in effect at the time of license application and ongoing through the term of licensure;

NOTE: The LDH HSS shall specifically be identified as the certificate holder on these policies pursuant to §5007.B.6.a-c and any certificates of insurance issued as proof of insurance by the insurer or producer (agent). The policy shall have a cancellation/change statement requiring notification of the certificate holder 30 days prior to any cancellation or change of coverage.

7. ...

8. the usual and customary business hours, which shall be no less than eight hours per business day or unless otherwise approved;

B.9. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2120.1. et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:66 (January 2012), amended LR 41:2638 (December 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 43:2500 (December 2017), LR 48:

§5014. Change of Ownership of an HCBS Provider

A. - C.2. ...

D. The applicant shall submit the following licensing requirements to the department:

1. - 2. ...

3. proof of financial viability to include:

a. ...

b. general and professional liability insurance of at least \$300,000 that is current and in effect at the time of application for licensure and ongoing through the term of licensure; and

c. worker's compensation insurance that is current and in effect at the time of application for licensure and ongoing through the term of licensure.

NOTE: The LDH HSS shall specifically be identified as the certificate holder on these policies pursuant to §5014.D.3.a-c and any certificates of insurance issued as proof of insurance by the insurer or producer (agent). The policy shall have a cancellation/change statement requiring notification of the certificate holder 30 days prior to any cancellation or change of coverage.

4. If center-based services such as ADC or CBR are also being acquired in the change of ownership, the prospective new owner shall be required to submit approvals for occupancy from OPH and the OSFM. Such approvals shall be issued under the name of the center as given by the new owner.

E. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2120.1. et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 43:2502 (December 2017), amended LR 48:

§5015. Renewal of License

A. The HCBS provider shall submit a completed license renewal application packet to the department at least 30 days prior to the expiration of the current license. The license renewal application packet shall include:

1. ...
2. the usual and customary business hours, which shall be no less than eight hours per business day or unless otherwise approved; and
3. a current OSFM report for the ADC module and the CBR module;
4. a current Office of Public Health inspection report for the ADC module and the CBR module;
5. - 6. ...
7. proof of financial viability, comprised of the following:
 - a. ...
 - b. general and professional liability insurance of at least \$300,000 that is current and in effect at the time of application for license renewal and ongoing throughout the term of the renewed licensure period; and
 - c. worker's compensation insurance that is current and in effect at the time of application for license renewal and ongoing throughout the term of the renewed licensure period.

NOTE: The LDH HSS shall specifically be identified as the certificate holder on these policies pursuant to §5015.A.7.a-c and any certificates of insurance issued as proof of insurance by the insurer or producer (agent). The policy shall have a cancellation/change statement requiring notification of the certificate holder 30 days prior to any cancellation or change of coverage.

B. - C. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2120.1. et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:68 (January 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 43:2502 (December 2017), LR 48:

Subchapter B. Administration and Organization

§5031. Business Location

A. - A.5. ...

* * *

B. The business location shall have:

1. a separate entrance and exit from any other entity, business or trade; and
2. signage that is easily viewable indicating the provider's legal or trade name, address and days and hours of business operation as stated in the provider's license application;
 - a. any planned deviation of the provider's days and hours of operation shall be reported to the HSS within five business days;
 - i. for closures of the business location for short term periods, such as holidays, the provider shall:

(a). notify the clients and responsible parties whenever necessary; and

(b). have a communication plan in place for emergencies; and

b. any unplanned deviation of provider's days and hours of operation shall be reported to the HSS within two business days.

C. - D.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2120.1. et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:74 (January 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 43:2508 (December 2017), LR 48:

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 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. 49:978.1 et seq.

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 Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on March 2, 2022.

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 February 9, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are

satisfied, LDH will conduct a public hearing at 9:30 a.m. on, February 24, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after February 9, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Home and Community-Based Services
Providers—Licensing Standards**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 21-22. It is anticipated that \$1,188 will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
It is anticipated that the implementation of this proposed rule will not affect federal revenue collections since the licensing fees, in the same amounts, will continue to be collected.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
This proposed rule amends the provisions governing the licensing of home and community-based services (HCBS) providers in order to clarify the requirements regarding worker's compensation, general and professional liability insurance, hours of operation, and business location closure. It is anticipated that implementation of this proposed rule will not result in costs to HCBS providers in FY 21-22, FY 22-23 and FY 23-24, but will be beneficial by ensuring that the licensing requirements are clearly and accurately promulgated in the Louisiana Administrative Code.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
This rule has no known effect on competition and employment.

Tasheka Dukes, RN
Deputy Assistant Secretary
2201#024

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

**NOTICE OF INTENT
Department of Health
Bureau of Health Services Financing**

Professional Services Program
Reimbursement Methodology
(LAC 50:IX.15113)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:IX.15113 in the Medical Assistance Program 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 amend the provisions governing the reimbursement methodology in the Professional Services Program in order to align the reimbursement for new services added to the Medicaid fee schedule with the State Plan Amendment approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services.

**Title 50
PUBLIC HEALTH-MEDICAL ASSISTANCE
Part IX. Professional Services Program
Subpart 15. Reimbursement
Chapter 151. Reimbursement Methodology
Subchapter B. Physician Services
§15113. Reimbursement Methodology**

- A. ...
 - 1. If there is no equivalent Medicare fee, the Medicaid fee shall be set based on the Medicare fee for a similar service. In the absence of any applicable Medicare fee, the fee shall be set at the Medicaid fee for a similar service or the Medicaid fee for other states.
 - 2. If establishing a Medicaid fee based on Medicare rates results in a fee that is reasonably expected to be insufficient to ensure that the service is available to beneficiaries, an alternate methodology shall be used. The fee shall be set at the Medicaid fee for a similar service or the Medicaid fee for other states.

B. - M. ...
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 36:1252 (June 2010), amended LR 36:2282 (October 2010), LR 37:904 (March 2011), LR 39:3300, 3301 (December 2013), LR 41:541 (March 2015), LR 41:1119 (June 2015), LR 41:1291 (July 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 44:62 (January 2018), amended by the Department of Health, Bureau of Health Services Financing, LR 44:62 (January 2018), LR 47:477 (April 2021), LR 47:887 (July 2021), LR 48:

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.

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 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. 49:978.1 et seq.

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 and 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 Patrick Gillies, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821—9030. Mr. Gillies is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on March 2, 2022.

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 February 9, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on February 24, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after February 9, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees

when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Professional Services Program
Reimbursement Methodology**

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 21-22. It is anticipated that \$540 (\$270 SGF and \$270 FED) will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will have no effect on revenue collections. It is anticipated that \$270 will be collected in FY 21-22 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 amends reimbursement methodology in the Professional Services Program in order to align the reimbursement for new services added to the Medicaid fee schedule with the State Plan Amendment approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services. This proposed rule does not add specific services to the fee schedule; however, it establishes the reimbursement methodology for new services that are added that do not have corresponding Medicare fees. Although the methodology for newly added professional services is being specified more fully in the administrative rule, the resulting fees are not anticipated to be materially higher or lower than it would have been otherwise; therefore, implementation of this proposed rule is not anticipated to result in costs or benefits to providers of these services in FY 21-22, FY 22-23, and FY 23-24.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Patrick Gillies
Medicaid Executive Director
2201#025

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Office of Public Health**

Sanitary Code—Community Water System Accountability
(LAC 51:XII.101, 151, 169, 177, 319, 335,
401, 403, 405, 407, 409, 411 and 1905)

Under the authority of R.S. 40:4, 40:5, and 40:5.9.1 and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Department of Health, Office of

Public Health (LDH-OPH), intends to amend Part XII (Water Supplies) of the Sanitary Code (LAC 51). When effective, the proposed amendments to Part XII will assist LDH-OPH in ensuring the sustainability of the drinking water infrastructure through an accountability process for community water systems.

In accordance with Act 98 of the 2021 Regular Legislative Session, the intent of the proposed adoption of Chapter 4 (Community Water System Accountability Rule) of Part XII is to provide an accountability process for community water systems by establishing a letter grade schedule with clear and objective standards and expectations for grading community water systems. Act 98 requires LDH-OPH to publish the first letter grades by January 1, 2023. Section 409 proposes a new requirement for community water systems to have a rate study conducted every five years by a LDH-approved qualified entity which includes the Louisiana Rural Water Association; thereby, reducing the fiscal impact of compliance with this proposed requirement for small community water systems.

The remaining amendments in the proposed rule are updates and clarifications which do not impose any new requirements. The proposed amendment to Section 169 eliminates the oil lubrication restriction for well line shafts pump settings less than 400 feet and eliminates the well pump spacer requirement, both of which have now been determined to be against current practices. The proposed amendment to §177 removes a requirement that conflicts with the American Water Works Association standard for granular activated carbon when it is used for treating disinfection by-products. The proposed amendment to §319 corrects a typo from the previous rulemaking. The proposed amendment to §335 updates the minimum system pressure requirement as previously adopted in 2018 and updates an outdated code citation. The proposed amendment to §1905 clarifies that the Tier 1 public notice is required to be issued to customers within 24 hours as required by federal regulations.

The effective date of the proposed adoption of Chapter 4 and the additional amendments to Part XII is anticipated to coincide with the promulgation of the final rule which is, barring any unexpected delays, currently expected to occur on April 20, 2022.

For the reasons set forth above, Part XII (Water Supplies) of the Sanitary Code (LAC 51:XII) is proposed to be amended as follows.

Title 51

PUBLIC HEALTH—SANITARY CODE

Part XII. Water Supplies

Chapter 1. General

§101. Definitions

[formerly paragraph 12:001]

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

* * *

Community Water System—community water supply.

* * *

LSPC—Louisiana State Plumbing Code, i.e., Part XIV (Plumbing) of this Code (LAC 51:XIV) became null and void on January 1, 2016 per Act 836 of the 2014 Regular Legislative Session. See the Louisiana State Uniform Construction Code (LAC 17:I.Chapter 1) for state plumbing regulations.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:258(B), R.S. 36:254(B)(7), R.S. 40:4(A)(8), R.S. 40:4.13(D)(1)(2), R.S. 40:5(A) (2)(3)(5)(6)(17)(20), and R.S. 40:1281.8.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1318 (June 2002), amended LR 28:2513 (December 2002), LR 30:1194 (June 2004), LR 30:2326 (October 2004), LR 35:484 (March 2009), LR 35:1240 (July 2009), LR 38:2375 (September 2012), LR 38:2793 (November 2012), LR 38:3232 (December 2012), amended by the Department of Health, Office of Public Health, LR 43:84 (January 2017), LR 44:296 (February 2018), effective August 1, 2018, LR 44:1251 (July 2018), effective August 1, 2018, LR 48:

Subchapter B. General Design

§151. Disinfection

A. Water from new systems, or from any new part(s) of existing systems shall not be furnished for consumer's use until all wells, pipes, tanks, and equipment which can convey or store potable water are disinfected in accordance with American Water Works Association (AWWA) procedures as required in §§169, 225, and 245 of this Part.

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(8), 40:4.13.D.(1)(2) and 40:5(A)(2)(3)(5)(6)(7)(17).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 44:303 (February 2018), effective August 1, 2018, amended LR 48:

Subchapter C. Source Development

§169. Groundwater

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

c. use lubricants that meet NSF International/American National Standards Institute (NSF/ANSI) Standard 60 or use well water itself as a lubricant.

1.d. - 3.c. ...

i. conform to §235 of this Part; where such standards exist, or in the absence of such standards, conform to applicable product standards and be acceptable to the state health officer. Any lubricants, fittings, brackets, tape or other appurtenances shall meet NSF/ANSI Standards 60/61, where applicable; and

ii. be capable of supporting the weight of the pump, piping, water and appurtenances and of withstanding the thrust, torque and other reaction loads created during pumping. The actions of fatigue from repeated starting and stopping of the pump shall be considered when choosing a pipe and fittings.

4. - 8. ...

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(8), 40:4.13.D.(1)(2) and 40:5(A)(2)(3)(5)(6)(7)(17).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 44:305 (February 2018), effective August 1, 2018, amended LR 48:

Subchapter D. Treatment

§177. Filtration Design

A.1. - A.6.c.iii.(b). ...

iv. Granular activated carbon (GAC) shall be in accordance with AWWA B604 and the design of shall meet the following:

(a). There shall be provisions for a free chlorine residual and adequate contact time in the water following the filters and prior to distribution (See §177.C and §177.D).

(b). There shall be means for periodic treatment of filter material for control of bacterial and other growth.

(c). Provisions shall be made for frequent replacement or regeneration. Regeneration of GAC shall be in accordance with AWWA B604.

6.c.v. - 10.a ...

b. filtered water shall be used for backwashing filters except in the application of GAC filters for removing formed disinfection by-products;

c. washwater pumps shall be in duplicate except in the application of GAC filters or an alternate means of obtaining washwater is available;

A.10.d. - G.3. ...

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(8), 40:4.13.D.(1)(2) and 40:5(A)(2)(3)(5)(6)(7)(17).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 44:313 (February 2018), effective August 1, 2018, amended LR 48:

Chapter 3. Water Quality Standards

§319. Significant Deficiencies Identified in Sanitary Surveys

A. - C. ...

D. For all public water systems, except as otherwise specified in this Part, failure to comply with any of the following requirements has been determined by the state health officer to be a significant deficiency and shall be corrected in accordance with §319.B of this Part:

1. - 15. ...

16. §344 of this Part;

17. - 26. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8), 40:4.13(D)(1)(2) and R.S. 40:5(A)(2)(3)(5)(6)(7)(17)(20).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 43:85 (January 2017), amended LR 44:345 (February 2018), effective August 1, 2018, LR 44:1251 (July 2018), effective August 1, 2018, amended LR 48:

§335. Distribution

[formerly paragraph 12:012-1]

A. - C.2.c ...

D. [formerly paragraph 12:012-3] Where pumps are used to draw water from a water supply distribution system or are placed in a system to increase the line pressure, provision must be made to limit the pressure on the suction side of the pump to not less than 20 psi (pounds per square inch) gauge. Where the use of automatic pressure cut-offs is not possible, such pumps must draw water from a tank, supplied with water from a water distribution system through an air gap that complies with ASME Standard A112.1.2-2004.

E. [formerly paragraph 12:012-4] All public water supplies shall be operated and maintained to provide a minimum positive pressure of 20 psi gauge at all service connections at all times.

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(8), R.S. 40:5(A)(5)(6), and R.S. 40:1285.8.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1325 (June 2002), amended LR 38:2794 (November 2012), amended by the Department of Health, Office of Public Health, LR 48:

Chapter 4. Community Water System Accountability Rule

§401. Statement of Purpose

A. Pursuant to Act 98 of the 2021 Regular Legislative Session, the LDH-OPH adopts a letter grade schedule for community water systems to provide an accountability process to support drinking water infrastructure sustainability for the citizens of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8), R.S. 40:5.A.(2)(3)(5)(6)(17)(20) and R.S. 40:5.9.1.D.(1).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:

§403. General Provisions

A. The requirements established in this Chapter are applicable to community water systems as defined in this Part and under R.S. 40:5.8.

B. For each active community water system (CWS), LDH-OPH shall determine and publish an annual letter grade and score in accordance with this Chapter. The CWS annual letter grade shall be based on the CWS final score calculated in accordance with §407 of this Part using the letter grade schedule standards specified in §405 of this Part.

1. The letter grades and scores published January 1, 2023 are preliminary and shall be finalized and republished no later than May 1, 2023 on the LDH-OPH website. For subsequent years starting in 2024, the final letter grades and scores shall be published on the LDH-OPH website by May 1 each year. The published letter grades and scores are not subject to change after May 1 until the next annual letter grade and score is published.

C. Community water systems shall include their final letter grade and score in their annual Consumer Confidence Report (a.k.a. Annual Water Quality Report) that is posted on the water systems website.

D. For any community system that receives a letter grade of "D" or "F", LDH-OPH shall give notice to the State Bond Commission, the Louisiana Public Service Commission, Louisiana Legislative Auditor and the Attorney General in accordance with Act 98 of the 2021 Regular Legislative Session.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8), R.S. 40:5.A.(2)(3)(5)(6)(17)(20) and R.S. 40:5.9.1.D.(1).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:

§405. Letter Grade Schedule

A. The letter grade and score for community water systems shall be based on the following standards and point deductions.

1. For federal water quality violations history:

a. five points shall be deducted for each maximum contaminant level (MCL) violation incurred during the graded year;

b. five points shall be deducted for each Lead and Copper Rule treatment technique (TT) violation inclusive of failure to install corrosion control treatment or failure to maintain optimal water quality parameters for optimized corrosion control treatment incurred for the last monitoring period; and

c. an additional 10 points shall be deducted for non-compliance with an administrative order issued for MCL or TT violations.

d. the total points deducted for federal water quality violations shall not exceed 30.

2. For state violations history:

a. one point shall be deducted for each chlorine residual violation incurred during the graded year;

b. five points shall be deducted for failure to have a duly-certified operator at a ground water system;

c. ten points shall be deducted for failure to have a duly-certified operator at a surface water system; and

d. five points shall be deducted for a water outage and/or a boil notice issued by the state health officer.

e. the total points deducted for state violations shall not exceed 10.

3. For water system financial sustainability:

a. five points shall be deducted for failure to have and submit a rate study (per §§409 and 411 of this Part) or failure to have implemented an adequate rate (as indicated by the system's rate study);

b. five points shall be deducted for failure to have a current audit (if applicable);

c. ten points shall be deducted if a fiscal administrator is appointed for the municipality; and

d. five points shall be deducted for circumstances that affect the fiscal control of the community water system.

e. the total points deducted for financial sustainability shall not exceed 10.

4. For operation and maintenance performance history:

a. three points shall be deducted for each unresolved significant deficiency. Such deficiencies shall include lack of cross-connection control, record keeping, maintenance and other applicable deficiencies specified in §319.D of this Part;

b. the total points deducted for operation and maintenance performance history shall not exceed 15.

5. For infrastructure violations:

a. five points shall be deducted for each unresolved significant deficiency. Such deficiencies shall include frequent low water pressure events, no standby power, single source, failed components and other applicable significant deficiencies specified in §319.D of this Part.

b. the total points deducted for infrastructure violations shall not exceed 20.

6. For customer satisfaction:

a. one point shall be deducted for each validated water complaint (per event) concerning water quality or quantity received either by the water system or LDH-OPH for the graded year; or

b. ten points shall be deducted for failure to submit the complaint log by the deadline specified in §411 of this Part;

c. the total points deducted for customer satisfaction shall not exceed 10.

7. For level of secondary contaminants:

a. five points shall be deducted for either iron or manganese detected (LDH-OPH test results) in the finished drinking water above their respective secondary maximum contaminant level (0.3 mg/L for iron and 0.05 mg/L for manganese);

b. the total points deducted for secondary contaminants shall not exceed five.

B. Extra points may be granted and added to the final score of the community water system in accordance with this Subsection.

1. Five points can be granted for having and submitting supporting documentation for any of the following:

a. an asset management plan;

b. a storage assessment and maintenance program;

c. a well assessment and maintenance program;

d. participation in a capacity development program approved by LDH-OPH; or

e. participation in a management training program approved by LDH-OPH.

2. The total points added for extra points shall not exceed 10.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8), R.S. 40:5.A.(2)(3)(5)(6)(17)(20) and R.S. 40:5.9.1.D.(1).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:

§407. Calculation of Letter Grade and Score

A. The score for each community water system shall be calculated per the following method:

1. Using the Letter Grade Schedule in §405 of this Part, sum the points deducted for each standard specified in §405.A.1-7.b and subtract the total point deduction from 100. Extra points can be added to the final score if granted per §405.B of this Part. See Table 407.A.1 (below) for an example of the grade score calculation.

Table 407.A.1 Letter Grade Score Calculation Example	
Grade Standards	Point Deductions
1. Federal Water Quality Violations	0
2. State Violations	2
3. Financial Sustainability	0
4. Operation and Maintenance Performance	3
5. Infrastructure Violations	0
6. Customer Satisfaction	5
7. Level of Secondary Contaminants	5
Total Point Deduction	15
Extra Points	5
Score = 100 – Total Point Deduction + Extra Points (Score = 100 – 15 + 5)	90
Letter Grade	A

B. The letter grade for each community water system shall be assigned based on Table 407.B (below) using the score calculation specified in §407.A.1 of this Part.

Table 407.B	
Letter Grade	Point Value
A	≥ 90
B	80 - 89
C	70 - 79
D	60 - 69
F	≤ 59

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8), R.S. 40:5.A.(2)(3)(5)(6)(17)(20) and R.S. 40:5.9.1.D.(1).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:

§409. Financial Sustainability Requirements

A. Community water systems shall have a rate assessment or study performed every 5 years by a qualified entity approved by the state health officer. Qualified entities include, but are not limited to, a Louisiana licensed professional engineer, a certified public accountant (CPA), or the Louisiana Rural Water Association (LRWA).

1. A rate study shall include a rate analysis completion report containing the following:

- a. the completed rate analysis;
- b. the rate analysis summary letter that includes the rate analysis findings and recommendations to maintain sustainability; and
- c. documentation that includes the dates that the rate analysis was presented to the legally responsible person for the community water system and the decision to implement or reject the rate analysis findings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8), R.S. 40:5.A.(2)(3)(5)(6)(17)(20) and R.S. 40:5.9.1.D.(1).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:

§411. Reporting Requirements

A. Community water systems shall submit the following information to LDH-OPH in a format approved by LDH-OPH by January 31 of each year starting 2023 unless specified otherwise in this Section.

1. A rate study performed on or after April 20, 2017 and in accordance with §409.A of this Part along with the current water rates for the community water system and any documentation authorizing and adopting the last rate increase. Unless updated, a rate study is not required to be submitted every year.

2. The last annual report (as submitted to Louisiana Secretary of State) and the prior year financial report for the company owning the community water system, or a prior year audit report (as submitted to the Louisiana Legislative Auditor) for the political subdivision (e.g., municipality) over the community water system.

3. A demonstrated flushing plan with verification of implementation if directed by LDH-OPH to have a flushing program to mitigate poor water quality in the distribution system as required by Louisiana Revised Statutes 40:1281.12.

4. A complaint log containing all water related complaints received by the community water system for the

previous calendar year as required by Louisiana Revised Statutes 40:1281.12.

5. The documentation for items listed in §405.B.1 of this Part if the community water system wants to receive extra points per §§405.B and 407.A.1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8), R.S. 40:5.A.(2)(3)(5)(6)(17)(20) and R.S. 40:5.9.1.D.(1).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:

Chapter 19. Public Notification Rule
§1905. Tier 1 Public Notice

A. Delivery. When a Tier 1 public notice is required under the National Primary Drinking Water Regulations, §913, §1139.B, or §1317.A.1 of this Part, and after consultation with the Office of Public Health (see Subsection C of this Section for after-hours contact procedures), the public water system shall, unless directed otherwise by the Office of Public Health in writing, furnish a notice to customers via broadcast media (such as radio and television stations) and daily newspapers serving the area as soon as possible but not later than 24 hours after the public water system learns of the violation or situation. The public water system shall also ensure that the actual public notice prepared by the water system is published in a daily or weekly newspaper serving the area as soon as possible but no later than 48 hours after the violation or failure.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8) and 40:5(2)(3)(5)(6)(17)(20).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 35:486 (March 2009), amended by the Department of Health, Office of Public Health, LR 48:

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 the following impact.

1. The effect on the stability of the family. There will be no effect.

2. The effect on the authority and rights of parents regarding the education and supervision of their children. There will be no effect.

3. The effect on the functioning of the family. There will be no effect.

4. The effect on the family earnings and family budget. The proposed Rule may increase the monthly water bill for families if served drinking water by a CWS that does not currently meet the rate study requirement. The CWS may determine a need to increase their revenue collections (i.e., increase water bills) to cover some or all of the Rule implementation costs. The actual effect on water bills is hard to predict due to the unknown financial status of each CWS. Therefore, the effect of the Rule on family budget is unknown.

5. The effect on the behavior and personal responsibility of children. There will be no effect.

6. The ability of the family or local government to perform the function as contained in the proposed Rule. There will be no effect for the family. The proposed Rule adopts a new requirement for community water systems

potentially becoming effective as soon as April 20, 2022. Local government that own/operate a community water system (CWS) may determine a need to increase their revenue collections (i.e., increase water bills) to cover the cost of complying with this Rule. The increase in revenue collection needed for compliance with this Rule is not estimable as it would vary and depend on the CWS's size and current financial status.

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 the following impact.

1. The effect on household income, assets, and financial security. The proposed Rule may increase the monthly water bill for households if served drinking water by a CWS that does not currently meet the rate study requirement. The CWS may determine a need to increase their revenue collections (i.e., increase water bills) to cover some or all of the Rule implementation costs. The actual effect on water bills is hard to predict due to the unknown financial status of each CWS. Therefore, the effect of the Rule on households is unknown.

2. The effect on early childhood development and preschool through postsecondary education development. There will be no effect on childhood development and preschool through postsecondary education development.

3. The effect on employment and workforce development. The proposed Rule may cause an increase in competition to hire and retain a qualified water system operator. Water system operators that focus on improving water quality and minimizing violations can help the CWS to receive a better grade. This may cause an increase in employment of qualified operators to properly operate, maintain, monitor, assess and take appropriate corrective actions to remain in compliance with the safe drinking water regulations that will affect the CWS's letter grade and score.

4. The effect on taxes and tax credits. There will be no effect on taxes and tax credits

5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance. There will be no 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 the proposed Rule on small businesses has been considered. It is estimated that the proposed action is not expected to have a significant adverse economic impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory flexibility methods in drafting the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impacts of the proposed Rule 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. The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. Per HCR

170, "provider" means an organization that provides services for individuals with developmental disabilities. In particular, there should be no known or foreseeable effect on the staffing level requirements or qualifications required to provide the same level of service; no total direct and indirect effect on the cost to the providers to provide the same level of service; or no overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed Rule. Such comments must be received no later than Monday, February 28, 2022 at COB, 4:30 p.m., and should be addressed to Amanda Ames, Chief Engineer, Engineering Services Section, Office of Public Health, P.O. Box 4489, Baton Rouge, LA 70821-4489, or faxed to (225) 342-7303. If comments are to be shipped or hand-delivered, please deliver to the Bienville Building, 628 N. Fourth Street, Room 125, Baton Rouge, LA 70802.

Public Hearing

LDH-OPH will conduct a public hearing at 1 pm on Monday, February 28, 2022, in Room 118 of the Bienville Building, 628 North Fourth Street, Baton Rouge, LA. Parking is available to the public in the 7-story Galvez Parking Garage which is located between N. Sixth and N. Fifth Streets / North and Main Streets (cater-corner and across the street from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to the Bienville Building's front security desk. All interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Joseph Kanter, MD, MPH
State Health Officer
and
Dr. Courtney N. Phillips
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Sanitary Code Community Water System Accountability

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

In accordance with Act 98 of the 2021 Regular Legislative Session, the proposed rule adopts an accountability process for community water systems by establishing a letter grade schedule to determine a letter grade and score for each community water system (CWS). As required by Act 98, the letter grade schedule is based on seven minimum standards that include federal water quality violations, state violations, financial sustainability, operation and maintenance performance, infrastructure violations, customer satisfaction, and secondary contaminants. For financial sustainability, the proposed rule establishes a new requirement for community water systems to have a rate study conducted every 5 years by an approved entity established in the proposed rule. The proposed rule also amends existing provisions of Part XII of the State Sanitary Code (LAC 51:XII) to provide updates and clarifications which do not impose any new requirements for public water systems.

State and local agencies that own/operate a CWS may incur costs to comply with the rate study requirement in the proposed

NOTICE OF INTENT

Department of Revenue Policy Services Division

Partnership Returns-Electronic Filing Requirements; Filing Extensions for Partnerships Filing Partnership/Partnership Composite Returns (LAC 61:III.1507 and 2505)

Under the authority of R.S. 47:201, R.S. 47:1511, R.S. 47:1514, and R.S. 47:1520 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to amend LAC 61:III.1507 and 2505.

The primary purpose of these proposed amendments is to require electronic submission for both the filing and requests for extension of filing the partnership/partnership composite tax return by any partnership required to so file.

Title 61

REVENUE AND TAXATION

Part III. Administrative and Miscellaneous Provisions

Chapter 15. Mandatory Electronic Filing of Tax Returns and Payment

§1507. Partnership Returns-Electronic Filing Requirements

A. Every partnership that files a Louisiana Partnership Tax Return, except for those partnerships filing composite partnership returns, shall be required to file the return electronically with the Department of Revenue using the electronic format prescribed by the department. For taxable periods beginning on or after January 1, 2021, partnerships filing composite partnership returns must also file a Louisiana Partnership Return electronically. The format shall be as follows:

A.1. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:201, R.S. 47:1511, and R.S. 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 44:1639 (September 2018), amended by the Department of Revenue, Policy Services Division, LR 48:

Chapter 25. Returns

§2505. Filing Extensions for Partnerships filing Partnership/Partnership Composite Returns

A. Revised Statute Title 47, Section 1514 provides that the secretary may grant a reasonable extension to file any tax return due under this subtitle, not to exceed six months, from the date the return is due.

1. To obtain a filing extension for filing a partnership/partnership composite return, partnerships must make the request on or before the tax return's due date.

2. A partnership must request a state filing extension by submitting an electronic application.

A.3. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 47:1514.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 40:801 (April 2014), amended by the Department of Revenue, Policy Services Division, LR 48:

rule. The cost for these agencies is dependent upon on the size of the CWS and if the CWS does not have a current rate study (i.e., rate study conducted on/after April 20, 2017). LDH estimates an annual cost of \$800 for small CWSs and \$1,200 for large CWSs to have a rate study conducted every 5 years. There are 387 small CWSs and 61 large CWSs that are owned/operated by a state and local agency. LDH estimates a total annual cost of \$383,000 for all 448 CWSs to comply with the rate study requirement. This estimate assumes that all 448 CWSs will incur costs for an updated rate study every 5 years, in the worst case scenario. However, any CWS that has incurred debt through the United States Department of Agriculture (USDA) or the LDH-Drinking Water Revolving Loan Fund (DWRLF) since April 20, 2017 would already have a rate study that potentially can be used. Also, the Louisiana Rural Water Association (LRWA) is an approved entity that conducts rate studies at no cost for CWSs. Therefore, there may be no fiscal impact for those CWSs initially or at all.

Louisiana Department of Health – Office of Public Health (LDH-OPH) will incur approximately \$2,000 in costs associated with publishing this proposed rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

If a state or local government owned and operated CWS incurs any costs, it is expected that their costs will either be absorbed by the affected agency or the agency will raise its rate on the sale of water to any customers served by the public water system.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Persons, small businesses, or non-governmental groups that own/operate a CWS may incur costs to comply with the rate study requirement in the proposed rule. The cost for these is dependent on the size of the CWS and if the CWS does not have a current rate study (i.e., rate study conducted on/after April 20, 2017). LDH estimates an annual cost of \$800 for small CWSs and \$1,200 for large CWSs to have a rate study conducted every 5 years. There are 501 small CWSs and 14 large CWSs that are owned/operated by persons, small businesses, or non-governmental groups. LDH estimates a total annual cost of \$418,000 for all 515 CWSs to comply with the rate study requirement. This estimate assumes that all 515 CWSs will incur costs for an updated rate study every 5 years, in the worst case scenario. However, any CWS that has incurred debt through the United States Department of Agriculture (USDA) or the LDH-Drinking Water Revolving Loan Fund (DWRLF) since April 20, 2017 would already have a rate study that potentially can be used. Also, the Louisiana Rural Water Association (LRWA) is an approved entity that conducts rate studies at no cost for CWSs. Therefore, there may be no fiscal impact for those CWSs initially or at all.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule may cause an increase in competition to hire and retain a qualified water system operator. Water system operators that focus on improving water quality and minimizing violations can help the CWS to receive a better grade. This may cause an increase in employment of qualified operators to properly operate, maintain, monitor, assess and take appropriate corrective actions to remain in compliance with the safe drinking water regulations that will affect the CWSs letter grade and score.

Joseph Kanter, MD, MPH
State Health Officer
2201#035

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

Family Impact Statement

The proposed amendment of LAC 61:III.1507, regarding partnership electronic filing requirements, and LAC 61:III.2505, regarding filing extensions for partnerships filing partnership/partnership composite returns, 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 Statement

This proposed regulation will have no impact on poverty as described in R.S. 49:973.

Small Business Statement

It is anticipated that this proposed amendment should not 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

The proposed amendment 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 Brad Blanchard, Attorney, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4 p.m., Thursday, February 24, 2022.

Public Hearing

A public hearing will be held on Friday, February 25, 2022, at 10 a.m. in the River Room, on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Kimberly J. Lewis
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Partnership Returns-Electronic Filing Requirements; Filing Extensions for Partnerships Filing Partnership/Partnership Composite Returns

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Implementation of this proposed rule will not result in additional costs or cost savings. The Department of Revenue, Policy Services Division, proposes to amend LAC 61:III.1507 and 2505 relative to partnership returns. These proposed amendments require partnerships that are filing composite partnership returns to file returns and filing extensions electronically. Beginning with the partnership returns filed in 2022, the composite partnership return will be filed as an attachment to the Louisiana Partnership Return. Computer system acceptance of the required electronic returns and filing extensions is already in place.

Local governmental units are not affected by this proposal.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is not anticipated to have any effect on revenue collection of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Although LDR cannot determine the additional costs incurred by partnerships filing composite partnership tax returns to comply with this change, any costs are expected to be minimal, as online access and activity has largely become a business standard. Composite partnership return filers may incur costs to the extent that additional fees are charged by tax preparers or tax preparation software companies. Tax preparers may incur costs to the extent additional fees are charged by tax preparation software companies.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to have any effect on competition or employment.

Kimberly Lewis
Secretary
2201#046

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Hunting Regulations for the 2021-2023 Seasons
(LAC 76:XIX.Chapter 1)

Notice is hereby given that the Wildlife and Fisheries Commission proposes to amend the general and wildlife management area rules and regulations for the 2022-2023 season, the resident game hunting season for the 2022-2024 hunting seasons, the general and wildlife management area rules and regulations for the turkey season, the turkey hunting areas, and seasons, and bag limits for the 2023

turkey season, and the migratory bird seasons, regulations, and bag limits for the 2022-2023 hunting season. The department manages the take of resident game, outlaw quadrupeds and migratory birds in Louisiana and this action defines legal participants, sets the legal season bag limits along with legal methods of take and hunting season dates for the 2022-2023 hunting season for wildlife in Louisiana. The new hunting rules and regulations for the 2022-2023 and 2023-2024 seasons clarify opening and closing dates of certain hunting seasons; establishes new regulations for certain wildlife management areas (WMA); changes the rule for tagging and reporting of harvested deer and turkey; clarifies rules regarding regulations for private lands encompassed by WMA, houseboat mooring permits and youth shotgun deer season on Atchafalaya Delta WMA, limited use areas on Bodcau and Loggy Bayou WMAs, self-clearing permit regulations of Fort Polk-Vernon WMA, and reservation procedures for certain hunting blinds on Clear Creek and Fort Polk-Vernon WMAs; update references to hunting regulations of Fort Polk-Vernon and Peason Ridge WMAs and the firing range telephone number on Sherburne WMA; corrects the description of the procedure for purchasing turkey hunting licenses by mail; adds one day to the primitive firearms season on Camp Beauregard WMA, one day to the youth turkey lottery hunting seasons on Clear Creek and West Bay WMAs, 15 days to the deer archery hunting season on Tunica Hills WMA; modifies the timing of the general lottery hunt on Bayou Pierre WMA, the mourning dove season on Elbow Slough WMA, the physically challenged wheelchair confined hunt on Buckhorn WMA, and the youth lottery hunts on Dewey Wills, Buckhorn and Floy McElroy WMAs; prohibits the use of weapons other than archery gear to harvest deer within the limited use area of Bodcau WMA; removes a requirement to possess a permit to use the bird dog training area on Bodcau WMA; prohibits the harvest of antlerless deer during the primitive and modern firearm seasons on Joyce, Maurepas Swamp and Salvador WMAs; prohibits trespassing on the water control structures on Pointe-Aux-Chenes WMA; moves the opening day for primitive firearms season on Sherburne WMA from Friday to Saturday after Thanksgiving, shortening the season by one day; opens all of Caddo Parish to turkey hunting and shortens the state seasons for falconry hunting for woodcock, rails, gallinules, and ducks by one day.

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 and the final Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§101. General

A. The resident game hunting season regulations have been adopted by the Wildlife and Fisheries Commission. A complete copy of the regulations pamphlet may be obtained from the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), LR 30:1493 (July 2004), LR 31:1627 (July 2005), LR 32:1253 (July 2006), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 36:1580 (July 2010), LR 37:2206 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1534 (August 2014), LR 41:958 (May 2015), LR 42:1107 (July 2016), LR 44:1273 (July 2018), LR 45:933 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:

§103. Resident Game Birds and Animals

A. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

B. Consult Regulation Pamphlet for Seasons or Specific Regulations on Wildlife Management Areas or Specific Localities

Species	Season Dates	Daily Bag Limit	Possession Limit
Quail	OPENS: 3rd Saturday of November CLOSES: Last Day of February	10	30
Rabbit and Squirrel	OPENS: 1st Saturday of October CLOSES: Last Day of February	8	24
Squirrel*	OPENS: 1st Saturday of May for 23 days	3	9
Deer 2022-2023	See Schedule	1 antlered and 1 antlerless (when legal)	Deer Areas 1,2,3,5,6,7,8, and 9 6/season (not to exceed 3 antlered deer or 4 antlerless deer). Deer Areas 4 and 10 limit 3/season (not to exceed 2 antlered or 2 antlerless deer).

*NOTE: Spring squirrel season is closed on the Kisatchie National Forest, National Wildlife Refuges, U.S. Army Corps of Engineers property. Some state wildlife management areas will be open, check WMA season schedule.

C. Deer Hunting Schedule 2022-2023

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
2	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: Next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: After 7 days.	OPENS: Last Sat. of Oct. CLOSES: Tues. before 2nd Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the 1st Sat. of Dec.	OPENS: Wed. before the 2nd Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the 1st Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
4	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
5	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: 2 nd Sat. of Nov. CLOSES: Fri. before 3 rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas (EITHER SEX).
6	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec.	OPENS: 2nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan.
7	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15.	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
8	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2 nd Sat. of Nov. CLOSES: Fri. before 3 rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Sunday of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2 nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2 nd Sat. of Dec. CLOSES: Sun. after 2 nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas.
10	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days	OPENS: 3 rd Sat. of Oct. CLOSES: 38 days after Thanksgiving Day	

D. Deer Hunting Schedule 2023-2024

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2 nd Sat. of Nov. CLOSES: Fri. after 2 nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2 nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
2	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: Next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: After 7 days.	OPENS: Last Sat. of Oct. CLOSES: Tues. before 2 nd Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the 1st Sat. of Dec.	OPENS: Wed. before the 2 nd Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the 1st Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3 rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
4	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2 nd Sat. of Nov. CLOSES: Fri. after 2 nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2 nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
5	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: 2 nd Sat. of Nov. CLOSES: Fri. before 3 rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1 st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2 nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1 st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2 nd Sat. of Dec. CLOSES: Sun. after 2 nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas.
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7	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15.	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3 rd Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
8	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3 rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2 nd Sat. of Nov. CLOSES: Fri. before 3 rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. CLOSES: Last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1 st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Sunday of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2 nd Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the 1 st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2 nd Sat. of Dec. CLOSES: Sun. after 2 nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas
10	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: After 7 days		

E. Farm-raised white-tailed deer on supplemented shooting preserves:

1. archery, firearm, primitive firearms—October 1-January 31 (either-sex).

F. Exotics on supplemented shooting preserves:

1. either sex—no closed season.

G. Spring squirrel hunting:

1. season dates—opens 1st Saturday of May for 23 days;

2. closed areas:

a. Kisatchie National Forest, national wildlife refuges, and U.S. Army Corps of Engineers property and all WMAs except as provided in Paragraph 3 below;

3. wildlife management area schedule—opens first Saturday of May for nine days on all WMAs except Fort Polk, Peason Ridge, Camp Beauregard, Atchafalaya Delta, Pass-a-Loutre and Salvador/Timken. Dogs are allowed during this season for squirrel hunting;

4. limits—daily bag limit is three and possession limit is nine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), amended LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR 32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 35:2856 (December 2009), LR 36:1580 (July 2010), LR 37:2207 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1535 (August 2014), LR 41:958 (May 2015), LR 42:1108 (July 2016), LR 43:1420 (July 2017), LR 44:1273 (July 2018), LR 45:934 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:

§111. General and Wildlife Management Area Hunting Rules and Regulations

A. Hunting Seasons and Wildlife Management Area (WMA) Regulations

1. The rules and regulations contained within this digest have been officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by sections 115 and 116 of title 56 of the *Louisiana Revised Statutes* of 1950 and are in full force and effect in conjunction with all applicable statutory laws. The secretary of the Department of Wildlife and Fisheries (LDWF) has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

2. Pursuant to section 40.1 of title 56 of the *Louisiana Revised Statutes* of 1950, the Wildlife and Fisheries Commission has adopted monetary values which are assigned to all illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds and other wildlife and aquatic life. Anyone taking, possessing, injuring or destroying fish, wild birds, wild quadrupeds and other wildlife and aquatic life shall be required to reimburse the LDWF a sum of money equal to the value of the wildlife illegally taken, possessed, injured or destroyed. This monetary reimbursement shall be in addition to any and all criminal penalties imposed for the illegal act.

B. Resident Game Birds and Animals

1. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

C. Other Season Dates

1. Turkey. Please refer to turkey regulations.

2. Raccoon and Opossum. No closed season. Raccoon and opossum can be taken at night by one or more licensed hunters with one or more dogs and one .22 caliber or smaller rimfire firearm. A licensed hunter may take raccoon or opossum with .22 caliber or smaller rimfire firearm, .36 caliber or smaller muzzleloader rifle, archery gear, air rifle or shotgun during daylight hours. Hunting from boats or motor vehicles is prohibited. No bag limit for nighttime or daytime raccoon or opossum hunting during the open trapping season except on certain WMAs as listed. The remainder of the year, the raccoon and opossum bag limit for daytime or nighttime is two per person per day or night. No one who hunts raccoons or opossums as prescribed above shall pelt during the closed trapping season nor sell skins or

carcasses of raccoons and opossums taken during the open trapping season unless he is the holder of a valid trapping license which shall be required in addition to his basic hunting license. Pelting or selling carcasses is illegal during closed trapping season.

3. Nutria. On WMAs and private property nutria may be taken recreationally by licensed hunters from September 1 through the last day of February, during legal shooting hours by any legal hunting method with a daily limit of five. Except nutria may be taken on Atchafalaya Delta, Salvador/Timken, Pointe-Aux-Chenes and Pass-a-Loutre WMAs from September 1 to March 31. When taken with a shotgun, non-toxic shot must be used. On WMAs during waterfowl seasons, nutria may be taken only with the use of shotguns with shot no larger than F steel, and during gun deer seasons, anyone taking nutria must display 400 square inches of “hunter orange” and wear a “hunter orange” cap or hat. Recreational nutria hunters must remove each nutria carcass in whole condition from the hunting area, except that nutria may be gutted. Possession of detached nutria parts, including nutria tails, by recreational hunters is illegal. Nutria harvested recreationally may not be pelted nor may such nutria or any nutria parts from recreationally taken nutria be sold, including the tail. Trespassing upon private property for the purpose of taking nutria or other furbearing animals is punishable by fines and possible jail time (R.S. 56:265). The Coastwide Nutria Control Program is a separate program and is in no way related to the nutria recreational season. For questions on the Coastwide Nutria Control Program, call the Lafayette Field Office, (337) 735-8672.

4. Blackbirds and Crows. The season for crows shall be September 1 through January 1 with no limit; however crows, blackbirds, cowbirds and grackles may be taken year round during legal shooting hours if they are depredating or about to depredate upon ornamentals or shade trees, agricultural crops, livestock, wildlife, or when concentrated in such numbers as to cause a health hazard. Louisiana has determined that the birds listed above are crop depredators and that crows have been implicated in the spread of the West Nile virus in humans. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

5. Pheasant. Open concurrently with the quail season; no limit.

6. Falconry. Special permit required. Resident and migratory game species may be taken except turkeys. Seasons and bag limits are the same as for statewide and WMA regulations. Refer to LAC 76:V.301 for specific falconry rules.

7. Licensed Hunting Preserve, October 1-April 30, Pen-Raised Birds Only. No limit entire season. Refer to LAC 76:V.305 for specific hunting preserve rules.

8. Deer Management Assistance Program (DMAP). Refer to LAC 76:V.111 for specific DMAP rules. Deer management assistance tags must be in the possession of the hunter in order to harvest an antlerless deer. The tag shall be attached through the hock in such a manner that it cannot be removed before the deer is transported (including those

taken on either-sex days and those taken with approved archery equipment or primitive firearms). Failure to do so is a violation of R.S. 56:115. Deer harvested on property enrolled in DMAP do not count in the season or daily bag limit for hunters when legally tagged with DMAP tags. DMAP participants must follow the deer season schedule established for their respective areas, EXCEPT antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Failing to follow DMAP rules and regulations may result in suspension and cancellation of the program on those lands involved.

9. Farm Raised White-tailed Deer and Exotics on Licensed Supplemented Shooting Preserves

a. Definitions

Exotics—for purposes of this Section means any animal of the family *Bovidae* (except the tribe *Bovini* [cattle]) or *Cervidae* which is not indigenous to Louisiana and which is confined on a supplemented hunting preserve. *Exotics* shall include, but are not limited to, fallow deer, red deer, elk, sika deer, axis deer, and black buck antelope.

Hunting—in its different tenses and for purposes of this Section means to take or attempt to take, in accordance with R.S. 56:8.

Same as Outside—for purposes of this Section means hunting on a supplemented hunting preserve must conform to applicable statutes and rules governing hunting and deer hunting, as provided for in title 56 of the *Louisiana Revised Statutes* and as established annually by the Wildlife and Fisheries Commission.

Supplemented Hunting Preserve—for purposes of this Section means any enclosure for which a current farm-raising license has been issued by the Department of Agriculture and Forestry (LDAF) with concurrence of the LDWF and is authorized in writing by the LDAF and LDWF to permit hunting.

White-Tailed Deer—for purposes of this Rule means any animal of the species *Odocoileus virginianus* which is confined on a supplemented hunting preserve.

b. Seasons:

i. farm-raised white-tailed deer: consult the regulations pamphlet;

ii. exotics: year round.

c. Methods of take:

i. white-tailed deer: same as outside;

ii. exotics: exotics may be taken with traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means; shotguns not larger than 10 gauge, loaded with buckshot or rifled slug; handguns and rifles no smaller than .22 caliber centerfire; or muzzleloading rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle or cap and ball cylinder, using black powder or an approved substitute only, and using ball or bullet projectile, including sabot bullets only and other approved primitive firearms.

d. Shooting hours:

i. white-tailed deer: same as outside;

ii. exotics: one-half hour before sunrise to one-half hour after sunset.

e. Bag limit:

i. farm-raised white-tailed deer: same as outside;

ii. exotics: no limit.

f. Hunting licenses:

i. white-tailed deer: same as outside;

ii. exotics: no person shall hunt any exotic without possessing a valid basic and deer hunting license.

g. Tagging. White-tailed deer and exotics: each animal shall be tagged in the left ear or left antler immediately upon being killed and before being moved from the site of the kill with a tag provided by the LDAF. The tag shall remain with the carcass at all times.

10. Bobcat. No person other than the holder of a valid basic hunting license may take or possess bobcat, except licensed trappers who may take or possess bobcat during the open trapping season. A basic hunting licensee shall only take bobcat during the time period from one-half hour before sunrise to one-half hour after sunset with approved archery equipment, shotgun, muzzleloader or centerfire firearm. A basic hunting licensee shall not take more than one bobcat per calendar year. This regulation applies only to property that is privately owned, state WMAs, Kisatchie National Forest, and the Bayou des Ourses, Bodcau, Bonnet Carre, and Indian Bayou tracts owned by the Corps of Engineers, but does not apply to state wildlife refuges, or other federally owned refuges and lands. On state WMAs and Kisatchie National Forest, the take of bobcat is restricted to those open seasons on the WMAs which require the respective legal weapons noted above.

D. Hunting—General Provisions

1. A basic resident or non-resident hunting license is required of all persons to hunt, take, possess or cause to be transported by any other person any wild bird or quadruped. See information below for exceptions.

2. No person born on or after September 1, 1969, shall hunt unless that person has first been issued a certificate of satisfactory completion of a firearm and hunter education course approved by the department, except any active or veteran member of the United States armed services or any POST-certified law enforcement officer. Application for the exemption shall be filed in person at the LDWF main office building in the city of Baton Rouge. A person under 16 years of age may hunt without such certificate if he/she is accompanied by and is under the direct supervision of a person who was born before September 1, 1969, and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department.

3. A deer or turkey license, whichever is appropriate, is required in addition to the basic hunting license to hunt, take, possess or cause to be transported any deer or turkey. Additionally, any person younger than 18 years of age engaged in an activity that necessitates the use of deer tags or turkey tags, or involves participation in a youth lottery hunt shall have in their immediate possession a valid, original youth license.

4. A hunting guide license is required for any person or entity who publicly represents himself to be a hunting guide or who transports, aids or provides assistance to another individual(s) in the act of taking, or attempting to take, any wildlife species for compensation on a transactional or for-hire basis. For purposes of this rule, a hunting guide license is not required for any person or entity employed or contracted by a private hunting club to provide

hunting guide services exclusively for the club's private members and its invited guests.

5. Taking game quadrupeds or birds from aircraft or participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

6. Methods of Taking Resident Game Birds and Quadrupeds

a. It is illegal to intentionally feed, deposit, place, distribute, expose, scatter, or cause to be fed, deposited, placed, distributed, exposed, or scattered raw sweet potatoes to wild game quadrupeds.

b. Use of a traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means or a shotgun not larger than a 10 gauge fired from the shoulder shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle and falconry (special permit required) shall be legal for taking all game species except turkey. It shall be illegal to hunt or take squirrels or rabbits at any time with a breech-loaded rifle or handgun larger than .22 caliber, any centerfire firearm, or a muzzleloading firearm larger than .36 caliber. It shall be legal to hunt or take squirrels, rabbits, and outlaw quadrupeds with air rifles.

c. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs is prohibited when or where a still hunting season or area is designated, and will be strictly enforced. Shotguns larger than 10 gauge or capable of holding more than three shells shall be prohibited. Plugs used in shotguns must be incapable of being removed without disassembly. Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

d. No person shall take or kill any game bird or wild quadruped with a firearm fitted with an infrared sight, laser sight, or except as provided in R.S. 56:116(A)(8) any sighting device which projects a beam of light to the target or otherwise electronically illuminates the target, or device specifically designed to enhance vision at night [R.S. 56:116.1(B)(3)(a-b)].

7. Nuisance Animals. Landowners or their designees may remove beaver and nutria causing damage to their property without a special permit. Water set traps and firearms may be used to remove beaver; nutria may be removed by any means except that nutria cannot be taken by the use of headlight and gun between the hours of sunset and sunrise. With a special permit issued by the LDWF, beavers may be taken between one-half hour after official sunset to one-half hour before official sunrise for a period of three consecutive calendar evenings from the effective date of the permit. Any nuisance beaver or nutria trapped or shot outside open trapping season cannot be pelted or sold. A trapping license is required to sell or pelt nuisance beavers or nutria taken during open trapping season. Squirrels found depredeating commercial crops of pecans may be taken year-round by permit issued by the LDWF. This permit shall be valid for 30 days from the date of issuance. Contact the local region office for details.

8. Threatened and endangered species. Taking or harassment of any of these species is a violation of state and federal laws. (LAC 76:1.317)

1. Invertebrates		
Pink Mucket	<i>Lampsilis abrupta</i>	E
Louisiana Pearlshell	<i>Margaritifera hembeli</i>	T
Fat Pocketbook	<i>Potamilus capax</i>	E
Inflated Heelsplitter	<i>Potamilus inflatus</i>	T
Rabbitsfoot	<i>Quadrula cylindrica</i>	T
2. Fish		
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E
Smalltooth Sawfish	<i>Pristis pectinata</i>	E
3. Amphibians		
Dusky Gopher Frog	<i>Lithobates sevosus</i>	E
4. Reptiles (including eggs)		
Loggerhead Sea Turtle	<i>Caretta caretta</i>	T
Green Sea Turtle	<i>Chelonia mydas</i>	T
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	E
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	E
Leatherback Sea Turtle	<i>Dermodochelys coriacea</i>	E
Ringed Map Turtle	<i>Graptemys oculifera</i>	T
Gopher Tortoise	<i>Gopherus polyphemus</i>	T
Black Pinesnake	<i>Pituophis melanoleucus lodingi</i>	T
Louisiana Pinesnake	<i>Pituophis ruthveni</i>	T
5. Birds (including eggs)		
Whooping Crane	<i>Grus americana</i>	E
Piping Plover	<i>Charadrius melodus</i>	T
Red Knot	<i>Calidris canutus rufa</i>	T
Interior Least Tern	<i>Sternula antillarum athalassos</i>	E
Red-cockaded Woodpecker	<i>Picoides borealis</i>	E
6. Mammals		
West Indian Manatee	<i>Trichechus manatus</i>	T
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	T
Sperm Whale	<i>Physeter macrocephalus</i>	E
Florida Panther	<i>Felis concolor coryi</i>	E
7. Plants		
American Chaffseed	<i>Schwalbea americana</i>	E
Earth-fruit	<i>Geocarpon minimum</i>	T
Louisiana Quillwort	<i>Isoetes louisianensis</i>	E
Pondberry	<i>Lindera melissifolia</i>	E
E = Endangered; T = Threatened		

9. Outlaw Quadrupeds. Holders of a legal hunting license may take coyotes, feral hogs, and armadillos year round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season. Coyote hunting is restricted to chase only when using dogs during still hunting segments of the firearm and archery only seasons for deer. Foxes are protected quadrupeds and may be taken only with traps by licensed trappers during the trapping season. Remainder of the year "chase only" allowed by licensed hunters. On private property, outlaw quadrupeds may be taken with or by means of an automatic-loading or hand-operated repeating shotgun capable of holding more than three shells when using buckshot or rifled slug ammunition and may be taken while riding or standing in or upon a moving land vehicle.

10. Nighttime Take of Nuisance Animals and Outlaw Quadrupeds. On private property, the landowner, or his lessee or agent with written permission from the landowner and the landowner's contact information in his possession, may take outlaw quadrupeds (coyotes, armadillos and feral hogs), nutria, or beaver during nighttime hours. However, no person shall be allowed to participate or be present during the nighttime hunting activities if convicted of a Class 3 or greater wildlife violation within the previous five years or if he has any other prohibition which would prevent the legal

use of a firearm or participation in a hunting activity. Such taking may be with or without the aid of artificial light, infrared or laser sighting devices, or night vision devices. In addition, pursuant to R.S. 56:116(D)(3) any person who is authorized to possess a firearm suppressor may use a firearm fitted with a sound suppressor when taking outlaw quadrupeds, nutria, or beaver. Any person attempting to take outlaw quadrupeds, nutria, or beaver under the provisions of the Paragraph, shall notify the Sheriff of the Parish in which the property is located of his intention to attempt to take outlaw quadrupeds, nutria or beaver within twenty-four hours prior to the attempted taking or immediately upon taking the animal.

11. Hunting and/or Discharging Firearms on Public Roads. Hunting, standing, loitering or shooting game quadrupeds or game birds while on a public road or public road right-of-way is prohibited. Hunting or the discharge of firearms on roads or highways located on public levees or within 100 feet from the centerline of such levee roads or highways is prohibited. Spot lighting or shining from public roads is prohibited by state law. Hunting from all public roads and public road rights-of-way is prohibited.

12. Tags. Any part of the deer or wild turkey divided shall have affixed thereto the name, date, address and deer or turkey or youth license number, whichever is the appropriate license, of the person killing the deer or wild turkey and the sex of that animal. This information shall be legibly written in pen or pencil, on any piece of paper or cardboard or any material, which is attached or secured to or enclosing the part or parts. See DMAP Regulations (LAC 76:V.111) for deer management assistance tagging requirements on lands enrolled in DMAP.

13. Sex Identification. Positive evidence of sex identification, including the head or sex organs, shall remain on any deer taken or killed within the state of Louisiana, or on all turkeys taken or killed so long as such deer or turkey is kept in camp or field, or is in route to the domicile of its possessor, or until a deer has been appropriately tagged and validated, and proof of electronic tagging or the carcass tag remains with the carcass, or until such deer or turkey has been stored at the domicile of its possessor or divided at a cold storage facility and has become identifiable as food rather than as wild game. Possessors of any portion of a deer or wild turkey, which has been divided in camp or field, without evidence of positive sex identification shall affix a tag in accordance with LAC 76:XIX.111.D.11 identifying the sex of the animal.

E. General Deer Hunting Regulations

1. Prior to hunting deer, all deer hunters, regardless of age or license status, must obtain carcass or electronic deer tags and have in possession when hunting deer. Immediately upon harvesting a deer, the hunter must tag the deer with the appropriate carcass or electronic tag. If using physical tag, the parish and date of kill must be documented on the deer tag and the hunter must validate the harvest by calling the validation toll free number or by utilizing the department's website within 72 hours of the kill. Hunters utilizing electronic tags shall electronically tag and validate their harvest before moving the deer. Hunters harvesting deer on DMAP lands can validate deer per instructions by LDWF using the DMAP harvest data sheets.

2. 2022-2023 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

3. 2023-2024 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

4. A legal antlered deer is a deer with at least one visible antler of hardened bony material, broken naturally through the skin. Killing antlerless deer is prohibited except where specifically allowed.

5. *Either-sex deer* is defined as male or female deer. Taking or possessing spotted fawns is prohibited.

6. It is illegal to hunt or shoot deer with firearms smaller than .22 caliber centerfire or a shotgun loaded with anything other than buckshot or slug. Handguns may be used for hunting.

7. Taking game quadrupeds or birds from aircraft, participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

8. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs or moving vehicles, including ATVs, when or where a still hunting season or area is designated, is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during the gun still hunting and archery only season. Deer hunting with dogs is allowed in all other areas having open deer seasons that are not specifically designated as still hunting only. A dog may be used to trail and retrieve wounded or unrecovered deer. The dog must be leashed during legal hunting hours, but may be unleashed after legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address, and phone number.

9. It is illegal to take deer while deer are swimming or while the hunter is in a boat with motor attached in operating position; however the restriction in this Paragraph shall not apply to any person who has lost one or more limbs.

10. Areas not specifically designated as open are closed.

11. It is unlawful to import, sell, use or possess scents or lures that contain natural deer urine or other bodily fluids, except natural deer urine products produced by manufacturers or entities that are actively enrolled and participating in either the Responsible Hunting Scent Association (RHSA) or Archery Trade Association Deer Protection Program, which has been tested using real-time quaking induced conversion (RT-QuIC) and certified that no detectable levels of Chronic Wasting Disease (CWD) are present and is clearly labeled as such.

12. Primitive Firearms Season: Still Hunt Only. Specific WMAs will also be open, check WMA schedule for specific details. A deer or senior license, whichever is appropriate, is required for all hunters 18 years of age and older. Additionally, any person younger than 18 years of age hunting the primitive firearms season shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a Bucks Only season is in progress. In such cases, hunters must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest.

a. Legal Firearms for Primitive Firearms Season

i. Rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball, shot, or bullet projectile only, including sabot bullets, and may be fitted with magnified scopes.

ii. Single shot, breech loading rifles or single shot, breech loading pistols, .35 caliber or larger, having an exposed hammer, that use metallic cartridges loaded either with black powder or modern smokeless powder, and may be fitted with magnified scopes.

iii. Single shot, breech loading shotguns, 10 gauge or smaller, having an exposed hammer, loaded with buckshot or slug.

iv. Youths 17 or younger may hunt deer with any legal weapon during the primitive firearms season in each deer hunting area.

13. Archery Season. A deer or senior license, whichever is appropriate, is required for all bow hunters 18 years of age and older. Additionally, any person younger than 18 years of age archery deer hunting shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a bucks only season is in progress for gun hunting, and except in areas 6 and 9 from October 1-15. Archers must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMA.

a. Bow and Arrow Regulations. Traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means will be a legal means of take for all properly licensed hunters. Hunting arrows for deer

must have well-sharpened broadhead points. Bow and arrow fishermen must have a sport fishing license and may not carry any arrows with broadhead points unless a deer or turkey season is in progress.

i. It is unlawful:

(a). to have in possession or use any poisoned or drugged arrow or arrows with explosive tips;

(b). to hunt deer with a bow having a pull less than 30 pounds;

(c). to hunt with a bow or crossbow fitted with an infrared, laser sight, electrically-operated sight or device specifically designed to enhance vision at night (does not include non-projecting red dot sights) [R.S. 56:116.1.B.(4)].

14. Hunter Orange or Blaze Pink. Any person hunting any wildlife during the open gun deer hunting season and possessing buckshot, slugs, a primitive firearm, or a centerfire rifle shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange" or "blaze pink". Persons hunting on privately owned land may wear a "hunter orange" or "blaze pink" cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting deer from elevated stands on property that is privately owned or to archery deer hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting deer on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a "hunter orange" or "blaze pink" cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed. Warning: deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "hunter orange" or "blaze pink".

15. Physically Challenged Season on Private Lands (Either-Sex): first Saturday of October for two days. Restricted to individuals with physically challenged hunter permit.

16. Youth and Honorably Discharged Veterans Season on Private Lands (Either-Sex). Areas 1, 4, 5, 6 and 9: last Saturday of October for seven days; area 2: second Saturday of October for seven days; and areas 3, 7, 8 and 10: fourth Saturday of September for seven days. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Additionally, any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times. Except youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. One of the following must be carried by veterans while hunting:

a. Louisiana OMV issued U.S. Veterans Driver's License; or

b. U.S. Department of Defense Form 214 or one of the following DD_214 equivalents:

i. pre DD 214 era documents (1941_1950):

(a). WE AGO (war department adjutant general) forms, to include WD AGO 53, WD AGO 55, WD AGO 53_55;

(b). JAVPERS (naval personnel) discharge documents, to include NAVPERS 553, NAVMC78PD, NAVCG 553;

ii. National Personnel Records Center NPRC "statement of service," issued as a result of a destroyed discharge record during the 1973 National Archives fire;

iii. National Guard/Air National Guard must have NGB_22 with 6 or more years of service.

F. Description of Areas, 2021-2023

1. Area 1

a. All of the following parishes are open: Concordia, East Carroll, Franklin, Madison, Richland, Tensas, West Carroll.

b. Portions of the following parishes are also open:

i. Catahoula—east of Boeuf River to Ouachita River, east of Ouachita River from its confluence with Boeuf River to LA 8, south and east of LA 8 southwesterly to parish line;

ii. Grant—east of US 165 and south of LA 8;

iii. LaSalle—south of a line beginning where Little River enters Catahoula Lake following the center of the lake eastward to Old River then to US 84, east of US 84 northward to LA 8, south of LA 8 eastward to parish line;

iv. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

v. Rapides—east of US 165 and north of Red River.

c. Still hunting only in all or portions of the following parishes:

i. Catahoula—south of Deer Creek to Boeuf River, east of Boeuf and Ouachita Rivers to LA 8 at Harrisonburg, west of LA 8 to LA 913, west of LA 913 and LA 15 to Deer Creek;

ii. East Carroll—all;

iii. Franklin—all;

iv. Morehouse—east of US 165 (from Arkansas state line) to Bonita, south and east of LA 140 to junction of LA 830-4 (Cooper Lake Road), east of LA 830-4 to Bastrop, east of LA 139 at Bastrop to junction of LA 593, east and north of LA 593 to Collinston, east of LA 138 to junction of LA 134 and south of LA 134 to Ouachita line at Wham Brake;

v. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

vi. Richland—all;

vii. West Carroll.

2. Area 2

a. All of the following parishes are open:

i. Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, Jackson, Lincoln, Natchitoches, Red River, Sabine, Union, Webster, Winn;

ii. except: Kisatchie National Forest which has special regulations. Caney, Corney, Middlefork tracts of Kisatchie have the same regulations as area 2, except still hunting only for deer.

b. Portions of the following parishes are also open:

i. Allen—north of US 190 from parish line westward to Kinder, east of US 165 from Kinder northward to LA 10 at Oakdale, north of LA 10 from Oakdale westward to the parish line;

ii. Avoyelles—that portion west of I-49;

iii. Catahoula—west of Boeuf River to Ouachita River, west of Ouachita River from its confluence with Boeuf River to LA 8, north and west of LA 8 southwesterly to parish line;

iv. Evangeline—all except the following portions: east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte, and north of US 167 east of Ville Platte;

v. Grant—all except that portion south of LA 8 and east of US 165;

vi. Jefferson Davis—north of US 190;

vii. LaSalle—north of a line beginning where Little River enters Catahoula Lake, following the center of the lake eastward to Old River then to US 84, west of US 84 northward to LA 8, north of LA 8 eastward to parish line;

viii. Morehouse—west of US 165 (from Arkansas state line) to Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to Bastrop, west of LA 139 to junction of LA 593, west and south of LA 593 to Collinston, west of LA 138 to junction of LA 134 and north of LA 134 to Ouachita Parish line at Wham Brake;

ix. Ouachita—all except south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse Parish line at Wham Brake;

x. Rapides—all except north of Red River and east of US 165, south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill, and north of LA 113 from Union Hill to Vernon Parish line, and that portion south of Alexandria between Red River and US 167 to junction of US 167 with I-49 at Turkey Creek exit, east of I-49 southward to parish line;

xi. Vernon—north of LA 10 from the parish line westward to LA 113, south of LA 113 eastward to parish line. Also the portion north of LA 465 west of LA 117 from Kurthwood to Leesville and north of LA 8 from Leesville to Texas state line.

c. Still hunting only in all or portions of the following parishes:

i. Claiborne and Webster—Caney, Corney and Middlefork tracts of Kisatchie National Forest (see Kisatchie National Forest regulations);

ii. Ouachita—east of Ouachita River;

iii. Rapides—west of US 167 from Alexandria southward to I-49 at Turkey Creek exit, west of I-49 southward to parish line, north of parish line westward to US 165, east of US 165 northward to US 167 at Alexandria. North of LA 465 from Vernon Parish line to LA 121, west of LA 121 to I-49, west of I-49 to LA 8, south and east of LA 8 to LA 118 (Mora Road), south and west of LA 118 to Natchitoches Parish line;

iv. Vernon—east of Mora-Hutton Road from Natchitoches Parish line to Hillman Loop Road, south and east of Hillman Loop Road to Comrade Road, south of Comrade Road to LA 465, east and north of LA 465 to Rapides Parish line.

3. Area 3

a. Portions of the following parishes are open:

- i. Acadia—north of I-10;
- ii. Allen—west of US 165 and south of LA 10;
- iii. Beauregard—east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;
- iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;
- v. Jefferson Davis—north of I-10 and south of US 190;
- vi. Lafayette—west of I-49 and north of I-10;
- vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;
- viii. St. Landry—west of US 167;
- ix. Vernon—east of LA 113 to Pitkin, south of LA 10 to Allen Parish line, west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

b. Still hunting only for portions of the following parishes:

- i. Acadia—north of I-10;
- ii. Allen—south of US 190 and west of LA 113;
- iii. Beauregard—west of LA 113 and east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;
- iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;
- v. Jefferson Davis—north of I-10 and south of US 190;
- vi. Lafayette—west of I-49 and north of I-10;
- vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;
- viii. St. Landry—west of US 167;
- ix. Vernon—west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

4. Area 4

a. All of St. Helena and Washington Parishes are open.

b. Portions of the following parishes are also open:

- i. East Baton Rouge—all except that portion west of I-110 and west of US 61;
- ii. East Feliciana—east of US 61;
- iii. Livingston—north of I-12;
- iv. Tangipahoa—north of I-12;
- v. St. Tammany—all except that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain.

c. Still hunting only in all or portions of the following parishes:

- i. East Feliciana and East Baton Rouge—east of Thompson Creek from the Mississippi state line to LA 10,

north of LA 10 from Thompson Creek to LA 67 at Clinton, west of LA 67 from Clinton to Mississippi state line, south of Mississippi state line from LA 67 to Thompson Creek. Also that portion of East Baton Rouge Parish east of LA 67 from LA 64 north to Parish Line, south of Parish Line from LA 64 eastward to Amite River, west of Amite River southward to LA 64, north of LA 64 to LA 37 at Magnolia, east of LA 37 northward to LA 64 at Indian Mound, north of LA 64 from Indian Mound to LA 67. Also, that portion of East Feliciana Parish east of LA 67 from parish line north to LA 959, south of LA 959 east to LA 63, west of LA 63 to Amite River, west of Amite River southward to parish line, north of parish line westward to LA 67;

- ii. St. Helena—north of LA 16 from Tickfaw River at Montpelier westward to LA 449, east and south of LA 449 from LA 16 at Pine Grove northward to Rohner Road, south of Rohner Road to LA 1045, south of LA 1045 to the Tickfaw River, west of the Tickfaw River from LA 1045 southward to LA 16 at Montpelier;

- iii. Tangipahoa—that portion of Tangipahoa Parish north of LA 10 from the Tchefuncte River to LA 1061 at Wilmer, east of LA 1061 to LA 440 at Bolivar, south of LA 440 to the Tchefuncte River, west of the Tchefuncte River from LA 440 southward to LA 10;

- iv. Washington and St. Tammany—east of LA 21 from the Mississippi state line southward to the Bogue Chitto River, north of the Bogue Chitto River from LA 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line from the Pearl River westward to LA 21. Also, that portion of Washington Parish west of LA 25 from the Mississippi state line southward to the Bogue Chitto River, then west of the Bogue Chitto River to its junction with the St. Tammany Parish line, north of the St. Tammany Parish line to the Tangipahoa Parish line, east of the Tangipahoa Parish line to the Mississippi state line, south of the Mississippi state line to its junction with LA 25.

5. Area 5

a. Portions of the following parishes are open:

- i. St. Martin—south of I-10 and east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

- ii. Iberville—south of I-10 and west of the East Atchafalaya Basin Protection Levee;

- iii. Iberia—east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

- iv. St. Mary—east of the West Atchafalaya Basin Protection Levee;

- v. High water benchmark closure. Deer hunting in those portions of Iberville and St. Martin parishes south of I-10, west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee, and north of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 18 feet msl at Butte LaRose, and will reopen when the river stage recedes to 17 feet msl at Butte LaRose. Deer hunting in

those portions of Iberville, St. Martin, St. Mary and Iberia parishes west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee and south of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose, and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

6. Area 6

a. All of West Feliciana and Pointe Coupee Parish is open.

b. Portions of the following parishes are also open:

i. Avoyelles—all except that portion west of I-49;

ii. East Baton Rouge—that portion west of I-110 and west of US 61;

iii. East Feliciana—west of US 61;

iv. Evangeline—that portion east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte and north of US 167 east of Ville Platte;

v. Iberville—all north of I-10, and that portion south of I-10 at the Atchafalaya Basin protection levee south to Upper Grand River, then north of Upper Grand River to the Intracoastal Canal at Jack Miller, then west of the Intracoastal Canal northward to Bayou Plaquemine, then north of Bayou Plaquemine to the Mississippi River;

vi. Lafayette—north of I-10 and east of I-49;

vii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

viii. St. Landry—east of US 167;

ix. St. Martin—north of I-10;

x. West Baton Rouge—north I-10.

c. Still hunting only in all or portions of the following parishes:

i. Avoyelles—north of LA 1 from Simmesport westward to LA 115 at Marksville, east of LA 115 from Marksville northward to the Red River near Moncla, south and west of the Red River to LA 1 at Simmesport;

ii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

iii. West Feliciana—west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to Parish Road #7, east of Parish Road #7 to the junction of US 61 and LA 966, east of LA 966 from US 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

7. Area 7

a. Portions of the following parishes are open:

i. Iberia—south of LA 14 and west of US 90;

ii. St. Mary—all except that portion north of US 90 from Iberia Parish line eastward to Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River.

8. Area 8

a. Portions of the following parishes are open:

i. Beauregard—that portion west of LA 27 from parish line northward to DeRidder, south of US 190 from DeRidder to Texas state line;

ii. Calcasieu—that portion west of LA 27 from the parish line southward to Sulphur and north of I-10 from Sulphur to the Texas state line.

9. Area 9

a. All of the following parishes are open: Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, Terrebonne.

b. Portions of the following parishes are open:

i. Iberia—east of US 90 and west of the West Atchafalaya Basin Protection Levee and east of the East Atchafalaya Basin Protection Levee;

ii. Iberville—east of the East Atchafalaya Basin Protection Levee and south of Upper Grand River to the Intracoastal Canal to Bayou Plaquemines, then south of Bayou Plaquemines to the Mississippi River;

iii. Lafayette—south of I-10 and east of US 90;

iv. Livingston—south of I-12;

v. St. Martin—west of the Atchafalaya Basin Protection Levee and south of I-10. East of the East Atchafalaya Basin Protection Levee and south of I-10;

vi. St. Mary—east of US 90 from Iberia Parish line to the Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River except for portion within the East and West Atchafalaya Basin Protection Levees;

vii. St. Tammany—that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain;

viii. Tangipahoa—south of I-12.

c. Still hunting only in all or portions of the following parishes:

i. Iberville—east of the Mississippi River;

ii. Plaquemines—east of the Mississippi River;

iii. St. Bernard—all of the parish shall be still hunting only except that portion of St. Bernard known as the spoil area between the MRGO on the east and Access Canal on the west, south of Bayou Bienvenue and north of Bayou la Loutre;

iv. St. John—south of Pass Manchac from Lake Pontchartrain to US 51, east of US 51 from Pass Manchac to LA 638 (Frenier Beach Road). North of LA 638 from US 51 to Lake Pontchartrain, west of Lake Pontchartrain from LA 638 to Pass Manchac.

10. Area 10

a. All of Cameron and Vermillion Parishes are open.

b. Portions of the following parishes are open:

i. Acadia—south of I-10;

ii. Calcasieu—south of I-10;

iii. Iberia—west of US 90 and north of LA 14;

iv. Jefferson Davis—south of I-10;

v. Lafayette—south of I-10 and west of Hwy 90.

G. WMA Regulations

1. General

a. The following rules and regulations concerning the management, protection and harvest of wildlife have

been officially approved and adopted by the Wildlife and Fisheries Commission in accordance with the authority provided in *Louisiana Revised Statutes* of 1950, section 109 of title 56. Failure to comply with these regulations will subject individual to citation and/or expulsion from the management area.

b. Citizens are cautioned that by entering a WMA managed by the LDWF they may be subjecting themselves and/or their vehicles to game and/or license checks, inspections and searches.

c. WMA seasons may be altered or closed anytime by the LDWF secretary in emergency situations (floods, fire or other critical circumstances).

d. Hunters may enter the WMA no earlier than 4 a.m. unless otherwise specified. Hunters must check out and exit the WMA no later than two hours after sunset, or as otherwise specified.

e. All privately owned property which is completely surrounded by a wildlife management area shall be subject to all state hunting and fishing provisions, including those provisions regarding seasons. Such private property shall not be subject to the special hunting and fishing provisions which govern the wildlife management area, except that deer may not be taken with the aid of dogs. However, the owner or lessee of such property shall be required to participate in the deer management assistance program provided for in R.S. 56:110. In addition, the owner or lessee of such property shall not be allowed to hunt, trap or take resident game by the aid of baiting or placing bait intended to attract or entice the resident game to the area where hunters are attempting to take them.

f. Dumping garbage or trash on WMAs is prohibited. Garbage and trash may be properly disposed of in designated locations if provided.

g. Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

h. Damage to or removal of trees, shrubs, hard mast (including but not limited to acorns and pecans), wild plants, non-game wildlife (including reptiles and amphibians) or any species of butterflies, skippers or moths is prohibited without a permit from the LDWF. Gathering and/or removal of American lotus (*grande volèe*, *Nelumbo lutea*) seeds and pods, soft fruits, mushrooms and berries shall be limited to five gallons per person per day.

i. Burning of marshes is prohibited. Hunting actively burning marsh is prohibited.

j. Nature Trails. Trails shall be limited to pedestrians only. No vehicles, ATVs, horses, mules, bicycles, etc. allowed. Removal of vegetation (standing or down) or other natural material prohibited.

k. Deer seasons are for legal antlered deer unless otherwise specified.

l. Small game, when listed under the WMA regulations may include both resident game animals and game birds as well as migratory species of birds.

m. Oysters may not be harvested from any WMA, except that oysters may be harvested from private oyster leases and state seed grounds located within a WMA, when authorized by the Wildlife and Fisheries Commission and upon approval by the Department of Health.

n. Free ranging livestock prohibited.

o. Operation of drones or unmanned aerial vehicles (UAV) on WMAs is prohibited.

p. Operating, modifying, tampering with or altering any water control structures on WMAs is prohibited.

q. Limited Access Areas (LAA): Operation of internal combustion powered vessels prohibited September through January. Operation of trolling motors allowed. A *trolling motor* is defined as a self-contained unit that includes a completely submerged electric motor at the end of the shaft, propeller and controls, and is affixed to a vessel, either at the bow or stern. Vehicles prohibited November through January. Limited access areas are on Atchafalaya Delta, Boeuf, Dewey W. Wills, Joyce, Manchac, Pass-a-Loutre, Pointe-aux-Chenes and Russell Sage WMAs. See WMA maps for specific locations.

2. Permits

a. A valid WMA access permit shall be required for use of department-administered lands including wildlife refuges, Wildlife Management Areas (WMA) and Wildlife Conservation Areas (WCA). Persons under 18 years of age are exempt from this requirement.

b. Self-Clearing Permits. A self-clearing permit is required for all activities (hunting, fishing, hiking, bird watching, sightseeing, etc.) on WMAs. The self-clearing permit will consist of two portions: check in, check out. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA self-clearing permit from an information station. Users may check in one day in advance of use. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours. If utilizing paper Self-Clearing Permit from an information station, check in portion must be completed and put in a permit box before each day's activity. The check out portion must be carried by each person while on the WMA and must be completed and put in a permit box immediately upon exiting the WMA. No permit is required of fishers and boaters who do not travel on a WMA road and/or launch on the WMA as long as they do not get out of the boat and onto the WMA. When mandatory deer checks are specified on WMAs, hunters must check deer at a check station. When mandatory check in for deer seasons is specified on WMAs, hunters must check in at designated locations, and obtain a daily hunt permit. Self-clearing permits are not required for persons only traveling through the WMA provided that the most direct route is taken and no activities or stops take place.

3. Special Seasons

a. Youth Deer Hunt. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Additionally, any youth participating in the hunt shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths

and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Contact the appropriate region office for maps of specific hunting areas. Either-sex deer may be taken on WMAs with youth hunts. Consult the regulations pamphlet for WMAs offering youth hunts.

NOTE: Some hunts may be by pre-application lottery.

b. Youth Squirrel Hunt (on selected WMAs only). Only youths 17 or younger may hunt. Squirrel, rabbit, raccoon, hogs and opossum may be taken. No dogs allowed. All other seasons will remain open to other hunters. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Self-clearing permits are required. Consult the regulations pamphlet for WMAs offering youth squirrel hunts.

c. Youth Mourning Dove Hunt. A youth mourning dove hunt will be conducted on specific WMAs and will follow the same regulations provided for youth deer hunts on the first or second weekend of the mourning dove season (Saturday and/or Sunday only). Consult the regulations pamphlet for WMAs offering youth mourning dove hunts.

d. Physically Challenged Season. An either-sex deer season will be held for hunters possessing a physically challenged hunter permit on WMAs during the dates specified under the individual WMA. Participants must possess a physically challenged hunter permit. Contact region office for permit application and map of specific hunting area. Consult the regulations pamphlet for WMAs offering physically challenged seasons.

e. Turkey Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadlines. Contact region offices for more details.

f. Waterfowl Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadline. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

g. Mourning Dove Lottery Hunts. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

h. Trapping. Consult annual trapping regulations for specific dates. All traps must be run daily. Traps with teeth are illegal. Hunter orange required when a deer gun season is in progress.

i. Raccoon Hunting. A licensed hunter may take raccoon or opossum, two per person per day, during daylight hours only, during the open hunting season in progress on WMAs.

Nighttime Experimental—all nighttime raccoon hunting where allowed is with dogs only. There is no bag limit. Self-clearing permit required.

j. Sport Fishing. Sport fishing, crawfishing and frogging are allowed on WMAs when in compliance with current laws and regulations except as otherwise specified under individual WMA listings.

k. Small Game Emphasis Areas. Specially designated areas on certain WMAs will allow small game hunting with dogs, confined to that specific area when the remainder of the WMA is restricted to still hunt only. Additionally, off season training of rabbit and bird dogs may be allowed on some of the small game emphasis areas. Small game emphasis areas are offered on Big Colewa Bayou, Bayou Macon, Bayou Pierre, Boeuf, Dewey W. Wills, Marsh Bayou, Pomme de Terre, Richard K. Yancey, Russell Sage, Sandy Hollow, Sherburne, Tunica Hills and Walnut Hill WMAs.

4. Firearms

a. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms and crossbows cocked in the ready position are not allowed in or on vehicles, boats under power, motorcycles, ATVs, UTVs, ATCs or in camping areas on WMAs. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas and except as may be permitted for authorized trappers.

b. Firearms and bows and arrows are not allowed on WMAs during closed seasons except on designated shooting ranges or as permitted for trapping and except as allowed pursuant to R.S. 56:109(C) and R.S. 56:1691. Bows and broadhead arrows are not allowed on WMAs except during deer archery season, turkey season or as permitted for bowfishing. Active and retired law enforcement officers in compliance with POST requirements, federal law enforcement officers and holders of Louisiana concealed handgun permits or permit holders from a reciprocal state who are in compliance with all other state and federal firearms regulations may possess firearms on WMAs provided these firearms are not used for any hunting purpose.

c. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists except as specified under WMA listing.

d. Loaded firearms are not allowed near WMA check stations.

e. The following cannot be carried onto any WMA except during modern and primitive firearm deer seasons and during special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs (consult regulations pamphlet for specific WMA regulations):

- i. centerfire rifles;
- ii. centerfire break-action and centerfire bolt-action handguns;
- iii. centerfire scoped handguns;
- iv. shotgun slugs or shot larger than BB lead or F steel.

f. Target shooting and other forms of practice shooting are prohibited on WMAs except as otherwise specified.

g. Discharging of firearms on or across, or hunting from designated roads, ATV/UTV trails, nature trails, hiking

trails, and their rights-of-way is prohibited during the modern firearms and primitive firearms deer seasons.

5. Methods of Taking Game

a. Moving deer or hogs on a WMA with organized drives and standers, drivers or making use of noises or noise-making devices is prohibited.

b. On WMAs, except Floy McElroy WMA, the daily limit shall be one antlered deer and one antlerless deer (when legal) per day, not to exceed the Deer Area limit for the Deer Area that a WMA is contained within (all segments included) by all methods of take.

c. Baiting, hunting over bait, or possession of bait is prohibited on all WMAs, except bait may be kept in a vehicle traversing a WMA road or parked on a WMA road. Bait is defined as any substance used to attract game via ingestion.

d. During mandatory deer check hunts, deer may not be skinned nor have any external body parts removed including but not limited to feet, legs, tail, head or ears before being checked out.

e. Deer hunting on WMAs is restricted to still hunting only.

f. Construction of and/or hunting from permanent tree stands or permanent blinds on WMAs is prohibited. Any permanent stand or permanent blind will be removed and destroyed. A permanent blind is any blind using non-natural materials or having a frame which is not dismantled within two hours after the end of legal shooting time each day. Blinds with frames of wood, plastic, metal poles, wire, mesh, webbing or other materials may be used but must be removed from the WMA within two hours after the end of legal shooting time each day. Blinds made solely of natural vegetation and not held together by nails or other metallic fasteners may be left in place but cannot be used to reserve hunting locations. Natural vegetation (including any material used as corner posts) is defined as natural branches that are 2 inches or less in diameter. All decoys must be removed from the WMA daily. Permanent tree stands are any stands that use nails, screws, spikes, etc., to attach to trees and are strictly prohibited. Deer stands may not be left on WMAs unless the stands are removed from trees, placed flat on the ground, and left in a non-hunting position (a non-hunting position is one in which a hunter could not hunt from the stand in its present position). Also, all stands left must be legibly tagged with the user's name, address, phone number and LDWF ID number. No stand may be left on any WMA prior to the day before deer season opens on that WMA and all stands must be removed from the WMA within one day after the close of deer hunting on that WMA. Free standing blinds must be disassembled when not in use. Stands left will not reserve hunting sites for the owner or user. All portable stands, blinds, tripods, etc., found unattended in a hunting position, not placed flat on the ground, or untagged will be confiscated and disposed of by the LDWF. LDWF is not responsible for unattended stands left on an area.

g. Physically Challenged Wheelchair Confined Deer and Waterfowl Hunting Areas: special deer and waterfowl hunting areas, blinds and stands identified with LDWF logos, have been established for physically challenged hunter permit (PCHP) wheelchair confined hunters on WMAs. Hunters must obtain a PCHP permit and are required to make reservations to use blinds and stands.

PCHP wheelchair hunting areas are available on Alexander State Forest, Bayou Pierre, Big Colewa Bayou, Buckhorn, Clear Creek, Floy McElroy, Fort Polk-Vernon, Maurepas Swamp, and Sherburne WMAs. Check WMA hunting schedules or call the LDWF field offices in Pineville, Lafayette, Lake Charles, Minden, Monroe or Hammond for information.

h. Hunting from utility poles and structures, and oil and gas exploration facilities or platforms is prohibited.

i. It is illegal to save or reserve hunting locations using permanent stands or blinds. Stands or blinds attached to trees with screws, nails, spikes, etc. are illegal.

j. Tree climbing spurs, spikes or screw-in steps are prohibited.

k. Unattended decoys will be confiscated and forfeited to the LDWF and disposed of by the LDWF. This action is necessary to prevent preemption of hunting space.

l. Spot lighting (shining) from vehicles is prohibited on all WMAs.

m. Horses and mules may be ridden on WMAs except where prohibited and except during gun seasons for deer and turkey. Riding is restricted to designated roads and trails depicted on WMA map, self-clearing permit is required. Organized trail rides prohibited except allowed by permit only on Camp Beauregard. Hunting and trapping from horses and mules is prohibited except for quail hunting or as otherwise specified. Horse-drawn conveyances are prohibited.

n. All hunters (including archers and small game hunters) except waterfowl hunters and mourning dove hunters on WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during open gun season for deer. Quail and woodcock hunters and hunters participating in special dog seasons for rabbit, squirrel and feral hogs are required to wear a minimum of a "hunter orange" or "blaze pink" cap. All other hunters and archers (while on the ground) except waterfowl hunters also must wear a minimum of a "hunter orange" or "blaze pink" cap during special dog seasons for rabbit and squirrel and feral hogs. Also all persons afield during hunting seasons are encouraged to display "hunter orange" or "blaze pink". Hunters participating in special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap.

o. Deer hunters hunting from concealed ground blinds must display a minimum of 400 square inches of "hunter orange" or "blaze pink" above or around their blinds which is visible from 360 degrees.

p. Archery Season for Deer. The archery season on WMAs is the same as outside and is open for either-sex deer except as otherwise specified on individual WMAs. Archery season restricted on Atchafalaya Delta and closed on certain WMAs when special seasons for youth or physically challenged hunts are in progress. Consult regulations pamphlet for specific seasons.

q. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMAs. Archers must abide by bucks only regulations and other restrictions when such seasons are in progress.

r. Primitive Firearms Season for Deer. Either-sex unless otherwise specified. See WMA deer schedule. Except youths 17 or younger may use any legal weapon during the primitive firearm season.

6. Camping

a. A WMA camping permit is required for all persons camping on WMAs. Camping on WMAs, including trailers, houseboats, vessels, recreational vehicles and tents, is allowed only in designated areas and for a period not to exceed 16 consecutive days, regardless if the camp is attended or unattended. At the end of the 16-day period, camps must be removed from the area for at least 48 hours. Camping area use limited exclusively to outdoor recreational activities. Camping is available on a first-come, first-serve basis unless otherwise specified.

b. Houseboats and vessels utilized for recreational activities are prohibited from overnight mooring within WMAs except on stream banks adjacent to designated camping areas. Overnight mooring of vessels that provide lodging for hire are prohibited on WMAs. Houseboats and vessels shall not impede navigation. On Atchafalaya Delta WMA houseboats may be moored by permit only in designated areas during hunting season. Permits are available by lottery annually or by five-year lease through a bid program.

c. Discharge of human waste onto lands or waters of any WMA is strictly prohibited by state and federal law. In the event public restroom facilities are not available at a WMA, the following is required. Anyone camping on a WMA in a camper, trailer, or other unit (other than a houseboat or tent) shall have and shall utilize an operational disposal system attached to the unit. Tent campers shall have and shall utilize portable waste disposal units and shall remove all human waste from the WMA upon leaving. Houseboats moored on a WMA shall have a permit or letter of certification from the Health Unit (Department of Health) of the parish within which the WMA occurs verifying that it has an approved sewerage disposal system on board. Further, that system shall be utilized by occupants of the houseboats when on the WMA.

d. No refuse or garbage may be dumped from these boats.

e. Firearms may not be kept loaded or discharged in a camping area unless otherwise specified.

f. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations when provided or carried off by campers.

g. Trash must be contained at all times while camping.

h. Burning of trash is prohibited.

i. Glass containers prohibited on campgrounds.

j. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation, including restitution for damages.

k. Swimming is prohibited within 100 yards of boat launching ramps.

7. Restricted Areas

a. For your safety, all oil and gas production facilities (wells, pumping stations and storage facilities) are off limits.

b. No unauthorized entry or unauthorized hunting in restricted areas, refuges, or limited use areas unless otherwise specified.

8. Dogs. All use of dogs on WMAs, except for bird hunting and duck hunting, is experimental as required by law. Having or using dogs on any WMA is prohibited except for nighttime experimental raccoon hunting, squirrel hunting, rabbit hunting, bird hunting, duck hunting, hog hunting and bird dog training when allowed; see individual WMA season listings for WMAs that allow dogs. Dogs running at large are prohibited on WMAs. The owner or handler of said dogs shall be liable. Only recognizable breeds of bird dogs and retrievers are allowed for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMAs having experimental rabbit seasons. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address and phone number. In addition, a dog may be used to trail and retrieve unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort.

9. Vehicles

a. An all-terrain vehicle is a wheeled or tracked off-road vehicle (not legal for highway use) with specifications not to exceed the following: weight-750 pounds, length-85", and width-48". ATV tires are restricted to those no larger than 26 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. as indicated on the tire by the manufacturer. Use of all other ATVs or ATV tires are prohibited on a WMA.

b. *Utility Type Vehicle (UTV, also Utility Terrain Vehicle)*—any recreational motor vehicle other than an ATV, wheeled or tracked, not legal for highway use, designed for and capable of travel over designated unpaved roads, traveling on four or more low-pressure tires or tracks, with specifications not to exceed the following: weight-1900 pounds, length-128" and width-68". UTV tires are restricted to those no larger than 27 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. UTV's are commonly referred to as side by sides and may include golf carts.

c. Vehicles having wheels with a wheel-tire combination radius of 17 inches or more measured from the center of the hub and horizontal to ground are prohibited.

d. The testing, racing, speeding or unusual maneuvering of any type of vehicle is prohibited within WMAs due to property damages resulting in high maintenance costs, disturbance of wildlife and destruction of forest reproduction.

e. Tractor or implement tires with farm tread designs R1, R2 and R4 known commonly as spade or lug grip types are prohibited on all vehicles.

f. Airboats, aircraft, personal water craft, "mud crawling vessels" (commonly referred to as crawfish combines which use paddle wheels for locomotion) and

hover craft are prohibited on all WMAs and refuges, except type A personal water craft, model year 2003 and beyond, which are eight feet in length and greater, may be operated within WMAs except Bussey Brake WMA from April 1 until the Monday of Labor Day weekend, from sunrise to sunset only, and except personal water craft allowed on designated portions of Alexander State Forest WMA year-round. Personal water craft are defined as a vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel. No person shall operate such water craft at a speed greater than slow/no wake within 100 feet of an anchored or moored vessel, shoreline, dock, pier, or persons engaged in angling or any other manually powered vessel.

g. Driving or parking vehicles on food or cover plots and strips is prohibited.

h. Blocking the entrance to roads and trails is prohibited.

i. Licensed motorized vehicles (LMVs) legal for highway use, including motorcycles, are restricted entirely to designated roads as indicated on WMA maps. UTVs are restricted to marked UTV trails only, except that those UTVs in which the manufacturer's specifications do not exceed the weight, length, width, and tire restrictions for ATVs are allowed on ATV trails. ATVs are restricted to marked ATV trails only. When WMA roads are closed to LMVs, ATVs and UTVs may then use those roads when allowed. This restriction does not apply to bicycles.

NOTE: Only ATV and UTV trails marked with signs and/or paint, and depicted on WMA maps are open for use.

j. Use of special ATV trails for physically challenged persons is restricted to ATV physically challenged permittees. Physically challenged ATV permittees are restricted to physically challenged ATV trails or other ATV trails only as indicated on WMA maps or as marked by sign and/or paint. Persons 60 years of age and older, with proof of age, are also allowed to use special physically challenged trails and need not obtain a permit. However, these persons must abide by all rules in place for these trails. Physically challenged persons under the age of 60 must apply for and obtain a physically challenged hunter program permit from the LDWF.

k. Entrances to ATV trails will be marked with peach colored paint. Entrances to physically challenged-only ATV trails will be marked with blue colored paint. Entrances to ATV trails that are open year round will be marked with purple paint. The end of all ATV trails will be marked by red paint. WMA maps serve only as a general guide to the route of most ATV trails, therefore all signage and paint marking as previously described will be used to determine compliance.

l. Roads and trails may be closed due to poor condition, construction or wet weather.

m. ATVs, and motorcycles cannot be left overnight on WMAs except on designated camping areas. ATVs are prohibited from two hours after sunset to 4 a.m., except raccoon hunters may use ATVs during nighttime raccoon take seasons only. ATVs are prohibited from March 1 through August 31 except squirrel hunters are allowed to use ATV trails during the spring squirrel season on the WMA and except certain trails may be open during this time period

to provide access for fishing or other purposes and some ATV trails will be open all year long on certain WMAs.

n. Caution. Many LDWF-maintained roadways on WMAs are unimproved and substandard. A maximum 20 mph speed limit is recommended for all land vehicles using these roads, unless specific signage otherwise allows or restricts.

o. Hunters are allowed to retrieve their own downed deer and hogs with the aid of an ATV or electric bicycle except on Thistlethwaite, Sherburne, Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes, Salvador/Timken, Lake Boeuf, Biloxi, and the Crusel Tract of Maurepas Swamp WMAs under the following conditions:

i. no firearms or archery equipment is in possession of the retrieval party or on the ATV;

ii. the retrieval party may consist of no more than one ATV and one helper;

iii. ATVs may not be used to locate or search for wounded game or for any other purpose than retrieval of deer and hogs once they have been legally harvested and located;

iv. UTV's may not be used to retrieve downed deer or hogs.

p. No wake zones. Operation of vessels beyond bare steerage speed (the slowest speed a vessel can travel while allowing the operator to maintain directional control of the vessel) in posted no wake zones is prohibited.

q. Electric bicycles are restricted to designated roads and ATV/UTV trails.

10. Commercial Activities

a. Hunting Guides/Outfitters. No person or group may act as a hunting guide, outfitter or in any other capacity for which they are paid or promised to be paid directly or indirectly by any other individual or individuals for services rendered to any other person or persons hunting on any WMA, regardless of whether such payment is for guiding, outfitting, lodging or club memberships.

b. Except for licensed activities otherwise allowed by law, commercial activities are prohibited without a permit issued by the secretary of the LDWF.

c. Commercial Fishing. Permits are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou WMAs. Drag seines (except minnow and bait seines) are prohibited except experimental bait seines allowed on Dewey Wills WMA north of LA 28 in Diversion Canal. Commercial fishing is prohibited during regular waterfowl seasons on Grand Bay, Silver Lake and Lower Sunk Lake on Richard K. Yancey WMA. Commercial fishing is prohibited on Salvador/Timken, Pointe-aux-Chenes, and Russell Sage WMAs except commercial fishing on Pointe-aux-Chenes is allowed in Cut Off Canal. No commercial fishing activity shall impede navigation and no unattended vessels or barges will be allowed. Non-compliance with permit regulations will result in revocation of commercial fishing privileges for the period the license is issued and one year thereafter. Commercial fishing is allowed on Pass-a-Loutre and Atchafalaya Delta WMAs. See Pass-a-Loutre for additional commercial fishing regulations on mullet.

11. WMAs Basic Season Structure. For season dates, bag limits, shooting hours, special seasons and other

information consult the annual regulations pamphlet for specific details.

12. Resident Small Game (squirrel, rabbit, quail, mourning dove, woodcock, snipe, rail and gallinule). Same as outside except closed during modern firearm either-sex deer seasons on certain WMAs (see WMA schedule) and except non-toxic shot, size 6 or smaller must be used for dove, rail, snipe, and gallinule. Unless otherwise specified under a specific WMA hunting schedule, the use of dogs for rabbit and squirrel hunting is prohibited. Spring squirrel season with or without dogs: first Saturday of May for nine days. Consult regulations pamphlet for specific WMAs.

13. Waterfowl (ducks, geese and coots). Consult regulations pamphlet. Hunting after 2 p.m. prohibited on all WMAs except for Atchafalaya Delta, Biloxi, and Pass-a-Loutre. Consult specific WMA regulations for shooting hours on these WMAs.

14. Archery. Consult regulations pamphlet.

15. Hogs. Feral hogs may be taken during any open hunting season on WMAs by properly licensed and/or permitted hunters using only guns or bow and arrow legal for specified seasons in progress, except take of hogs is prohibited during nighttime raccoon seasons. Hogs may not be taken with the aid of dogs, except feral hogs may be taken with the aid of dogs during the month of February on Attakapas, Bodcau, Clear Creek, Little River, Pearl River, Sabine, Sabine Island, and West Bay and that portion of Dewey W. Wills north of the Catahoula Lake Diversion Canal by self-clearing permit. All hogs must be killed immediately and may not be transported live under any conditions. During the February dog season hunters may use centerfire handguns in addition to using guns allowed for season in progress. Additionally, feral hogs may be taken on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs from February 16 through March 31 with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber. Additional requirements may be specified under individual WMAs, see regulation pamphlet.

16. Outlaw Quadrupeds and Birds. Consult regulations pamphlet. During hunting seasons specified on WMAs, except the turkey and spring squirrel seasons, take of outlaw quadrupeds and birds, with or without the use of electronic calls, is allowed by properly licensed hunters and only with guns or bows and arrows legal for season in progress on WMA. However, crows, blackbirds, grackles and cowbirds may not be taken before September 1 or after January 1. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

17. WMAs Hunting Schedule and Regulations

a. Acadiana Conservation Corridor. Self-Clearing Permit required for all activities.

i. Archery only: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

ii. All other seasons closed. No motorized vehicles allowed and no access via I-49 right-of-way.

b. Alexander State Forest. From December through February all hunters must check daily with the Office of Forestry for scheduled burning activity. No hunting or other activity will be permitted in burn units the day of the burning. Call 318-487-5172 or 318-487-5058 for information on burning schedules. Attaching stands to Red Cockaded Woodpecker cavity trees is prohibited. Cavity trees are marked with painted, double white bands. Self-Clearing Permits required for hunters only. Vehicles restricted to paved and graveled roads. No parking on or fishing or swimming from bridges. No open fires except in recreational areas. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Pineville or Baton Rouge Offices for details and applications. PCHP blind hunting by reservation for Class I, III and IV PCHP permittees only.

i. Deer:

(a). Archery: Oct. 1-Jan. 31, either-sex. PCHP blinds: Oct. 1-Oct. 7, either sex.

(b). Firearms: First Sat. of Nov. for 2 days, either sex. Mandatory Deer Check; Fri. after Thanksgiving Day for 3 days, bucks only. PCHP blinds: Fri. after Thanksgiving Day for 3 days, bucks only; 4th Sat. of Oct. for 2 days, 1st Sat. of Nov. for 2 days, Mandatory Deer Check; 2nd Sat. in Dec. for 2 days, 3rd Sat. in Dec. for 2 days, either sex.

(c). Primitive Firearms: 2nd Sat. of Oct. for 2 days. Mandatory Deer Check.

ii. Small Game: Same as outside except closed during primitive firearms season and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Waterfowl: Same as outside. (Certain areas may be closed as posted).

c. Atchafalaya Delta. Self-Clearing Permit required for all activities. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA Self-Clearing Permit from an information station located at Main Delta campground, Wax Delta Campground, Cul-de-sac on Big Island, and Berwick Public Boat Launch (Jesse Fontenot Boat Launch). Camping and houseboat mooring allowed ONLY in designated campgrounds. Houseboat mooring allowed by permit only during hunting season (see Subparagraph G. 6. Camping b. for details) and by normal means during remainder of the year. Vessels/Vehicles: Mudboats or air-cooled propulsion vessels powered by more than 36 total horsepower are prohibited on the WMA. All ATVs/UTVs, motorcycles, horses and mules prohibited except as permitted for authorized WMA trappers. Big Island: Except for youth deer hunting (provided for below), all other hunting closed from October 1 through the last day of youth deer seasons. Main Delta area closed to all hunting except for youth deer hunting during youth deer seasons.

i. Deer Archery (either-sex): Oct. 1 - Jan. 31 on Main Delta only; no deer hunting on Wax Lake Delta.

ii. Deer Youth Shotgun (buckshot only, either-sex) and Archery (either-sex): 1st Sat. of Oct. for 2 days; 2nd Sat. of Oct. for 2 days on Main Delta only; no deer hunting on Wax Lake Delta.

iii. Small Game: Same as outside except Rabbit Only:

(a). Wax Lake Delta: 1st Sat. of Oct. through last day of Feb. Beagles prohibited November through January.

(b). Main Delta: 1st day of Feb. through last day of Feb. with or without beagles. Closed October through January.

iv. Waterfowl: Same as outside, except shooting hours shall be 1/2 hour before sunrise to 2 p.m. during opening weekends of teal and duck season and 1/2 hour before sunrise to sunset the remainder of the season, and except shooting hours are the same as outside for the Youth Hunt weekend.

v. Feral Hogs: May be taken by properly licensed hunters Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

d. Attakapas. Area closed to all except Youth Deer Hunters when the Youth deer season is open.

i. Deer:

(a). Deer hunting will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

(b). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

(c). Youth: Last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-Sex: Fri. after Thanksgiving Day for 2 days.

(e). Firearms Bucks Only: 4th Sat. of Dec. for 9 days.

(f). Primitive Firearms (Bucks only): 3rd Saturday of January for 2 days.

ii. Turkey: Closed.

iii. Small Game and Waterfowl: Same as outside except small game hunting closed during either-sex modern firearms seasons closed during youth deer seasons and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

e. Bayou Macon. Area Closed: To all except Youth Deer Hunters last Sat. of Oct. for 2 days. All night activities prohibited except as otherwise provided.

i. Deer:

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: Last Sat. of Oct. for 2 days, either-sex.

(c). Firearms: Either sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Primitive Firearms: 3rd Sat. of Dec. for 9 days.

ii. Turkey: General Lottery: Last Sat. of Area B season for 2 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex modern firearms season and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to firearms either-sex deer, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon: (Nighttime): Sept. 1st for 16 days and 1st Sat. of Jan. to the last day of Feb.

f. Bayou Pierre. Waterfowl Refuge is closed to all hunting, trapping and fishing except for archery hunting for deer, which is allowed on the entire area. Refuge is marked with "Waterfowl Refuge" signs. Contact Minden Office for details for lottery hunts listed below at 318-371-3050.

i. Deer:

(a). Archery only: Oct. 1-Jan. 31, either-sex. Archery hunting is allowed in the waterfowl refuge.

ii. Dove: Same as outside.

iii. Waterfowl Lottery Only: (Designated Portion)

(a). Lottery Youth Hunt: Same as outside youth waterfowl hunt.

(b). General Lottery Hunt: 2nd weekend of 1st split and 1st weekend of 2nd and 3rd splits of the West Zone season.

iv. Other Small Game: Same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

v. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

g. Big Colewa Bayou. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Monroe or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Fri. after Thanksgiving for 3 days, either-sex and 2nd Sat. of Dec. for 16 days, bucks only.

i. Deer:

(a). Archery only: Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: Same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbit hunting Jan. 1st to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iii. All nighttime activities prohibited.

h. Big Lake. Area closed to all south of Big Lake and Crystal Roads when youth deer season is open. North of Big Lake and Crystal Roads open to all activities.

- i. Deer:
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Youth: Last Sat. of Oct. for 2 days, either-sex. Youth hunt on designated portion. See WMA map for specific location.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 2nd Sat. of Dec. for 14 days.

(e). Primitive Firearms: Day after firearms bucks only season closes for 14 days.

ii. Turkey: Opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens on Good Friday.

(a). Youth: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend then season will open on Good Friday for 3 days.

iii. Small Game: Same as outside except closed during either-sex firearms seasons and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Waterfowl: Same as outside except closed during either-sex modern firearms seasons.

v. Raccoon (Nighttime): the day after primitive firearms season ends to the last day of Feb.

vi. Sport Fishing: yoyos, limblines and trotlines prohibited on Big and Chain Lakes.

vii. Commercial fishing: commercial fishing is prohibited.

i. Biloxi. Self-Clearing Permits required for all activities. Vessels/Vehicles: All airboats, ATVs/UTVs, motorcycles, horses, and mules are prohibited. Mud boats or air cooled propulsion vessels can only be powered by straight shaft "long-tail" air-cooled mud motors that are 25 total horsepower or less. All other types of mud boats or air cooled propulsion vessels, including "surface-drive" boats, are prohibited. Overnight mooring of all vessels 50 feet in length or more is prohibited. Dogs are prohibited except retrievers allowed for waterfowl hunting. No structures may be erected including fixed or permanent blinds of any type.

i. Deer

(a). Archery (bucks only): Oct. 1-15

(b). Deer Archery (either-sex): Oct. 16 - Jan. 31

ii. Small Game and Waterfowl: Same as outside except closed to squirrel hunting during the spring season.

j. Bodcau. Area closed to all except Youth deer hunters during the Youth Deer Hunt on designated portion. Limited Use Area: Small game and waterfowl same as rest of WMA. Deer hunting archery only. See WMA map for specific location.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: Sat. after 2nd Fri. of Oct. for 2 days, either-sex on designated portion.

(c). Firearms either-sex: Last Sat. of Oct. to the Sun. after Thanksgiving Day. Last Sat. of Oct. and Sun. after last Sat. of Oct., Mandatory Deer Check.

(d). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

ii. Turkey

(a). Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

(b). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days. 4th Sat. of April for 2 days.

iii. Small Game and Waterfowl: Same as outside except closed during the youth deer hunt on designated portion and entire area 1st 2 days of modern firearms deer season except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Day after firearms deer season ends to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime) Day after firearms deer season ends to the last day of Feb.

v. Bird Dog Training Area: Open all year except closed during WMA Turkey Season. Contact Minden Office for information.

vi. Fishing: Nets and traps prohibited on Ivan Lake.

k. Boeuf. Area Closed to all south of LA 4 except Youth Deer Hunters when youth deer season is open. North of LA 4 open to all activities. Internal combustion engines and craft limited to 10 hp rating or less in the Greentree Reservoir.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: 2nd Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. - Mandatory Deer Check, Sun. - Self-Clearing Permit.

(d). Firearms Bucks Only: 1st Sat. of Dec. for 14 days.

(e). Primitive Firearms: Day after the close of Firearms Bucks Only for 14 days. 2nd Sat. of Nov. for 7 days.

ii. Turkey: Opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: Same as outside except closed during Deer Either-sex modern firearms season, and except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

l. Buckhorn. Area Closed: Last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer hunters.

- i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Youth and Physically Challenged: Last Sat. of Oct. for 2 days, either-sex.
 - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit; and 2nd Sat. of Dec. for 2 days.
 - (d). Firearms Bucks Only: 3rd Sat. of Dec. for 14 days.
 - (e). Primitive Firearms: Day after firearms bucks only season ends for 14 days.
 - (f). Youth and Physically Challenged Wheelchair Confined Deer Hunting Area: check map for location. Access restricted. Call Monroe or Baton Rouge Offices for further details.
 - (g). Youth Lottery: 2nd weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the 3rd weekend of Dec. and 1st consecutive Sat. and Sun. in Jan. Either-sex. Hunting by pre-application lottery only.
 - (h). Physically Challenged Wheelchair Confined: 2nd weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the 3rd weekend of Dec. and 1st consecutive Sat. and Sun. in Jan. Either-sex. Hunting by reservation for wheelchair confined. PCHP permittees only.
- ii. Small Game and Waterfowl: Same as outside except closed during either-sex modern firearm season and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.
- iii. Raccoon (Nighttime): Day after primitive firearms season ends to the last day of Feb.
- m. Bussey Brake. Area closed to all hunting and trapping activity. Recreational fishing and all other allowed non-consumptive uses only. No personal watercraft or water skiing. No camping. No ATVs/UTVs or electric bicycles allowed. No motorized vehicles of any type allowed on reservoir levee except at boat launch for purpose of launching boat or to access fishing pier. Pulling boats over levees or any other activities that cause detriment to the levees is prohibited. Horseback riding and non-motorized bicycles are allowed only on the designated trail named Levee Trail (see map at boat launch kiosk). Access is granted at two marked locations, adjacent to the boat launch and just beyond the boat launch parking area. No tying boats to channel marker poles. A No-Wake Zone is in effect in the harbor inside the wave break. No boats allowed within 30 feet of fishing piers.
 - i. Fishing: Fish may be taken only by rod and reel or cane pole for recreational purposes. All types of nets, including but not limited to gill nets, trammel nets, hoop nets, wire nets, fyke nets and fish seines are prohibited. Trotlines, yo-yos, limb lines, stump lines, slat traps, jugs, cans, and pipes are prohibited. Shoreline (non-boat) fishing only allowed at designated locations. No fishing or lake access from rocks along interior of reservoir levee.
 - (a). Black Bass (*Micropterus spp.*)
 - (i). Daily limit: recreational daily creel limit shall be fish (5) fish, in the aggregate;

- (ii). Possession limit: possession limit shall be five (5) fish while on water and ten (10) fish while off water, in the aggregate;
- (iii). Length: the maximum total length limit shall be 16 inches, with the exception that one fish over 16 inches may be kept.
- (b). Crappie (*Pomoxis spp.*)
 - (i). Daily limit: recreational daily limit shall be 25 fish in the aggregate;
 - (ii). Possession limit: possession limit shall be 25 fish while on water and 50 fish while off water, in the aggregate;
 - (iii). Length: the minimum total length shall be 10 inches.
- (c). Bream (*Lepomis spp.*)
 - (i). Daily limit: recreational daily creel limit shall be 50 fish, in the aggregate;
 - (ii). Possession limit: possession limit shall be 50 fish while on the water and 100 while off the water in the aggregate;
 - (iii). Length: no minimum length.
- n. Camp Beauregard. All or portions of the area may be closed daily due to military activities. All game harvested must be reported on self-clearing checkout permit. No hunting in Restricted Areas. Swimming in Twin Lakes prohibited. Retriever training allowed on selected portions of the WMA. Area Closed: To all except Youth Deer Hunters 2nd full weekend in November.
 - i. Deer:
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Youth Deer Hunt: 2nd full weekend in November, either-sex on designated portion of the WMA.
 - (c). Firearms Bucks Only: Dec. 26-Jan. 1.
 - (d). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit. All deer harvested must be brought to Rifle Range Road Weigh Station. 2nd Sat. of Dec. for 2 days Self-Clearing Permit.
 - ii. Turkey: Opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens Good Friday.
 - iii. Small Game and Waterfowl: Same as outside, except closed during either-sex gun hunts for deer and except closed to squirrel hunting during the spring season. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to the last day of Feb.
 - iv. Raccoon (Nighttime): Last consecutive Sat. and Sun. in Jan. to last day of Feb.
 - v. Fishing: Special regulations to be posted at Twin Lakes.
 - o. Clear Creek. Area Closed to all except Youth Deer Hunters when the Youth Deer Season is open. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge Offices for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below.
 - i. Deer
 - (a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex.

(b). Youth Deer Hunt: Next to last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days, Mandatory Deer Check and Fri. after Thanksgiving for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and 2nd Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after 1st either-sex firearms weekend for 7 days.

ii. Turkey

(a). Mon. after 2nd Sat. of April for 21 days.

(b). General Lottery: Opening day of statewide season for 2 days, 2nd Sat. of April for 2 days.

(c). Youth Lottery: Sat. before opening day of statewide season for 2 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex gun hunts and except spring squirrel season will be open 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after firearms bucks only season closes to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): Day after firearms bucks only season closes to the last day of Feb.

p. Dewey Wills. Area Closed: to all except Youth and Physically Challenged Deer Hunters during the Physically Challenged and Youth Deer Hunt only on that portion of the area north of the Diversion Canal. High Water Benchmark Road Closures: Hunt Road (South of the Catahoula Lake Diversion Canal) and Muddy Bayou Road east of Nolan Bayou Road will be closed when water levels at the Larto Lake gauge reaches 45.0 ft. msl, and will reopen when water levels recede to 43.0 ft. msl, and Muddy Bayou Road west of the intersection of Nolan Bayou Road and Sandy Bayou Road will be closed when water levels at the Larto Lake gauge reaches 42.0 ft. msl and will reopen when water levels recede to 40.0 ft. msl.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Physically Challenged and Youth: Last Sat. of Oct. for 2 days, either-sex. Only that portion of the area north of the Diversion Canal shall be open only to Physically Challenged and youth deer hunters. The remainder of the area is open to all.

(c). Youth Lottery: 1st Sat. of Dec. for 2 days, 1st Sat. of Jan. for 2 days except when Jan. 1 falls on one of those days, then there will be no hunt that weekend, 2nd Sat. of Jan. for 2 days, and 3rd Sat. of Jan. for 2 days, either-sex. Contact Pineville Office (318-487-5885) for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit. No hunting allowed in the greentree impoundment or within 100 feet of the greentree levee if duck season is in progress.

(e). Firearms Bucks Only: 4th Sat. of Dec. for 16 days.

(f). Primitive Firearms: 2nd Sat of Dec. for 2 days.

ii. Turkey: Closed.

iii. Small Game and Waterfowl: Same as outside except closed during Physically Challenged and Youth Deer Season north of the Diversion Canal and the entire area during the either-sex firearm hunt except waterfowl hunting will be allowed in the greentree impoundment during the firearm either-sex season and open to squirrel hunting during the spring season 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after Firearms Bucks-Only season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct. to the 3rd Sun. of Nov., and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon

(a). Nighttime: day after primitive firearms season ends to the last day of Feb.

(b). Nighttime Chase only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take season only.

v. Crawfish: Limited to 100 pounds per person per day.

vi. Larto Tracts: All season dates on Larto Tracts (see WMA map) same as outside, except deer hunting restricted to archery only. All vehicles, including ATVs, are prohibited.

q. Elbow Slough.

i. Mourning Dove: Saturdays, Sundays and Wednesdays only during 1st and 2nd split of the outside season, and except by lottery only opening Sat. and 2nd Sat. of 1st 8 days of 1st split. Applications available at Pineville office and online. Contact Pineville office for details.

ii. Rabbit: Feb. 1 to the last day of Feb. Beagles allowed.

iii. Crawfish: March-July. Limit: 100 lbs. per person per day. Recreational crawfishing only. No traps or nets left overnight.

iv. Woodcock: Same as outside.

v. All other seasons closed. Non-toxic (minimum size #6) shot only for all hunting. All motorized vehicles prohibited.

r. Elm Hall. ATVs/UTVs prohibited.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

(b). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days.

(c). Firearms Bucks Only: Sun. after Thanksgiving Day and the 4th Sat. of Dec. for 9 days.

(d). Primitive Firearms: Next to last Sat. in Jan. for 2 days.

ii. Small Game and Waterfowl: Same as outside except closed during either-sex firearm seasons for deer, beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the close of primitive firearms to the end of Feb. and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs.

s. Floy Ward McElroy. Access restricted. Contact Monroe Wildlife Field Office at 318-343-4045 for information.

i. Deer: limit 1 deer per participant per weekend for all hunts.

(a). Youth Lottery: 2nd weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the 3rd weekend of Dec., and 2nd consecutive Sat. and Sun. in Jan., either-sex. Restricted to those selected as a result of the pre-application lottery.

(b). Physically Challenged Wheelchair Confined Lottery: 1st Sat. of Nov. for 2 days, either-sex. Restricted to wheelchair confined PCHP permittees only selected as a result of the pre-application lottery.

(c). Beyond Becoming an Outdoors Woman (BOW) Lottery Deer Hunt: 1st weekend in Dec. Hunt restricted to those that have successfully completed the Becoming an Outdoors Woman Deer Management Course. Must be Hunter Education certified. Contact LDWF Education Section, 318-343-1241, for more information.

t. Fort Polk-Vernon. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles Office for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer:

(a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex. Special Archery regulations for Archery Only Area, check locally at Building 2396 on 22nd St., either-sex deer legal the entire season. Remainder of WMA restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: 2nd Sat. of Oct. for 7 days, Self-Clearing Permit required.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days mandatory deer check, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, 2nd Sat. of Dec. to Jan. 1.

ii. Turkey: Same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to the last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for hogs.

v. Fishing: Special regulations pertaining to fishing are posted at specific lakes.

vi. Experimental Hunting Area: Refer to Fort Polk WMA Hunting Map: Small game and squirrel hunting with dogs allowed Mon. after Thanksgiving Day to last day of Feb. in Mill Creek 2 Alpha (MC2A) and Mill Creek 2 Bravo (MC2B) Mill Creek Unit. This area will be closed to deer and hog hunting during this time.

u. Grassy Lake. Area Closed: To all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: Last Sat. of Oct. for 2 days.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 4th Sat. of Dec. for 9 days.

(e). Primitive Firearms (either-sex): 2nd Saturday of Dec. for 2 days.

ii. Turkey: Closed.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Sport Fishing: Same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season on Smith Bay, Red River Bay and Grassy Lake proper.

v. Commercial Fishing: Permitted except on Smith Bay, Red River Bay and Grassy Lake proper on Saturday and Sunday and during waterfowl season. Permits available from area supervisor Spring Bayou Headquarters or Lafayette Field Office.

vi. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days, day after primitive firearms season ends for 12 days, and day after bucks only firearm season ends to the last day of Feb.

vii. Crawfish: March 15-July 31. Recreational only. 100 pounds per person daily. No nets or traps may be left overnight.

v. Hutchinson Creek.

i. Deer:

Same as outside, Archery Only, Either-sex.

ii. Turkey: Same as outside.

iii. Small Game and Waterfowl: Same as outside. Open to squirrel hunting during the spring season 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting 1st Sat. of Jan to the last day of Feb.

iv. Raccoon: 2nd Sat. of Sept. for 16 days and 1st Sat. of Jan to the last day of Feb.

w. J. C. Sonny Gilbert. Area Closed: Last Sat. of Oct. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: Last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms Bucks Only: 1st Sat. of Dec. for 14 days.

(e). Primitive Firearms: Day after close of Firearms Bucks Only for 14 days.

ii. Turkey

(a). General Lottery: Opening day of statewide season for 9 days, with 3 consecutive 3 day hunts.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex modern firearms seasons for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

iv. Raccoon (Nighttime): the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

v. Sport Fishing: Restricted to rod and reel, and pole fishing only. All other gear prohibited.

x. Joyce. Swamp Walk: Closed from 30 minutes after sunset to 30 minutes before sunrise. No loaded firearms or hunting allowed within 100 yards of walkways. Check hunting schedule and use walkway at your own risk.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: 1st Sat. of Nov. for 2 days, either-sex.

(c). Firearms Bucks only: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: 3rd Sat. of Dec. for 16 days.

(e). Primitive Firearms (bucks only): 2nd Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan for 7 days.

ii. Small Game and Waterfowl: Same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): Day after primitive firearms ends to last day of Feb.

iv. Crawfish: Limited to 100 pounds per person per day.

y. Lake Boeuf. Self-Clearing Permit required for all activities. Self-Clearing Permit available at Theriot Canal boat landing off LA 308. All nighttime activities prohibited. ATVs/UTVs, motorcycles, horses and mules are prohibited.

i. Deer

(a). Archery (bucks only): Oct. 1-15

(b). Archery (either-sex): Oct. 16 - Jan. 31

ii. Waterfowl: Same as outside.

iii. Small Game: 1st day of Nov. to the last day of Feb. and open to squirrel hunting during the spring season from the 1st Sat. of May for 9 days, with or without dogs. Beagles prohibited November and December.

z. Lake Ramsey. All vehicles restricted to Parish Roads and designated parking areas.

i. Deer

(a). Archery only, Oct. 1-Jan. 31, either-sex.

ii. Turkey: Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: Same as outside and Open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to last day of Feb.

iv. Foot traffic only - All vehicles restricted to Parish Roads, except ATVs allowed for hunters retrieving downed deer or feral hogs.

v. Bird Dog Training Area: Open all year except closed during WMA Turkey Season. Contact Hammond Office (985-543-4777) for information.

aa. Little River

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Firearms Bucks Only: Last Sat. of Oct. for 16 days.

(c). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, and 2nd Sat. of Dec. for 2 days.

ii. Turkey: Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

iii. Raccoon

(a). Nighttime: Mon. after 2nd Sat. of Jan. to last day of Feb.

(b). Nighttime Chase Only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take seasons only.

iv. Small Game and Waterfowl: Same as outside except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

v. Crawfish: March-July. Limit: 100 pounds per person per day. Recreational crawfishing only. No traps or nets left overnight.

bb. Loggy Bayou. Limited Use Area: Small game and waterfowl same as rest of WMA. Deer hunting archery only. See WMA map for specific location.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(c). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

ii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms seasons for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Raccoon (Nighttime): Sat. before Christmas to the last day of Feb.

- cc. Manchac
 - i. Deer
 - (a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either-sex.
 - ii. Small Game and Waterfowl: Same as outside except steel shot required for rails, snipe and gallinules and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Feb. 1 to the last day of Feb.
 - iii. Raccoon (Nighttime): Feb. 1 to the last day of Feb.
 - iv. Crabs: No crab traps allowed. Attended lift nets are allowed.
 - dd. Marsh Bayou
 - i. Deer: Same as outside, Archery Only, Either-sex.
 - ii. Small Game: Same as outside. Open to squirrel hunting during the spring season 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting 1st Sat. of Jan to the last day of Feb. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.
 - iii. Raccoon: 2nd Sat. of Sept. for 16 days and 1st Sat. of Jan to the last day of Feb.
 - ee. Maurepas Swamp. Camping limited to tent camping in designated areas. See WMA map for locations. No loaded firearms or hunting allowed within 100 yards of Nature Trail. Benchmark Closure: Area Closed to all deer hunting when USGS water level gauge CRMS 5373, available at <http://waterdata.usgs.gov/la/nwis/rt> is at or above 3.0 ft. gage height and reopens to deer hunting when water levels recede to 2.5 ft. gage height following a closure. Motorized vehicles prohibited on Crusel Tract (see WMA map for Crusel Tract). Limited Use Area: Small game same as outside except shotgun only. Deer hunting archery only. See WMA map for specific location. Area Closed to all hunters except Youth Deer Hunters during Youth Deer Season. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Hammond Office for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons listed below.
 - i. Deer
 - (a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either sex.
 - (b). Youth: 1st Sat. of Nov. for 2 days, either-sex.
 - (c). Firearms Bucks only: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, and Sun. Self-Clearing Permit
 - (d). Firearms Bucks Only: 3rd Sat. of Dec. for 16 days.
 - (e). Primitive Firearms (bucks only): 2nd Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.
 - ii. Small Game and Waterfowl: Same as outside except closed Friday after Thanksgiving Day for 3 days during either-sex firearms hunts and closed during youth deer season and except spring squirrel season will be open

- the 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.
 - (a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.
 - iii. Raccoon (Nighttime): Day after primitive firearms ends to last day of Feb.
 - iv. Crawfish: Limited to 100 pounds per person per day.
 - ff. Pass-A-Loutre. Self-Clearing Permit required for all activities. Permits available at Pass-a-Loutre Headquarters, Camp Canal and all designated camping areas. Oyster harvesting is prohibited. Camping allowed ONLY in designated areas. See self-clearing permit station at headquarters and WMA map for designated camping areas. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules are prohibited. Mud boats or air-cooled propulsion vessels powered by more than 36 total horsepower prohibited. Operation of mud boats and air-cooled propulsion engines prohibited after 2 p.m. Sept. 1 - Jan. 31, except allowed after 2 p.m. in South Pass, Pass-a-Loutre, Southeast Pass, Loomis Pass, Dennis Pass, and Cadro Pass.
 - i. Deer
 - (a). Archery (bucks only): Oct. 1- Feb.15.
 - (b). Youth Shotgun bucks only: second to last Sat in Oct. for 2 days.
 - (c). Deer Shotgun: Bucks only may be taken with shotguns with either slugs or buckshot for seven days starting the day after the closure of the first split of duck season.
 - ii. Small Game and Waterfowl: Same as outside. Beagles prohibited October through last day of waterfowl season.
 - iii. Feral Hogs: May be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hogs may be taken with the aid of dogs Feb. 16 - March 15. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.
 - iv. Commercial Fishing: Same as outside. Commercial mullet fishing open only in: South Pass, Pass-a-Loutre, North Pass, Southeast Pass, Northeast Pass, Dennis Pass, Johnson Pass, Loomis Pass, Cadro Pass, Wright Pass, Viveats Pass, Cognevich Pass, Blind Bay, Redfish Bay, Garden Island Bay, Northshore Bay, East Bay (west of barrier islands) and oil and gas canals as described on the LDWF Pass-a-Loutre WMA map.
 - gg. Pearl River. Shooting range: Self-clearing permit not required but all range users must obtain a daily check in validation slip at the range upon sign-in at the range. For dates, time or more information call 985-643-3938 or www.honeyisland.org. No loaded firearms or hunting within 100 yards of Boardwalk. All roads closed 8 p.m. - 4 a.m. to all vehicles. Old Hwy. 11 will be closed when river gauge at Pearl River, Louisiana, reaches 16.5 feet. All hunting except waterfowl hunting south of Hwy. 90 will be closed when the river stage at Pearl River reaches 16.5 feet. No hunting in the

vicinity of the Nature Trail. Observe “No Hunting” signs. Area Closed to all hunters except Youth Hunters during Youth deer hunt.

i. Deer:

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Deer Hunt: 1st Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: 1st Sat. of Dec. for 16 days.

(e). Primitive Firearms: 2 Sats. prior to Thanksgiving for 7 days and day after firearms bucks only season closes for 14 days.

ii. Turkey:

(a). General Lottery: Opening day of statewide season for 2 days.

(b). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game: Same as outside except closed the Friday after Thanksgiving Day for 3 days during either-sex firearms hunts for deer, and closed during youth deer hunt, and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Waterfowl: Same as outside except no hunting in Waterfowl Refuge Area and except closed Fri. after Thanksgiving for 3 days, and during youth deer hunt north of U.S. Hwy. 90.

v. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vi. Crawfish: Commercial crawfishing prohibited. Limited to 100 pounds per person per day.

hh. Peason Ridge. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures.

i. Deer

(a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex except restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: 2nd Sat. of Oct. for 7 days. Self-Clearing Permit required.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days mandatory deer check, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, 2nd Sat. of Dec. to Jan. 1.

ii. Turkey: Same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. “Hunter orange” or “blaze pink” must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during special shotgun season for hogs.

ii. Pointe-Aux-Chenes. All nighttime activities prohibited. Possession of more than one daily limit of fish/crab/shrimp while on the WMA is prohibited. Self-clearing permits available at Grand Bayou Boat Launch and at Point Farm gate behind Montegut Middle School. Parking of vehicles on levees prohibited. Vessels/Vehicles: All boats powered by internal combustion engines having total horsepower above 25 Hp are not allowed in the Grand Bayou, Montegut and Pointe-aux-Chenes water management units. Public is permitted to travel anytime through the WMA for access purposes only, in the waterways known as Grand Bayou, Humble Canal, Little Bayou Blue, Grand Bayou Blue, St. Louis Canal, and Bayou Pointe-aux-Chenes unless authorized by LDWF. All ATVs/UTVs, motorcycles, horses and mules are prohibited. Fishing, crabbing, cast netting or any other activities or trespassing on water control structures are prohibited.

i. Feral Hogs: May be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during special shotgun season for feral hogs. All Point-aux-Chenes Property except Point Farm Unit and Restricted Areas

ii. Deer

(a). Archery (bucks only): Oct. 1-15.

(b). Archery (either-sex): Oct. 16 - Feb. 15.

(c). Firearms (bucks only): Fri. after Thanksgiving Day for 3 days and 2nd Sat. of Dec. for 7 days.

iii. Waterfowl: Same as outside.

iv. Small Game: Same as outside except closed during bucks only firearms season and open to squirrel hunting during the spring season from the 1st Sat. of May for 9 days, with or without dogs. Beagles prohibited October through December.

v. Recreational Fishing: The harvest of all fish, shrimp, crabs and crawfish is for recreational purposes only and any commercial use is prohibited. All castnet contents shall be contained and bycatch returned to the water immediately.

vi. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat

or vehicle per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat or vehicle per day (heads on) may be taken for bait.

vii. Oyster Harvesting Prohibited.

viii. Fish may be taken only by rod and reel or hand lines for recreational purposes only.

ix. Crabs may be taken only through the use of hand lines or nets; however, none are to remain set overnight. No drop net is allowed to be left unattended at any time. A maximum of 12 drop nets may be possessed/attended per boat or vehicle. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

x. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Gear used to catch crawfish shall not remain set overnight.

xi. Point Farm Unit (Pointe-aux-Chenes). An approximately 1300-acre area inside the Pointe-aux-Chenes WMA which is generally bounded on the west by the double gates behind the Montegut Middle School, the Point Farm levee and the WMA boundary, and on the north by the WMA boundary, and is bounded on the east and south by the Point Farm ridge levee. The boundary of Point Farm is more accurately marked with signs. Point Farm gate will be open all Saturdays during the month of February, weather permitting. Parking in designated areas required for mourning dove hunting. No motorized vessels allowed in the drainage ditches. Except for mourning dove hunting, (provided for below) all other hunting activities closed until after the last day of youth deer hunts.

(a). Deer

(i). Youth Lottery (either-sex): 1st Sat. of Oct. for 2 days, 2nd Sat. of Oct. for 2 days, daily youth hunt permit required. Call the Lafayette Field Office, Coastal WMAs, 337-735-8667 for details.

(ii). Archery (either-sex): Oct. 16 – Jan. 14

(b). Waterfowl: Closed

(c). Small Game: Same as outside, except closed until the day after the last youth deer hunt day and open to squirrel hunting during the spring season from the 1st Sat. of May for 9 days, with or without dogs. Beagles prohibited October and November. Non-toxic shot only south of the dove field gate.

(d). Mourning Dove: Hunting will be permitted each day during the September split and each day of the second and third splits (AFTER the last youth deer hunt day). Shooting hours will be from 1/2 hour before sunrise until sunset, except opening day of the first split, which will be 12:00 pm (noon) until sunset. Gates will be opened on Saturdays during the first and second segments, weather permitting, except during waterfowl season and Youth Deer Hunt weekends. Parking will be allowed in designated areas only. Non-toxic shot only south of the dove field gate.

jj. Pomme de Terre. Area Closed: To all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: Last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 4th Sat. of Dec. for 9 days.

(e). Primitive Firearms: Day after firearms bucks only season ends for 7 days.

ii. Turkey: 4th Sat. of April for 9 days.

(a). Youth Lottery: 3rd Sat. of April for 2 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunt for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Oct. 31, and Mon. after Thanksgiving for 21 days, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

v. Commercial Fishing: Permitted Monday through Friday except closed during duck season. Commercial Fishing Permits available from area supervisor, Lafayette Wildlife Field Office or Spring Bayou Headquarters.

vi. Sport Fishing: Same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season.

vii. Crawfish: March 15-July 31. Recreational only. 100 lbs. per person daily. No nets or traps may be left overnight.

kk. Richard K. Yancey. Area closed on that portion of the area south of Black Hawk Acme Levee Road, west of LA Hwy. 15, southward to Old River Control Structure, thence south to Sugar Mill Chute, last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. The remainder of the WMA is open to all users.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Lottery: 3rd and 4th Sat of Dec. except if the 4th Sat. is Christmas Day, then the hunt will be the 2nd and 3rd Sat. of Dec. and the 1st and 2nd Sat. in Jan. except when the 1st Sat. of Jan. is New Year's Day then the hunt will be the 2nd and 3rd Sat. of Jan., either-sex.

(c). Youth and Physically Challenged: Last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(e). Firearms Bucks Only: Last Sat. of Dec. for 9 days.

(f). Primitive Firearms (Either-Sex): 2nd Saturday in December for 2 days.

ii. Turkey: Opening day of statewide season for 9 days except season will open for 10 days when statewide season opens on Good Friday.

(a). Youth Lottery: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

iii. Small Game and Waterfowl: Same as outside except closed during the either-sex firearms season and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Oct. 31, and Mon. after Thanksgiving for 12 days, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Quail: Closed.

v. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

vi. Crawfish: Recreational crawfishing allowed west of the Mississippi River Levee only Mar. 15 to July 31, recreational crawfishing only. Crawfish harvested limited to 100 pounds per person per day. No traps left overnight. No motorized watercraft allowed.

vii. Sport Fishing and Commercial Fishing: Same as outside except closed from 30 minutes before sunrise until 2 p.m. on: Grand Bay, Silver Lake, Lower Sunk Lake, Lac A' Sostien, Moreau Lake, and Hog Pen Lake during open waterfowl seasons, except during early Teal Season, recreational fishing allowed after 10 a.m.

ll. Russell Sage. Area Closed: Last Sat. of Oct. for 2 days South of I-20 only to all except Youth and Physically Challenged Deer Hunters. North of I-20 open to all other allowable activities. Wham Brake: September 1-Jan. 31 all motorized vessels prohibited 2 p.m.-4 a.m., and all nighttime activities prohibited during open waterfowl season. Waterfowl Refuge: North of LA Highway 15 closed to all hunting, fishing, trapping and ATV use during duck season including early teal season, except hunting allowed during Falconry Waterfowl Season. Transporting trash or garbage on WMA roads is prohibited. All nighttime activities prohibited except as otherwise provided. Chauvin Tract: All season dates on Chauvin Tract (US 165 North) same as outside, except still hunt only, except deer hunting restricted to archery only, and except small game shotgun only. All vehicles including ATVs prohibited. Wham Brake Area: Waterfowl hunting open during either-sex deer season.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: Last Sat. of Oct. for 2 days, either-sex, south of I-20 only.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 2nd Sat. of Dec. for 14 days.

(e) Primitive Firearms: Mon. after Firearms either-sex season for 7 days.

ii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms deer seasons, except Wham Brake area, South Bosco Tract and Pintail Alley area

will remain open during either-sex firearms deer seasons, and except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31. Snipe hunting after 2 p.m. prohibited during duck season. Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): 1st Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

iv. Crawfish: 100 pounds per person per day limit.

mm. Sabine. Area Closed: To all activities 3rd Sat. of Oct. for 2 days to all but Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: 3rd Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: 4th Sat. of Oct. for 2 days, Fri. after Thanksgiving Day for 3 days, Self-clearing Permit.

(d). Firearms Bucks Only: day after primitive firearm season to day before Thanksgiving Day. First Sat. of December for 9 days.

(e). Primitive Firearms: Monday after the 4th Sat. in Oct. for 7 days.

ii. Turkey

(a). General Lottery: 2nd Fri. of April for 3 days, 4th Fri. of April for 3 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

nn. Sabine Island. Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east. Self-Clearing Permits required for hunters only. Area Closed: 4th Sat. of Sept. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Same as Area 8 Deer Season except still hunt only.

(b). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex.

(c). Youth: 4th Sat. of Sept. for 2 days, either-sex.

ii. Small Game and Waterfowl: Same as outside except closed 4th Sat. of Sept. for 2 days and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Squirrel hunting with dogs allowed day after Area 8 deer season ends to last day of Feb.

iii. Raccoon (Nighttime): Day after Area 8 deer season ends to last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from 3rd Sat. of Sept. to last day of Feb. Hogs may be taken with the aid of dogs Feb. 1 to last day of Feb.

oo. Salvador/Timken. Self-Clearing Permit required for all activities. Permits available at Pier 90, Bayou Gauche, Bayou Segnette State Park landings, and at Airboat Adventures in Lafitte. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules prohibited. Use of mud boats powered by internal combustion engines with more than four cylinders is prohibited. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited. AREA Closed: During the month of October to all activities except fishing, Youth Deer Hunters and Youth Waterfowl Hunters, if the latter is provided for.

i. Deer

(a). Archery (either-sex): Nov. 1 - Jan. 31

(b). Youth (either-sex): Last 4 Sats. of Oct. for 2 days each except when the last Sat. is the 31st in which case the season will be the 1st four Sats. of Oct. for 2 days each, either sex.

(c). Firearms (bucks only): Mon. before Thanksgiving Day for 28 days.

(d). Deer Primitive Firearms (bucks only): Day after Firearms Bucks Only for 7 days.

ii. Waterfowl: Same as outside.

iii. Small Game: Same as outside except closed October through December. Beagles allowed for rabbits Jan. through last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

v. Recreational Fishing: The harvest of all fish, shrimp, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

vi. Shrimp: may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat per day (heads on) maximum may be taken for bait. All castnet contents shall be contained and bycatch returned to the water immediately.

vii. Fish: may be taken only by rod and reel or hand lines for recreational purposes.

viii. Crabs: may be taken only through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

ix. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Fishing gear used to catch crawfish shall not remain set overnight.

x. Experimental Nighttime Activity Season:

(a). 12 a.m., June 1 through official sunrise Aug. 15. Nighttime activities LIMITED to the take of frogs and fishing with a rod and reel. All other nighttime activities prohibited. Daily limit of 50 frogs per vessel in aggregate

(bull frogs/pig frogs). If engaged in frogging on or while traversing the WMA, all frogs in possession will be deemed to have been taken from the WMA. At no time may anyone possess more than one daily limit of frogs while on the water.

(b). Size Limit: (Measured from the tip of the muzzle to the posterior end of the body between the hind legs). Bull frogs harvested must be 5 inches or larger. Pig frogs harvested must be 3 inches or larger.

(c). Check out portion of self-clearing permit must include boat registration number under the comments section. Possession of firearms while participation in any experimental nighttime activity is prohibited.

pp. Sandy Hollow. No hunting with any firearm south of Jackson Road, except school board tract, on days of scheduled field trials. Dates of field trials are listed on the check stations or can be obtained from the Hammond office (985-543-4777). Area Closed: North tract closed to all hunters 1st Sat. of Nov. for 2 days, except Youth and Physically Challenged Deer Hunters.

i. Deer

(a). Youth/Physically Challenged: 1st Sat. of Nov. For 2 days, either-sex.

(b). Archery: Oct. 1-Jan. 31, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and 3rd Sat. of Dec. for 2 days.

(d). Primitive Firearms: 2nd Sat. of Dec. for 7 days, 4th Sat. of Dec. for 7 days, and the 1st Sat. of Jan. for 2 days.

ii. Turkey: Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: Same as outside except closed Fri. after Thanksgiving for 3 days and Youth/Physically Challenged hunt, and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): Day after primitive firearms season ends to last day of Feb.

v. Mourning Dove: 1st day and 2nd Sat. through end of 1st split. Closed remainder of 1st split. Second and third splits are same as outside except Youth Hunt on Northern tract during the opening day of the first segment. Hunt restricted to youths younger than 18 years of age and supervising adult who must be 18 years of age or older. The supervising adult must maintain visual and voice contact with the youth at all times.

vi. Bird Dog Training: Mon. after opening day of Mourning Dove Season to the Sun. before opening of Quail Season and Feb. 1 to last day of Feb., except restricted to that portion south of LA Hwy. 10 only and except blank pistols only. Wild birds only (use of pen-raised birds prohibited).

vii. Bird Dog Training Area: An area has been designated to allow use of released birds for dog training purposes. Open all year except closed during either-sex

modern firearm hunts for deer, WMA turkey season and opening weekend of the 1st segment of dove season. Contact Hammond Office (985-543-4777) for information.

viii. Bird Dog Field Trials: Permit required from Hammond Office.

ix. Horseback Riding: Self-clearing Permit required. Organized trail rides prohibited. Riding allowed only on designated roads and trails (see WMA map). Horses and mules are specifically prohibited during turkey and gun season for deer except as allowed for bird dog field trials. No horses and mules on green planted areas. Horse-drawn conveyances prohibited.

qq. Sherburne. The area known as the South Farm is located on the East Side of Sherburne WMA. No hunting will be allowed except specified lottery hunts, within the levee system of the farm from the Fri. before the 1st lottery youth deer hunt on the South Farm until the day after the last lottery duck hunt on the South Farm. Waterfowl hunting will be allowed by lottery only during the open regular duck hunting season. Hunting will be allowed in the wooded portions east of the waterfowl impoundments. Consult the WMA maps for exact locations. No hunting allowed within the levee system of the farm. Area Closed: Last Sat. of Oct. for 2 days except to Youth and Physically Challenged Deer Hunters and South Farm closed to all hunters except youth lottery deer hunters. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lafayette or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons as listed below. Physically Challenged Wheelchair Confined Waterfowl Hunting Area: Access restricted. Call Lafayette or Baton Rouge Offices for further details. Hunting by reservation for wheelchair confined PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth and Physically Challenged: Last Sat. of Oct. for 2 days, either-sex, ALL OTHER SEASONS CLOSED. Self-Clearing Permit.

(c). Youth Lottery: Last Sat. and Sun. of Oct., 4th Mon. of Dec., and 1st and 2nd Sun. of Jan. except no hunt on Christmas Day or Christmas Eve, either-sex. Contact Lafayette office, 337-262-2080 for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days Mandatory Deer Check and Sun. after Thanksgiving, Self-Clearing Permit, and 2nd Sat. after Thanksgiving for 9 days, Self-Clearing Permit.

(e). Firearms Bucks Only: 4th Sat. of Dec. for 16 days.

(f). Primitive Firearms: Mon. after close of Firearms Bucks only for 7 days.

ii. Turkey: Mon. after 3rd Sat. of April for 3 days.

(a). General Lottery: 3rd Sat. of April for 2 days.

(b). Youth Lottery: 2nd Sat. in April

iii. Small Game: Same as outside except closed during Firearms Either-Sex Deer and except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

(b). On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Oct. 31, and Mon. after close of 2nd firearms either-sex deer season for 9 days, except closed last Sat. of Oct. for 2 days, and training of beagles for rabbit and dogs for squirrel allowed June 1 – August 31.

iv. Waterfowl, Snipe, Rail, and Gallinules: Same as outside except closed during Firearms Either-Sex Deer and except hunting after 2 p.m. prohibited except no hunting in Waterfowl Refuge. That portion of Sherburne WMA known as the South Farm restricted to Lottery hunts only. South Farm waterfowl hunting limited to one hunt per calendar week per person. All other hunting closed on South Farm complex from the Friday before Youth Lottery Deer Hunt until the day after the last Waterfowl hunt on the South Farm. Contact the Wildlife Field Office for details and description of “South Farm.”

(a). Youth Waterfowl Lottery: Contact Lafayette Office for details and applications.

(b). Disabled Veterans Waterfowl Lottery: Contact Lafayette Office for details and applications.

v. Quail: Closed

vi. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vii. Crawfish: March 15-July 31, Recreational crawfishing only. Crawfish harvest limited to 100 pounds per person per day. No traps or nets left overnight. No motorized watercraft allowed on farm complexes. Retriever training allowed on selected portions of the WMA. Contact the Wildlife Field office for specific details.

viii. Vehicular traffic prohibited on East Atchafalaya River levee within Sherburne WMA boundaries.

ix. Rifle and Pistol/Handgun Range open daily. Skeet ranges open by appointment only, contact Lafayette office, 337-262-2080. No trespassing in restricted areas.

NOTE: Atchafalaya National Wildlife Refuge and U.S. Army Corps of Engineers land holdings adjacent to the Sherburne Wildlife Management Area will have the same rules and regulations as Sherburne WMA. No hunting or trapping in restricted area.

x. Bird Dog Training Area: Open to bird dog training all year except closed during either-sex modern firearm hunts for deer, WMA turkey season, and opening weekend of 1st and 2nd segments of dove season.

rr. Soda Lake. Bicycles allowed. Vehicle parking allowed only in designated parking area on LA 173 at Twelve Mile Bayou and LA 169 adjacent to levee. All trapping and hunting prohibited except:

i. Deer

(a). Archery Only, Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: Portion West of Twelve Mile Bayou same as outside, falconry only and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, Falconry only. Portion east of Twelve Mile Bayou open same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs.

ss. Spring Bayou. Area Closed: Last Sat. of Oct. for 2 days to all except Youth Deer Hunters. No hunting allowed in Headquarters area. Only overnight campers allowed in the improved Boggy Bayou Camping area. Rules and Regulations posted at campsite. A fee is assessed for use of this campsite. Water skiing permitted only in Old River and Grand Lac.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: Last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: 4th Sat. of Dec. for 16 days.

(e). Primitive Firearms: Mon. after close of Firearms Bucks only for 7 days.

ii. Turkey

(a). Youth Lottery: 4th Sat. of April for 2 days.

iii. Small Game and Waterfowl: Same as outside except small game closed during either-sex firearms hunts for deer. Waterfowl to remain open during either-sex firearms hunts for deer. Open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

v. Commercial Fishing: Gill nets and trammel nets 3.5 inches and greater permitted Monday through Friday except slat traps and hoop nets permitted any day. The take and possession of grass carp is prohibited. Permits available from area supervisor or Lafayette Wildlife Field Office. Closed until after 2 p.m. during waterfowl season.

vi. Sport Fishing: Same as outside except only allowed after 2 p.m. during waterfowl season, except during early Teal Season, recreational fishing allowed after 10 a.m.

vii. Crawfish: March 15-July 31. Recreational only, 100 lbs. per person per day.

tt. Tangipahoa Parish School Board. Self-Clearing Permits required for all activities. No horseback riding during gun season for deer or turkey. ATVs are not allowed except as otherwise specified.

i. Deer: Same as outside.

ii. Turkey: Same as outside.

iii. Small Game and Waterfowl: Same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): Day after primitive firearms season ends to last day of Feb.

uu. Thistlethwaite. Restricted Area: Small game hunting allowed with shotgun only loaded with shot no larger than BB lead or F steel. Deer hunting allowed by archery only. Area Closed: Last Sat. of Oct. for 2 days,

except to Youth Deer Hunters. All motorized vehicles restricted to improved roads only. All users must enter and leave through Main Gate only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth Deer Hunt: Last. Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days, 1st Saturday of Dec. for 9 days, and 4th Saturday of Dec. for 2 days.

(d). Firearms Bucks Only: Monday after the last Either-Sex Firearm hunt in Dec. for 14 days.

(e). Primitive Firearms: 2nd Saturday in November for 2 days and Monday after close of Firearms Bucks Only for 7 days.

ii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting February 1-28.

vv. Tunica Hills. Area Closed Sat. and Sun. before opening day of statewide turkey season except youth turkey hunters and all weekends in April, and on Good Friday when the state turkey seasons opens that day except for turkey hunters. Area Closed: 1st Sat. of Nov. for 2 days to all except Youth Deer Hunters. Camping limited to tents only in designated areas.

i. Deer

(a). Archery: Oct. 1-15, bucks only, Oct. 16-Jan. 31, either sex, Feb. 1-15, bucks only.

(b). Youth Hunt: 1st Sat. of Nov. for 2 days, either-sex.

(c). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit, either-sex, 2nd Sat. of Dec. for 9 days, except when there are 5 Sats. in Dec. then it will open on the 3rd Sat. of Dec., the initial Sat. and Sun. either-sex, the remaining 7 days bucks only, self-clearing permit.

ii. Turkey: Mon. after 3rd Sat. of April for 7 days.

(a). General Lottery: Opening day of statewide season for 2 days, 2nd Sat. of April for 2 days, 3rd Sat. of April for 2 days.

(b). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game and Waterfowl: Same as outside except closed during Youth Deer Hunt and Primitive Firearms Deer Hunt and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs, South Tract only. Beagles allowed for rabbits and dogs allowed for squirrel hunting 3rd Saturday of Oct. for 7 days and Feb. 1 to last day of Feb. on South Tract only. On that portion designated as Small Game Emphasis Area (South Tract Only), training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon (Nighttime): Feb. 1 to last day of Feb. on South Tract only.

ww. Walnut Hill.

i. Deer: Same as outside, Archery Only, Either-sex.

ii. Turkey: Same as outside.

iii. Small Game: Same as outside. Open to squirrel hunting during the spring season 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting 1st Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Feb. 28, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon: 2nd Sat. of Sept. for 16 days and 1st Sat. of Jan. to the last day of Feb.

xx. West Bay. Area Closed: Next to last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. Limited Use Area: Small game same as outside except shotgun only and deer hunting - Archery only. See WMA map for specific location.

i. Deer

(a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex.

(b). Youth and Physically Challenged: Next to last Sat. of Oct. for 2 days, either-sex, for physically challenged and youth hunters only.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days Mandatory Deer Check and Fri. after Thanksgiving Day for 3 days, Self-Clearing.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and 2nd Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after 1st either-sex firearms weekend for 7 days.

ii. Turkey:

(a). General Lottery: Opening day of statewide season for 2 days, 2nd Sat. of April for 2 days, 3rd Sat. of April for 2 days.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season closes to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): Day after firearms bucks only season closes to last day of Feb.

18. Other Areas

a. Camp Avondale Scout Reservation

i. Deer

(a). Firearms Either-sex: 2nd Sat. in November for 3 days. Restricted to scout program.

19. U.S. Forest Service Areas

a. Kisatchie National Forest (KNF)

i. Vehicles

(a). Motorized travel off designated roads and trails and outside designated areas is prohibited on the entire KNF. Motor Vehicle Use Maps (MVUM) showing designated roads and trails and associated vehicles and travel seasons are available in all Forest Service offices and on the Kisatchie website (www.fs.usda.gov/kisatchie).

(b). ATV/UTV (50" maximum width); operation is prohibited on public roads and road rights-of-ways. Use is allowed on Forest roads designated as open seasonally to

ATV/UTV use. Use is prohibited in some campsites and recreation areas; see bulletin boards for additional information. (Also see MVUM)

(c). Nighttime ATV/UTV travel is prohibited. ATV/UTV travel is allowed between one hour before sunrise and one hour after sunset.

(d). Game retrieval with an ATV/UTV is only allowed within designated 300-foot corridors (see MVUM).

(e). Camping corridors for highway legal vehicles to drive within 100 feet of the road and camp are designated on the Caney District and in the National Red Dirt Wildlife Management Preserve.

ii. Firearms

(a). Hunting or discharging a firearm is prohibited as follows:

(i). In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area;

(ii). Across/on/from a National Forest System Road (NFSR) legally open to motorized use;

(iii). Across a body of water where any person/property is exposed to injury/damage as a result of such a discharge;

(iv). Hunting within 50 feet of any NFSR.

(b). It is prohibited to possess a firearm having live ammunition in the chamber, magazine, cylinder or clip (when attached to a firearm), or crossbow cocked and in the ready position in or on any type vehicle while on KNF.

(c). All deer must be tagged as required by LDWF regulations.

(d). Active and retired law enforcement officers in compliance with POST requirements, Federal Law Enforcement Officers, holders of Louisiana concealed handgun permits or permit holders from a reciprocal state, who are in compliance with all other state and federal firearms regulations, may possess firearms while on KNF lands, provided these firearms are not used for any hunting purposes.

(e). The following cannot be carried while hunting on KNF lands except during modern and primitive deer seasons:

(i). centerfire rifles;

(ii). break-action centerfire and bolt-action centerfire handguns;

(iii). scoped centerfire handguns;

(iv). shotgun slugs or shot larger than BB lead or F steel.

iii. Hunter Orange. LDWF WMA regulations for hunter orange and blaze pink apply.

iv. General. Hunting or discharging a firearm in or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, across/on a NFSR legally open to motorized use, across a body of water where any person/property is exposed to injury/damage as a result of such discharge, is prohibited.

v. Hunting General

(a). Deer Bag Limit: 1 per day up to the statewide seasonal limit.

(b). All deer hunting is still-hunting only.

(c). All deer must be tagged as required by LDWF regulations.

(d). Hunting stand, blind, tripod, baiting, spot-lighting, etc. regulations applicable to LDWF WMAs are in effect on KNF (unless otherwise specified, refer to “Methods of Taking Game” section of the LDWF WMA Regulations) excluding the “Bag Limit” section and “Horses and Mules” section.

(e). Hunting from a permanent stand prohibited. Placing or leaving a temporary stand limited to 24 hours.

(f). The training of deer dogs is prohibited year round.

(g). LDWF Youth Deer Hunt regulations apply for all KNF lands except that archery and open season small game hunting is allowed (excluding those portions of the Vernon Unit within Fort Polk-Vernon WMA).

vi. Archery Deer Hunting

(a). Either-sex deer may be taken at any time by archers during the archery season except when bucks-only firearms seasons are in progress on KNF (archers must hunt only bucks during bucks-only firearm seasons).

(b). Archers must adhere to the full hunter orange requirements during any firearm season for deer.

(c). Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Polk-Vernon WMA): Same as outside.

(d). Catahoula (Grant and Rapides Parishes), Winn (Winn, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and Caney Range District (Webster and Claiborne Parishes): Same as outside (including Catahoula and Red Dirt National Wildlife Management Preserves).

vii. Firearms for Deer Hunting (excludes the Catahoula and Red Dirt National Wildlife Management Preserves)

(a). Catahoula (Grant and Rapides Parishes), Winn (Win, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and the Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Polk-Vernon WMA).

(b). Youth only, either-sex, same as outside, still hunt only; LDWF regulations for hunter orange apply.

(c). Primitive Firearms, either-sex: Next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., Sat. after close of Dec. firearms bucks only hunt for 2 days, still hunt only.

(d). Firearms, either-sex: Last Sat. of Oct. through Sun. after the last Sat. of Oct., Fri. after Thanksgiving, still hunt only.

(e). Firearms, bucks only: Sat. after the last Sat. of Oct. through Thanksgiving, Sat. after Thanksgiving through Sun. after Thanksgiving, 2nd Sat. of Dec. for 16 days, still hunt only.

viii. Caney Ranger District (Webster and Claiborne Parishes): Same as outside including Youth Hunt and Primitive Firearms (Area 2) except still hunt only. Either-sex entire season.

ix. Turkey. Opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday (on all ranger districts except the Caney Ranger District); Caney Ranger District: opening day

of statewide season for 16 days except season will open for 17 days when statewide season opens Good Friday.

x. Turkey Youth. Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days (on all Ranger Districts except Vernon Unit lands within Fort Polk-Vernon WMA).

xi. Other Seasons on Entire KNF (See Catahoula/Red Dirt National Wildlife Management Preserve section for additional information)

(a). Rabbit, Squirrel, Quail and Migratory Game Birds: Same dates and bag limits as outside except closed to squirrel hunting during the spring season. Youth squirrel: 4th Sat. of Sept. for 2 days.

(b). Waterfowl: Same as outside except waterfowl hunting ceases at 2 p.m. If hunting on Corney Lake (Caney Ranger District), a permit (free of charge) is required for the use of a duck blind on the lake.

(c). Feral Hogs, Coyotes, Armadillos and Beavers: May be taken during daylight hours only, on any KNF hunt by properly licensed hunters with weapons legal for that hunt.

(d). Raccoons, Opossums, Fox (chase only) (nighttime, chase only): May be hunted during daylight or nighttime from Oct. 1 through Feb. 28 unless otherwise stated. A licensed hunter may take raccoon or opossum, two per person per day, except during the trapping season when there shall be no limit. (Please see Louisiana Trapping Regulations pamphlet for additional information. Also please see “Hunting-dog usage during deer firearm seasons” section below for exceptions).

(e). Bobcat and Nutria: LDWF regulations apply.

(f). Crows, Blackbirds, Grackles and Cowbirds: May be taken Sept. 1 through Jan. 1 only.

(g). Fishing: LDWF state creel limits apply (See Louisiana Fishing Regulations pamphlet for additional information).

(h). Trapping: See LDWF Trapping Regulations pamphlet for additional information.

(i). Hunting Dog Usage: Hunting dog usage during deer firearm seasons (only for KNF areas outside the Catahoula and Red Dirt National Wildlife Management Preserves): Hunting dogs that are legal for hunting species other than deer, and that stay within voice-command distance of handler are allowed during deer gun hunts. Hunting dogs that range beyond voice-command distance of handler are prohibited during deer gun hunts. The training of deer or hog dogs is prohibited year-round. Hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner’s name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable.

(j). Hunting-dog training: March 1 through Sept. 30 (except all dogs prohibited during turkey hunting season), allowed only in the following circumstances: dogs are within voice-command distance of handler; dogs are participating in nighttime raccoon chases mentioned above; dogs are

participating in licensed events conducted by nationally-recognized kennel clubs (KNF permit required – contact Forest Supervisor’s office); dogs are under close control of hikers; and any dog on a leash. No firearms allowed while training dogs. Hunting-dog training prohibited in Catahoula and Red Dirt National Wildlife Management Preserves.

(k). Bird Dog Training Area: Only that portion of the Vernon Unit known as the “dove field”. Bird dogs may be trained year round except closed during turkey season. Permit required from LDWF to use pen-raised quail.

(l). Hunting-Dog Nighttime Chase Only: (All breeds allowed, no deer dogs or hog dogs). May 1 through Sept. 30, Tuesdays and Fridays only. No firearms allowed. Nighttime ATV/UTV travel is prohibited. Hunting-dog nighttime chase is prohibited in the Catahoula and Red Dirt National Wildlife Management Preserves during this period.

xii. Catahoula and Red Dirt National Wildlife Management Preserves (NWMP). Owner: U.S. Forest Service: Catahoula NWMP – 36,000 acres in Grant and Winn Parishes; Red Dirt NWMP—38,000 acres in Natchitoches Parish.

(a). Season Permit required for hunting, fishing and/or trapping on the preserve; for a permit or to get additional information contact the Forest Supervisor’s Office, Winn, Catahoula or Kisatchie Ranger District offices or www.fs.fed.us/r8/kisatchie/hunting/index.html. In addition to the Season Permit, a Self-Clearing Daily Permit is required for all hunters during all deer gun hunts and turkey hunts. The Self-Clearing Daily Permits will be available at the main check stations, hunter-camps within the NWMPs, Kisatchie, Winn and Catahoula district offices, and at the Forest Supervisor’s Office. Permits are free of charge. The Self-Clearing Permit consists of two portions: check-in and check-out. The check-in portion must be completed and put in the permit box before each hunt on the day of the hunt. The check-out portion must be carried by each person while on the NWMP and must be completed and put in the permit box immediately at the end of the day’s hunt. Hunters can also check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours. Note: When Mandatory Deer Checks are specified (see below), all hunters must check deer at the NWMPs main check stations.

(b). Hunting with Dogs: Hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season, and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner’s name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable. No training of dogs in the NWMPs outside of pertinent seasons.

(c). Select Prohibitions: Additional information and prohibitions are provided on Season Permit for the NWMPs.

(d). Deer:

(i). Archery Season: Same as Area 2. Archers are required to check harvested deer at the main check station during the mandatory deer check days, see dates below.

(ii). Youth Only Hunt, Either-Sex: Same as outside, still hunt only. Self-Clearing Daily Permit required.

(iii). Physically Challenged Hunt, Either-Sex: Second Sat. of Oct. through Sun. after the second Sat. of Oct., still hunt only, Self-Clearing Daily Permit required; hunters must also have in possession a LDWF Physically Challenged Hunters Permit.

(iv). Primitive Firearms, Either-Sex: Next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., still-hunt only, Self-Clearing Daily Permit required. Mandatory deer check at main check stations.

(v). Firearms, Either-Sex: Last Sat. of Oct. through Sun. after the last Sat. of Oct., and Fri. after Thanksgiving, still-hunt only, Self-Clearing Daily Permit required. Mandatory deer check at main check stations.

(vi). Firearms, Bucks Only: Sat. after Thanksgiving through Sun. after Thanksgiving, still-hunt only, self-clearing daily permit required.

(e). Turkey

(i). Opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday.

(ii). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

(f). Squirrel, Rabbit, Quail, Dove, Woodcock and Waterfowl (without dogs): All seasons same as outside (unless otherwise stated) except closed during deer firearm hunts. Consult LDWF hunting pamphlet for additional information. No spring squirrel season.

(g). Youth Squirrel: 4th Sat. of Sept. for 2 days.

(h). Squirrel/Rabbit (with dogs): 1st Sat. of Jan. through last day of Feb.

(i). Quail (with dogs): Same as outside.

(j). Raccoon/Opossum (non-dog season/daylight hours): May be taken by properly licensed hunter as incidental take with gear legal for the season in progress.

(k). Raccoon (nighttime, with dogs): 1st Sat. of Jan. through last day of Feb.

(l). Fishing: Closed to fishing during deer gun hunts.

20. Bayou Teche National Wildlife Refuge: Owned by U.S. Fish and Wildlife Service, 9,028 acres within St. Mary Parish

a. Deer

i. Archery: Same as outside, except closed during youth and firearms deer seasons, limit one deer per day; Franklin Unit closed.

ii. Youth Firearms: Last Sat. of Oct. for 2 days, either-sex, limit one deer per day; Franklin and Bayou Sale Units closed.

iii. Firearms: Fri. after Thanksgiving for 3 days, either-sex, limit one deer per day; Franklin and Bayou Sale Units closed.

b. Small Game: Same as outside, except closed during youth and firearms deer seasons; Franklin Unit closed.

c. Waterfowl: Same as outside except closed after 12:00 noon, and except closed during firearms deer season; Franklin Unit closed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and R.S. 56:116.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1279 (July 1999), amended LR 26:1494 (July 2000), LR 27:1049 (July 2001), LR 28:1603 (July 2002), LR 29:1124 (July 2003), repromulgated LR 29:1522 (August 2003), amended LR 30:1495 (July 2004), LR 31:1611 (July 2005), LR 32:1251 (July 2006), LR 33:1382 (July 2007), LR 34:1429 (July 2008), LR 35:1264 (July 2009), LR 36:1566 (July 2010), LR 37:2190 (July 2011), LR 38:1732 (July 2012), LR 39:2292 (August 2013), LR 40:1540 (August 2014), LR 41:963 (May 2015), LR 42:1112 (July 2016), LR 43:1423 (July 2017), LR 44:1277 (July 2018), LR 45:938 (July 2019), LR 46:961 (July 2020), LR 47:904 (July 2021), LR 48: , LR 48:

§113. General and WMA Turkey Hunting Regulations

A. General Regulations. Only gobblers (male turkeys) may be taken. Taking of hen (female) turkeys, including bearded hens, is prohibited; still hunting only. Use of dogs, electronic calling devices, motorized decoys and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead, #2 non-toxic, or BB steel shot, and approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

B. Tags

1. Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Immediately upon killing a turkey, hunters must attach a carcass tag to or electronically tag the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. If using carcass tags, the date of kill and parish of kill must be recorded on the carcass tag, and the tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within 72 hours of the kill, the hunter must report the kill. Hunters may report turkeys electronically, calling the validation phone number, or using the validation website.

2. Turkey hunters purchasing licenses by phone will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C. Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (*Meleagris gallopavo silvestris*, *M.g. osceola*, *M.g. intermedia*, *M.g. merriami*, *M.g. mexicana*) or their eggs, regardless of origin, without a valid game breeder license. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger or hunters possessing a physically challenged hunter permit with wheelchair classification may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Additionally, any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Only one gobbler per day may be taken and any gobbler taken by the hunter during this special season counts towards their season bag limit of two.

E. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

F. Turkey Hunting Area Descriptions

1. Area A

a. All of the following parishes are open:

- i. Beauregard;
- ii. Bienville;
- iii. Bossier;
- iv. Claiborne;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- v. East Baton Rouge;
- vi. East Feliciana;
- vii. Grant;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates;

- viii. Jackson;
- ix. LaSalle;
- x. Lincoln;
- xi. Livingston;
- xii. Natchitoches;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- xiii. Sabine;
- xiv. St. Helena;
- xv. St. Tammany;
- xvi. Tangipahoa;
- xvii. Union;
- xviii. Vernon;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- xix. Washington;
- xx. Webster
- xxi. West Feliciana (including Raccourci Island);
- xxii. Winn.

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

b. Portions of the following parishes are also open:

- i. Allen—north of US 190 east of Kinder, west of US 165 south of Kinder;
- ii. Calcasieu—north of I-10;
- iii. Caldwell—west of Ouachita River southward to Catahoula Parish line;
- iv. Catahoula—south and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line, also that portion lying east of LA 15;
- v. Evangeline—north and west of LA 115, north of LA 106 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of LA 13 south of LA 10 to Mamou and north of LA 104 west of Mamou;
- vi. Franklin—that portion lying east of LA 17 and east of LA 15 from its juncture with LA 17 at Winnsboro;
- vii. Jefferson Davis—north of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;
- viii. Madison—that portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80. Also, all lands east of the main channel of the Mississippi River;
- ix. Morehouse—west of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA

3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;

x. Ouachita—all west of the Ouachita River. That portion east of the Ouachita River lying north of US 80;

xi. Rapides—all west of Red River and north of LA 28 east from Pineville, LA east to LaSalle Parish line

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

xii. Richland—that portion south of US 80 and east of LA 17;

xiii. Tensas—that portion west of US 65 from the Concordia Parish line to its juncture with LA 128, north of LA 128 to St. Joseph; west and north of LA 605, 604 and 3078 northward to Port Gibson Ferry; also all lands east of the main channel of the Mississippi River.

2. Area B

a. All of the following parishes are open:

- i. Caddo;
- ii. DeSoto;
- iii. Red River.

3. Area C

a. All of the following parishes are open:

- i. Ascension;
- ii. Concordia;
- iii. Iberville;
- iv. Pointe Coupee;

EXCEPTION: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries.

v. West Baton Rouge.

b. Portions of the following parishes are open:

i. Avoyelles—that portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the west Atchafalaya Basin protection levee southward;

ii. Caldwell—all east of the Ouachita River;

iii. Catahoula—all of the parish except for that portion located in area A;

iv. Franklin—west of LA 17 from the Richland Parish line southward to Winnsboro, west of LA 15 southward to the Catahoula Parish line;

EXCEPTION: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries.

v. Iberia—east of the west Atchafalaya Basin protection levee;

vi. Richland—west of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line;

vii. St. Landry—that portion bounded on the west by the west Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River;

EXCEPTION: the Indian Bayou area; see federal lands hunting schedule for Indian Bayou area dates.

viii. Tensas—east and south of US 65 from Concordia Parish line to LA 128, south of LA 128 to St. Joseph, east and south of LA 605, 604 and 3078 northward to Port Gibson Ferry;

ix. Upper St. Martin—all within the Atchafalaya Basin; in addition, that area bounded on the North by LA 352; on the West by LA 349, to LA 3039, to LA 347, to the

Catahoula Hwy. (LA 96), to LA 679, to LA 345; and on the south by LA 3242;

Exceptions: Sherburne WMA and Indian Bayou area, see WMA Turkey Hunting Schedule for special season dates on all state, federal and private lands within Sherburne WMA boundaries and see federal lands hunting schedule for Indian Bayou dates.

4. Turkey season dates on wildlife management areas, national wildlife refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.

G. WMA Turkey Hunting Regulations

1. WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants, shooting range use, and fishing on the day(s) of the youth hunt.

2. Rules Specific to Certain WMAs

a. Sandy Hollow. No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.

b. Sherburne. All turkeys taken must be checked at the WMA headquarters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR 35:2478 (November 2009), LR 36:2581 (November 2010), LR 37:3535 (December 2011), LR 38:2941 (November 2012), LR 40:96 (January 2014), LR 40:1554 (August 2014), LR 41:977 (May 2015), LR 42:1127 (July 2016), LR 43:1426 (July 2017), LR 44:1303 (July 2018), LR 45:964 (July 2019), LR 46:988 (July 2020), LR 47:934 (July 2021), LR 48:

§115. Turkey Hunting Areas, Seasons, and Bag Limits

A. Daily limit is one gobbler. Season limit is two gobblers. Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during spring WMA lottery hunts.

B. Turkey season will open on the first Saturday in April. The area A turkey season will be 30 consecutive days in length, the area B turkey season will be 23 consecutive days in length, and the area C turkey season will be 16 consecutive days in length. Wildlife management areas, national forests, national wildlife refuges, and U.S. Army Corps of Engineers land may vary from this framework. On those years when the first Saturday in April falls the day before Easter, then the season will open the Friday before the first Saturday in April.

C. Statewide youth turkey and physically challenged season on private lands shall be the weekend prior to the start of the regular turkey season. On those years when the weekend prior to the start of regular turkey seasons falls on Easter weekend, then the youth and physically challenged season will open on Good Friday.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November

2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2512 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 2012), LR 40:99 (January 2014), LR 40:1556 (August 2014), LR 41:980 (May 2015), LR 42:1129 (July 2016), LR 43:1426 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:990 (July 2020), LR 47:936 (July 2021), LR 48:

§117. Migratory Bird Seasons, Regulations, and Bag Limits

A. Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	South Zone: Sept. 3-Sept. 18 Oct. 15-Nov. 27 Dec. 17-Jan. 15 North Zone: Sept. 3-Sept. 25 Oct. 8-Nov. 13 Dec. 24-Jan. 22	15 (in aggregate)	45 (in aggregate)
Woodcock	Dec. 18-Jan. 31	3	9
Teal (Blue-winged, Green-winged and Cinnamon)	Sept. 10-Sept. 25	6	18
King and Clapper Rails	Sept. 10-Sept. 25 Nov. 12-Jan. 4	15 (in aggregate)	45 (in aggregate)
Sora and Virginia Rails	Sept. 10-Sept. 25 Nov. 12-Jan. 4	25 (in aggregate)	75 (in aggregate)
Gallinules	Sept. 10-Sept. 25 Nov. 12-Jan. 4	15	45
Snipe	West Zone: Nov. 2-Dec. 4 Dec. 17-Feb. 28 East Zone: Nov. 2-Dec. 4 Dec. 17-Feb. 28	8	24
Ducks, Coots and Mergansers	West Zone: Nov. 5-Nov. 6 (youth and veterans only) Nov. 12-Dec. 4 Dec. 17-Jan. 1 Jan. 9-Jan. 29 East Zone: Nov. 12 (youth and veterans only) Nov. 19-Dec. 4 Dec. 17-Jan. 29 Feb. 4 (youth and veterans only)	Daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 females), 3 wood ducks, 2 canvasbacks, 2 redheads, 1 mottled duck, 1 black duck and 1 pintail. Only 1 scaup may be taken for the first 15 days of the season with 2 per day allowed for the remainder. Daily bag limit on coots is 15. Mergansers-The daily bag limit for mergansers is 5, only 2 of which may be hooded mergansers, in addition to the daily bag limit for ducks.	Three times the daily bag limit.

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross') and White-Fronted Geese	East Zone: Nov. 5-Dec. 4 Dec. 17-Jan. 29 West Zone: Nov. 5-Dec. 4 Dec. 17-Jan. 1 Jan. 9-Feb. 5	Daily bag limit on Light Geese (snow, blue, and ross') is 20. Daily bag limit on White-Fronted Geese is 3.	No possession limit on Light Geese (snow, blue, and ross') Possession limit on White-Fronted Geese is 9.
Canada Geese	East Zone: Nov. 5-Dec. 4 Dec. 17-Jan. 29 West Zone: Nov. 5-Dec. 4 Dec. 17-Jan. 1 Jan. 9-Feb. 5	1	3

B. Conservation Order for Light Geese Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross')	East Zone: Dec. 5-Dec. 16 Jan. 30-March 5 West Zone: Dec. 5-Dec. 16 Jan. 2-Jan. 8 Feb. 6-March 5	No daily bag limit.	No possession limit.

C. Extended Falconry Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	Sept. 15-Oct. 1	Falconry daily bag and possession limit for all permitted migratory game birds must not exceed 3 and 9 birds, respectively, singly or in aggregate, during the extended falconry seasons and regular hunting seasons.
Woodcock	Nov. 3-Jan. 31	
Rails and Gallinule	Nov. 3-Jan. 31	
Ducks	Nov. 3-Jan. 31	

D. Dove Hunting Regulations

1. Shooting hours one-half hour before sunrise to sunset except on opening day of the first split on wildlife management areas and on fields leased through the LDWF experimental dove field leasing program, where hunting will be from 12 p.m. to sunset, except for Elbow Slough Wildlife Management Area which will be open one-half hour before sunrise to 12 p.m. (noon) on opening weekend of first split.

2. There is no bag limit on Eurasian collared-doves or Ringed Turtle-doves provided that a fully feathered wing and head remain attached to the carcass of the bird. Fully dressed Eurasian collared-doves and ringed turtle doves (those without a fully feathered wing and head naturally attached to the carcass) shall be included in the aggregate bag.

3. The following boundary divides the dove season zones: beginning at the Texas-Louisiana border on LA Hwy. 12; thence east along LA Hwy 12 to its intersection with U.S. Hwy 190; thence east along U.S. Hwy 190 to its intersection with I-12; thence east along I-12 to its intersection with I-10; then east along I-10 to the Mississippi state line.

E. Snipe Hunting Regulations. Shooting hours one-half hour before sunrise to sunset, except at the Spanish Lake recreation area in Iberia Parish where shooting hours, including the conservation end at 2 p.m.

F. Conservation Order for light geese. Only snow, blue, and Ross' geese may be taken under the terms of the conservation order. Electronic calls and unplugged shotguns allowed. No daily bag or possession limit. Shooting hours one-half hour before sunrise until one-half hour after sunset.

G. Canada Goose Season Closure. The Canada goose season will be open statewide except for a portion of southwest Louisiana described as follows: beginning at the Texas State Line, proceeding east along LA Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82. Open waters of Lake Arthur and the Mermentau River, from the Hwy 14 bridge southward, will also be closed.

H. Statewide Youth Waterfowl and Veterans Season Regulations.

1. Only youths 17 years of age or younger may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times.

2. Veterans refers to those persons who served in the active military, naval or air service who were discharged or released under conditions other than dishonorable, and members of the Armed Forces on active duty including members of the National Guard and Reserves on active duty (other than for training). Veterans and active duty military personnel must possess a valid proof of service such as DD214 form, Active Military ID, Retired Military ID, Veterans Administration ID, or Veterans designation on their Driver's License as well as mandatory waterfowl license(s), HIP certification, and Federal duck stamp to participate on these hunt days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1130 (July 2016), amended LR 43:1427 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:991 (July 2020), LR 47:937 (July 2021), LR 48:

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues

its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Public Comments

Interested persons may submit written comments relative to the proposed Rule until Thursday, March 4, 2022 to Tommy Tuma, Wildlife Division, Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000 or via e-mail to tuma@wlf.la.gov.

Jerri G. Smitko
Chair

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Hunting Regulations for the 2021-2023 Seasons

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The various proposed rule changes have no anticipated impact on state or local governmental units.

The proposed rule changes do the following:

(1) Makes calendar adjustments for the 2022-2023 and 2023-2024 deer hunting seasons and 2023-2024 dove and waterfowl hunting seasons,

(2) In accordance with Act 356 of the 2021 Regular Session, the proposed rule change removes references to licenses for hunting with primitive firearms or archery gear, inserts references for permits to camp on a wildlife management area (WMA), and alters the titles of licenses required to hunt deer or enter a WMA,

(3) Clarifies the need to hold a wildlife management area access permit to participate in any activity on a WMA. It raises the minimum age requirement for a wildlife management area access permit from 16 to 18 years old,

(4) Clarifies a rule regarding tags for deer without antlers harvested on properties enrolled in the Deer Management Assistance Program (DMAP),

(5) Adds electronic tag and validation procedures for hunting deer and turkeys in Louisiana,

(6) Clarifies rules regarding regulations for private lands encompassed by WMA, houseboat mooring permits and the youth shotgun season on the Atchafalaya Delta WMA, limited use areas on the Bodcau WMA and Loggy Bayou WMA, self-clearing permit regulations on the Fort Polk-Vernon WMA, and reservation procedures for certain hunting blinds on the Clear Creek WMA and Fort Polk-Vernon WMA. It updates references to hunting regulations on the Fort Polk-Vernon WMA and the Pearson Ridge WMA and the telephone number of the firing range on the Sherburne WMA. It corrects the description of the procedure for hunting turkey licenses by mail,

(7) Adds one day to the primitive firearms hunting season on the Camp Beauregard WMA, one day to the youth lottery turkey hunting seasons on the Clear Creek WMA and West

Bay WMA, and 15 days to the standard firearms hunting season on the Tunica Hills WMA,

(8) Modifies the timing of the general lottery hunt on the Bayou Pierre WMA, the mourning dove season on the Elbow Slough WMA, the physically challenged wheelchair confined hunt on the Buckhorn WMA, and the youth lottery hunts on the Buckhorn WMA, Dewey Wills WMA, and the Floy Ward McElroy WMA,

(9) Prohibits the use of weapons other than archery gear to harvest deer within the limited use area of the Bodcau WMA,

(10) Removes a requirement to possess a permit to use the bird dog training area of the Bodcau WMA,

(11) Prohibits the harvest of does during the standard firearms season and the primitive firearms season on the Joyce WMA and the Maurepas Swamp WMA,

(12) Prohibits trespassing on the water control structures on the Pointe aux Chenes WMA,

(13) Reduces the standard firearms season for bucks on the Pomme de Terre WMA by seven days,

(14) Cancels the three-day season for deer of either gender using standard firearms on the Salvador/Timken WMA,

(15) Moves the opening day for primitive firearms season on the Sherburne WMA from the Friday to the Saturday after Thanksgiving, shortening the season by one day,

(16) Opens all Caddo Parish to turkey hunting, and

(17) Shortens the state seasons for falconry hunting for woodcock, rails, gallinules, and ducks by one day.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Revenues collected by the Louisiana Department of Wildlife and Fisheries (LDWF) from the WMA access permits and the WMA camping permits as a result of the legislation on which the proposed rule change is based are expected to increase by \$305,000.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes are anticipated to have the following impacts:

(1) The proposed addition of electronic tag and validation procedures for hunting deer and turkeys is expected to make required tagging procedures more convenient for deer and turkey hunters.

(2) The proposed increases in the primitive firearms season on the Camp Beauregard WMA, the youth lottery hunts on the Clear Creek WMA and West Bay WMA, and archery season on the Tunica Hills WMA are expected to benefit hunters by providing more hunting opportunities for select users.

(3) The proposed change in the opening day of primitive firearms season on the Sherburne WMA, prohibition of firearms on a portion of the Bodcau WMA, reduction in the Pomme de Terre standard firearms season and the cancellation of the standard firearms season for deer of either sex on the Salvador/Timken WMA are expected to reduce deer hunting opportunities among users of those facilities.

(4) The proposed change in the timing of the youth lottery hunt on the Dewey Wills WMA in years when New Year's Day occurs on a weekend is expected to reduce lottery deer hunting opportunities by eight hunter-days in approximately one out of every four years.

(5) The proposed prohibitions of the harvest of does on the Joyce WMA and Maurepas Swamp WMA during the standard firearms season and the primitive firearms season are expected to reduce female deer harvests among area hunters.

(6) The proposed closing of the Tunica Hills WMA to all users other than turkey hunters on years when turkey season opens on Good Friday is expected to reduce recreational opportunities for hikers, sightseers, and other users by one day in five years between 2022 and 2042.

(7) The proposed opening of Caddo Parish to turkey hunting is expected to benefit turkey hunters and owners of properties featuring suitable turkey habitat within the area that is currently closed for turkey hunting.

(8) The proposed change in the opening date of falconry season for woodcock, rails, gallinules, and ducks is expected to reduce hunting opportunities by one day in a season that is approximately three months long.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of the proposed rule changes.

Bryan McClinton
Undersecretary
2201#017

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Recreational Offshore Landing Permit (LAC 76:VII.377)

The Wildlife and Fisheries Commission does hereby give notice of intent to amend a Rule (LAC 76:VII.377) by modifying the minimum age requirement for a Recreational Offshore Landing Permit from 16 to 18. This Rule is being amended to maintain consistency as a result of Legislative action that adjusted the minimum age requirement for a saltwater fishing license from 16 to 18. The rule modification further adds gray triggerfish to the list of species that require a Recreational Offshore Landing Permit. Authority for amendment of this Rule is included in the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(34) to the Wildlife and Fisheries Commission.

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 and the final Rule, including but not limited to, the filing of the fiscal and economic impact statements, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery §377. Recreational Offshore Landing Permit

A. Any person, except those persons under the age of 18 that are not normally required to obtain a license for saltwater fishing privileges, possessing any one of the following fish species or species groups on board a vessel taken from within or without Louisiana territorial waters shall be required to have obtained and have in their immediate possession a recreational offshore landing permit. Any person on a trip aboard a charter vessel, who pays a fee for that trip, is not required to have this permit, but the permit is required for the captain of that charter vessel. The recreational offshore landing permit shall be available for inspection by a duly authorized agent of the department:

1. highly migratory species:

- a. tunas—bluefin, albacore, yellowfin, skipjack, bigeye, blackfin;
- b. billfish—blue marlin, white marlin, sailfish and longbill spearfish;
- c. swordfish;
2. reef fish species:
 - a. any species of snapper;
 - b. any species of amberjack;
 - c. any species of grouper or hind;
 - d. gray triggerfish;
3. pelagics:
 - a. any species of dolphinfish;
 - b. cobia;
 - c. wahoo.

B. Permits may be obtained at no cost, from the Department of Wildlife and Fisheries, or authorized method, by persons who hold any valid license authorizing the taking and possessing of saltwater species of fish. Permits shall be valid for the same duration as the annual license authorizing saltwater fishing privileges. For those licenses that do not have to be renewed every year, the permit must be renewed annually, and shall be valid for the same time period as annual licenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(34).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:3249 (December 2012), amended LR 40:94 (January 2014), LR 41:761 (April 2015), LR 48:

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

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit comments relative to the proposed Rule to Jason Adriance, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to jadriance@wlf.la.gov prior to Thursday, March 3, 2022.

Jerri G. Smitko
Chair

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Recreational Offshore Landing Permit

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs or savings to the Department of Wildlife and Fisheries (LDWF) or local

governmental units as a result of the proposed rule change. The proposed rule change raises the minimum age at which a Recreational Offshore Landings Permit (ROLP) is required from 16 years old to 18 years old to be consistent with the adjustment of the minimum age requirement for saltwater fishing licenses enacted in recent legislation.

In addition, the proposed change adds the gray triggerfish to the list of species for which holding the ROLP is required.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is expected to have no effect on revenue collections of LDWF and to 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 have no impact on costs or benefits to affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is expected to have no effect on competition and employment.

Brian McClinton
Undersecretary
2201#016

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

Administrative Code Update

CUMULATIVE: JAN-DEC 2021

LAC Title	Part #.Section #	Action	Location: Month	Page #	LAC Title	Part #.Section #	Action	Location: Month	Page #		
7	III.701,703,705,707,709,711	Adopted	July	850	28	CXXXIX.4101,4103	Amended	Sep.	1290		
	XIII.1301,1303,1305,1307,1309,1311,1313	Amended	Dec.	1833		CXLVII.105,301,305	Amended	Mar.	354		
	XIII.1315,1317,1319,1321,1323,1327	Amended	Dec.	1833		CXLIX.2101	Amended	Mar.	355		
	XIII.1330	Adopted	Dec.	1833		CLXI.103,303,701,703,709,903,1103,1105	Amended	Sep.	1274		
	XIII.1331,1333,1335,1337,1341	Amended	Dec.	1833		CLXI.1305,1507,1509,1515,1711,1715,1717	Amended	Sep.	1274		
	XXIII.701	Repromulgated	June	717		CLXI.1719,1721,1723,1725,1805,1811	Amended	Sep.	1274		
	XXIII.1103	Amended	Dec.	1832		CLXI.1727	Adopted	Sep.	1274		
	XXV.101,141	Amended	Aug.	1100		CLXI.1813	Repealed	Sep.	1274		
	XXV.145	Repealed	Aug.	1100		CLXI.1901,1903,1907,1911,1919,2105	Amended	Sep.	1274		
	XXIX.111	Amended	Sep.	1274		CLXV.103,309,311,313	Amended	Sep.	1279		
	XXXV.113	Repealed	Dec.	1839		CLXV.509,515	Amended	May	573		
	XXXV.123,125,127	Amended	Dec.	1839		CLXV.707	Repromulgated	May	574		
	XXXV.125	Amended	July	852		CLXVII.509,511,512	Amended	Sep.	1286		
	XXXV.127,321	Amended	May	562		31	I.301,303,305	Adopted	Oct.	1538	
	XXXV.135	Repealed	May	562			33	III.505,507,2160,3003,5116,5122,5311,5901	Amended	Mar.	355
	XXXV.701,703,705,707,709,711,713,715	Adopted	Mar.	348				III.2803,2811	Amended	July	874
	XXXIX.539	Amended	Feb.	229				V.105,109	Amended	Dec.	1851
	XXXIX.539	Amended	Aug.	1101				V.304	Amended	Aug.	1140
	XXXIX.1303,1307	Amended	May	564				VI.1103,1107,1109,1111,1113	Amended	July	873
	XXXIX.1503	Amended	May	563				IX.1109	Amended	July	876
13	I.701,703,717,721,723,725,729,731	Amended	July	852	IX.2619			Amended	July	875	
	I.702,705,716	Adopted	July	852	IX.4901,4903			Amended	Mar.	357	
	I.709,711,713,715,741,751	Repealed	July	852	XV.102,328,331,613,706,708,710,712,718,719			Amended	Dec.	1853	
	I.Chapter 33	Amended	Aug.	1105	XV.732,735,739,741,742,743,744,745,747,750	Amended		Dec.	1853		
	I.3303,3307	Amended	Jan.	037	XV.762,763,777,915,1510,1520	Amended	Dec.	1853			
17	I.101	Amended	Jan.	079	34	V.109,301,303,307,311,315,317,319,327,325	Amended	May	578		
	22	I.101	Amended	July		888	V.341,1313,2401,2601,2603,2605	Adopted	May	578	
I.319		Amended	July	890		V.501,509,905,907,1101,1103,1105,1107	Amended	May	578		
III.4705,4709		Amended	Sep.	1304		V.503,1705,1903,2533,2539,2542,2545	Repealed	May	578		
V.203,205,211		Amended	Mar.	358		V.1111,1301,1307,1309,1501,1709,1901	Amended	May	578		
V.211		Amended	Aug.	1107		V.1905,2105,2301,2305,2503,2512,2518	Amended	May	578		
XI.102,103,121,501,504,511,513,514,705		Amended	Mar.	358		V.2521,2527,2530,2536,2549,2551,2554	Amended	May	578		
XI.510,514		Amended	Aug.	1107		V.2521	Repromulgated	June	722		
XI.1502		Adopted	Aug.	1107		V.2557,3101,3103	Amended	May	578		
XIII.301		Amended	Mar.	364		V.2587,2703,2901	Repealed	May	578		
25		I.1301	Amended	Aug.	1103	35	I.309	Amended	Nov.	1637	
	I.1305	Adopted	Aug.	1103	I.1506		Amended	Nov.	1637		
28	III.101,105,501,503,505,507,509,511,513	Amended	Sep.	1296	VII.8501,8509,8511		Amended	Nov.	1636		
	III.701,703,901,903,1501,1701,1901,1903,1905	Amended	Sep.	1296	XI.9902		Adopted	Nov.	1636		
	IV.509,703,705,803,805	Amended	Jan.	038	XIII.11609		Amended	Oct.	1495		
	IV.509,703,705,803,805,2103,2105	Amended	July	863	37		XI.501,503,505,507,509,511,513,515,517	Amended	May	594	
	IV.703,1809,2103	Amended	July	861			XI.519,521,523,525,527,529,531	Amended	May	594	
	IV.703,705,803,805,2103,2105	Amended	July	868			XI.701,703,705,707,709,711,713,715,717	Amended	May	599	
	IV.1801,1809	Amended	Oct.	1494			XI.719,721,723,725,727,729,731,733	Amended	May	599	
	VI.311	Amended	Jan.	042			XI.901	Amended	Sep.	1330	
	VI.315	Amended	Oct.	1495		XI.903	Adopted	Sep.	1330		
	VI.507,509,511,513,517,519,521	Amended	May	575		XI.1909	Amended	Oct.	1537		
	IX.305,309,311,313,315,317,319,321,323	Amended	Sep.	1293		XI.1919	Adopted	Oct.	1537		
	IX.325,327,329	Amended	Sep.	1293		XI.2501	Repealed	June	746		
	IX.307	Adopted	Sep.	1293		XIII.705	Amended	Jan.	052		
	XI.413	Repromulgated	May	565	XIII.1101	Amended	Jan.	052			
	XI.5105,5107,5305,5701,5907,6153,6803	Amended	May	565	XIII.3507,3509,3510,3513,3515,3517,3519	Amended	Sep.	1313			
	XI.5701	Repromulgated	June	721	XIII.3511	Adopted	Sep.	1313			
	XI.6151,7703	Repealed	May	565	XIII.3523,3525,3527	Amended	Sep.	1313			
	XI.6819,6823,6825,6829,6901,6913,7209	Amended	May	565	XIII.4901,4903,4905,4907,4909,4913	Amended	Sep.	1326			
	XI.6821	Amended	July	859	XIII.4915,4917	Amended	Sep.	1326			
	XI.7301,7501,7701,8301,8303,8306,8307	Amended	May	565	XIII.6301,7901,7903,7905,7907,7909,7911	Repealed	Sep.	1312			
XI.8501,8507	Amended	May	565	XIII.7913,7915,7917,7919	Repealed	Sep.	1312				
XXXV.101,103,105,107,109,111	Adopted	June	721	XIII.12103,12105,12107,12109,12111,12113	Amended	Oct.	1530				
XXXV.101,103,105,107,109,111	Repromulgated	Sep.	1287	XIII.12115,12117,12119,12123,12125	Amended	Oct.	1530				
XXXV.301,303,501,503,505,507,701,901	Repealed	Sep.	1287	XIII.15501,15517	Amended	June	745				
XXXV.1101,1301,1303,1307,1309	Repealed	Sep.	1287	XIII.16101	Amended	Sep.	1328				
XXXIX.305	Amend	Oct.	1493	XIII.16701,16703,16705,16707,16709	Adopted	Sep.	1328				
LXXIX.1105,1107	Amended	Sep.	1290	XIII.16711,16713	Adopted	Sep.	1328				
LXXIX.1903	Amended	Oct.	1493	XIII.17501,17503,17505,17507,17509,17511	Adopted	Nov.	1646				
CXV.401,403	Amended	Sep.	1290	XIII.17701,17703,17705,17707,17709	Adopted	Dec.	1878				
CXV.2103	Amended	Oct.	1493	XIII.17711,17713,17715,17717	Adopted	Dec.	1878				
CXV.2318,2319	Amended	July	859	XIII.17901,17903,17905,17907,17909,17911	Adopted	Oct.	1532				
CXXXI.203	Repromulgated	May	574	XIII.17913,17915,17917,17919,17921,17923	Adopted	Oct.	1532				
CXXXI.203	Amended	July	858	XIII.17925,17927,17929,17931,17933,17935	Adopted	Oct.	1532				
CXXXI.203,350	Amended	Oct.	1491	XIII.17937,17939,17941,17943,17945,17947	Adopted	Oct.	1532				
CXXXI.675	Adopted	Oct.	1491	XIII.17949,17951,17953,17955,17957,17959	Adopted	Oct.	1532				
CXXXIX.103,311,503,511,513,515	Amended	May	569	XIII.17961,17963,17965	Adopted	Oct.	1532				
CXXXIX.2511	Adopted	Oct.	1491								

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40	I.2201,2203,2209,2211,2213,2215,2217,2223 I.5117,5157	Amended	Nov.	1652	46	I.8519 I.8591 I.9769,9771 I.12529	Amended	Sep.	1308			
		Amended	Jan.	606			Adopted	Sep.	1308			
42	III.102,104,105,107,120,1907 VII.Chapters 1-13 XV.103,105,107,123,127,129,703,705,707 XV.713,725,727,729,731,733,735,737 XV.1101,1103,1105,1107,1109,1111,1113 XV.1115,1117,1119,1121,1123,1125,1127 XV.1129,1131,1133,1135,1137,1139,1141 XV.1143,1145,1147,1149,1151,1153,1155 XV.1157,1159,1161,1163,1165,1167,1169 XV.1171,1173,1175,1177,1179,1181,1183	Amended	Feb.	255	50	I.2111 I.3103 I.3111 II.10137 III.2331 III.2525 V.117 IX.601,701,703,705,901,903,905 IX.8301,8305 IX.8305,8505,15113 IX.8501,8501 IX.8503 IX.8505 VII.32901 VII.32903 VII.32904 XI.7503 XI.10301,10303,10503,10701 XI.10703,16703 XI.10703,16703 XI.16301,16303,16503,16701 XV.9501,9503,9505,9511,9521,9523,9525 XV.9531,9533,9535,9541 XV.10101,10301,10501,10503,10507,10701 XV.10703,10901,10905,11301,11303,11701 XV.10903,11501,11503,11505 XV.11703 XV.12903,12913,12917,12919 XIX.Chapters 39,41,43 XIX.4301,4334 XXI.501 XXI.701,703,707,709,711,713,715 XXI.717,719,721,723 XXI.2901,2903,2905,2907,2909,2911 XXI.2913,2915 XXI.8307,8323,9501 XXI.9503 XXI.16101,16103,16104,16105,16106,16107 XXI.16109,16301,16303,16305,16307,16309 XXI.16311,16313,16317,16319,16321,16323 XXI.16325,16327,16329,16333,16335,16337 XXI.16339,16341,16343,16345,16501,16701 XXI.16703,16901 XXII.8101,8103,8105,8107,8109 XXII.8101,8105,8107,8109 XXII.8111,8301,8303,8501 XXII.8111,8301,8303,8501 XXIX.991,993 XXVII.Chapter 5 XXVII.501,503,505,511,517,523 XXVII.701,703,705,707 XXVII.541 XXXIII.7101,7103,7301,7303,7501,7701	Amended	Feb.	255	Amended	Mar.	369
		Amended	Feb.	255			Amended	Dec.	1871			
		Amended	Mar.	366			Amended	Dec.	1875			
		Amended	Mar.	366			Amended	Mar.	371			
		Adopted	Dec.	1880			Adopted	Dec.	1871			
		Adopted	Dec.	1880			Adopted	June	737			
		Adopted	Dec.	1880			Adopted	Sep.	1311			
		Adopted	Dec.	1880			Amended	Jan.	048			
		Adopted	Dec.	1880			Amended	Jan.	049			
		Adopted	Dec.	1880			Amended	July	887			
43	I.725 XIII.303,311,322,401,507,921,1113,1309,1511 XIII.312,3509 XIII.1725,1729,2117,2133,2143,2719,2912 XIII.2940,3503,3505,3507,3515,5103,6103 XIII.311,1113,1515,2940,3503 XVII.601,603,605,607,609,611,613,615 XVII.617,619,621,623,625,627,629,631,633 XIX.115	Amended	Sep.	1347	51	II.105,107 II.503,505 II.701	Amended	Jan.	051			
		Amended	Aug.	1140			Amended	June	743			
		Repealed	Aug.	1140			Amended	Dec.	1877			
		Amended	Aug.	1140								
		Amended	Aug.	1140								
		Repromulgated	Sep.	1330								
		Adopted	Jan.	053								
		Adopted	Jan.	053								
		Amended	Nov.	1647								
		Adopted	Dec.	1869								
46	I.1109 I.2303 I.2305 V.2701,2801,2901-2907,3101,3701,3901 V.4301,4401-4405,4501,4701-4710 XXIX.129 XXXIII.203,701 XXXIII.322,1502 XXXIII.1615 XLV.323,361,363 XLV.402,412 XLV.433,435,437,439,441,443,444 XLV.445,447,449 XLV.1307 XLV.9301,9303,9305,9307,9309,9311 XLV.9714 XLV.9716 XLV.9935 LI.503,507,801 LIII.506,904 LIII.519 LIII.521,1103,1105,1107,1123,1131 LIII.2425,2511,2519,2521,2525,2745,2747 LIII.2443,2451 LIII.2457 LIII.2457 LIII.2701,2705,2707 LIII.2719,2829,2901,2911,2917,2921,2929 LIII.2903,2905,2907,2909 LIII.2914 LIII.3001,3003,3005 LIII.Chapter 12 LIII.Chapter 29 LIV.147,183 LIV.111,121,123,145,151,153,155,157,159 LIV.169,171,175,180,181,185,187,194,195 LIV.303,309,311,319,325,331,333,337,341 LIV.345,357,387,392,396,397 LV.101,301 LX.2109 LX.111,2709 LX.605,3315 LXI.705,709,903,1301,1309,1311,1313,1315 LXI.1305 LXI.1309,1507,3105 LXI.1509,1901,2103,2301,2305,2501 LXI.3109,3115,3117 LXIII.601 LXX.3101,3701,3801,3901,3905 LXX.3103,3105,3107,3201,3203,3207,3209 LXX.3211,3301,3401,3403,3501,3601,3603 LXX.3605,3607	Adopted	Dec.	1869	52	I.1703 I.2401,2403,2405,2407,2409,2411 I.2413,2415,2417 V.Chapter 34 VII.317 VII.801,803,805,807 III.101 III.1101,1103,1105,1107,1109,1111 III.1501,1513,1515 XVIII.303 XVIII.901 XVIII.1101 XVIII.1301 XVIII.1501,1502,1503,1504,1505,1506 I.4909 I.4919 III.1535,1536 III.1539-1546 III.1547,1548 III.2121,2123,2125	Adopted	Dec.	1875			
		Amended	Dec.	1868			Amended	Jan.	050			
		Adopted	Dec.	1869			Amended	June	738			
		Amended	Feb.	230			Amended	June	738			
		Amended	Feb.	230			Amended	Aug.	1124			
		Amended	Mar.	364			Amended	Aug.	1124			
		Amended	Feb.	236			Repealed	Aug.	1124			
		Repromulgated	Jan.	042			Adopted	Aug.	1124			
		Amended	Oct.	1496			Amended	May	593			
		Amended	June	729			Amended	Feb.	250			
		Amended	June	735			Amended	Nov.	1638			
		Amended	June	727			Amended	July	886			
		Amended	June	727			Amended	Aug.	1112			
		Amended	June	730			Amended	Aug.	1112			
		Adopted	June	734			Repealed	Aug.	1112			
		Adopted	June	736			Repealed	Aug.	1112			
		Adopted	July	883			Amended	July	885			
		Adopted	June	726			Repealed	July	885			
		Amended	Feb.	237			Amended	Oct.	1507			
		Amended	Feb.	244			Amended	Oct.	1507			
		Amended	May	592			Amended	Oct.	1507			
		Amended	Nov.	1641			Amended	Oct.	1507			
		Amended	Nov.	1641			Amended	Oct.	1507			
		Amended	May	590			Amended	Oct.	1507			
		Amended	Feb.	246			Repromulgated	Jan.	043			
		Amended	Aug.	1111			Repealed	Dec.	1871			
		Amended	Nov.	1640			Repealed	Dec.	1871			
		Amended	Jan.	084			Repromulgated	Jan.	043			
		Repealed	Jan.	084			Amended	July	887			
		Adopted	Jan.	084			Repealed	Nov.	1638			
		Adopted	May	590			Adopted	Nov.	1638			
		Amended	Feb.	240			Adopted	Nov.	1638			
		Amended	Feb.	247			Amended	Mar.	371			
		Repealed	Aug.	1131			Adopted	Dec.	1874			
		Amended	Aug.	1131								
		Amended	Aug.	1131								
		Amended	Aug.	1131								
		Amended	Aug.	1131								
		Amended	Aug.	1131								
		Amended	Feb.	274								
		Amended	July	888								
		Amended	Oct.	1528								
		Amended	Oct.	1529								
		Amended	July	893								
		Repealed	July	893								
		Amended	Dec.	1896								
Amended	July	893										
Amended	July	893										
Amended	Aug.	1111										
Adopted	July	877										
Amended	July	877										
Amended	July	877										
Amended	July	877										
48	I.4901,4903,4951 I.5038 I.6101,6103,6105 I.6801,6803,6805,6807,6809,6811,6813,6815 I.6817,6819,6823,6825,6829,6833,6835,6839 I.6831,6832,6882,6883 I.6843,6845,6847,6849,6855,6861,6863,6865 I.6867,6869,6879,6881,6885,6889,6891 I.8201, 8217	Amended	Sep.	1305	61	I.4909 I.4919 III.1535,1536 III.1539-1546 III.1547,1548 III.2121,2123,2125	Amended	Sep.	1345			
		Adopted	Jan.	047			Amended	July	892			
		Amended	June	742			Amended	Nov.	1648			
		Amended	Oct.	1496			Adopted	Feb.	272			
		Amended	Oct.	1496			Adopted	Nov.	1647			
		Adopted	Oct.	1496			Adopted	Sep.	1332			
		Amended	Oct.	1496								
		Amended	Oct.	1496								
		Amended	Oct.	1496								
		Amended	Sep.	1307								

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			Month	Page #				Month	Page #
67	III.403	Amended	Aug.	1102	72	L.111	Adopted	Aug.	1109
	III.1229,5329,5703	Amended	Dec.	1840		L.119	Adopted	July	877
	III.1229,5329,5551,5729	Amended	Dec.	1842		76	V.111	Amended	May
	III.5553	Adopted	Jan.	036	V.319		Repealed	July	938
	III.5591	Amended	Mar.	350	VII.329		Amended	Nov.	1651
	V.1105	Amended	Aug.	1101	VII.367		Amended	Nov.	1649
	V.3903	Amended	Jan.	036	VII.537		Amended	May	605
	V.6712,6962,7109,7111,7112,7117,7309,7311	Amended	Dec.	1844	VII.537		Repromulgated	June	746
	V.6953,7103,7303,7503	Amended	Feb.	229	VII.900,913,915,919		Adopted	Sep.	1335
	V.7311,7313,7315,7321,7323	Amended	Mar.	350	VII.901,903,907,911		Amended	Sep.	1335
	V.7313,7314,7315,7319,7321,7508	Amended	Dec.		VII.905		Repealed	Sep.	1335
	VII.901,903,905,907,909,911,913,915	Amended	Mar.	371	XIX.101,103,111,115,117		Amended	July	900
	VII.917,919,921	Amended	Mar.	371					
70	VIII.303	Amended	Aug.	1148					

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Department of Children and Family Services Office of Family Support

Temporary Assistance for Needy Families (TANF) Caseload Reduction

The Department of Children and Family Services, hereby gives notice that, in accordance with federal regulations at 45 CFR 261.40, 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 2005;
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 Brandy Bonney, Department of Children and Family Services, P.O. Box 94065, Baton Rouge, Louisiana 70804-9065, by telephone at (225) 342-4096, or via e-mail at brandy.bonney.dafs@la.gov.

Written comments regarding the report should also be directed to Ms. Bonney. These must be received by close of business on February 19, 2022.

Marketa Garner Walters
Secretary

2201#020

POTPOURRI

Office of the Governor Coastal Protection and Restoration Authority

Public Hearings—State Fiscal Year 2023 Draft Annual Plan

The Louisiana Coastal Protection and Restoration Authority (CPRA), will hold the following public hearings to receive public comments on Louisiana's draft "Fiscal Year 2023 Annual Plan: Integrated Ecosystem Restoration and Hurricane Protection in Coastal Louisiana."

Jan. 24	6:00 PM Public Hearing	McNeese State University SEED Center Business Incubator Willis Noland Room 4310 Ryan Street Lake Charles, LA 70605
Jan. 25	6:00 PM Public Hearing	Nicholls State University Donald G. Bollinger Student Union Ballroom 906 E. 1st Street Thibodaux, LA 70301
Jan. 26	6:00 PM Public Hearing	Joseph S. Yenni Building Jefferson Parish Council Chambers (2nd Floor) 1221 Elmwood Park Blvd. Elmwood, LA 70123
Jan. 27	6:00 PM Public Hearing	Virtual Meeting via Zoom: https://bit.ly/33v0jgz Password: Coastal944 or Dial 216 706 7075 Conference Code: 964105

The Draft FY 2023 Annual Plan will be posted for public review on Wednesday, January 19. Please visit coastal.la.gov for detailed meeting information and to access the draft plan. CPRA will receive comments and recommendations on the Fiscal Year 2023 Draft Annual Plan through February 26, 2022.

Public comment can be submitted in person at the hearing(s) in writing or verbally. Public comment during the virtual meeting may be submitted via the Zoom chat feature. Public comments may also be emailed to coastal@la.gov or mailed to:

Coastal Protection and Restoration Authority
Public Comments
150 Terrace Avenue
Baton Rouge, LA 70802

Bren Haase
Executive Director

2112#060

POTPOURRI

Department of Justice

Occupational Licensing Review Program
Accepting Participants for FY 2022-2023

The Department of Justice is currently accepting occupational licensing boards into the Department of Justice Occupational Licensing Review Program established by La. R.S. 49:260. This program provides for active state supervision and was established to ensure that participating boards and board members will avoid liability under federal antitrust laws. Participants for the 2022-2023 Fiscal Year will be accepted into the program through May 31, 2022. For information about participating in the program, contact Emily Andrews, Deputy Director, Louisiana Department of Justice at 225-326-6000.

Angelique Freel
Civil Division Director

2201#049

POTPOURRI

**Department of Natural Resources
Office of the Secretary**

Request for Comments on Proposed Requirements
for Solar Power Generation Facility
Decommissioning and Financial Assurance

Pursuant to the authority found in Act 301 of the 2021 Regular Session, the Department of Natural Resources is considering a proposal of new statewide requirements for the decommissioning of solar power generation facilities and financial assurance requirements to ensure the same. Prior to initiating formal rulemaking for such proposed requirements, the department requests comments from all interested parties and members of the public on any aspect of decommissioning and financial assurance for decommissioning requirements for solar power generation facilities in the state.

In addition to this general solicitation, the department requests comments on the following specific substantive areas of the proposed requirements. First, the department is considering a proposal that these requirements apply only to solar power generation facilities with significant areal footprints. To what size facility should such requirements apply? Should setbacks required by local ordinance be included in the measurement of the areal footprint of such facilities? Second, the department is considering a proposal that a decommissioning plan be prepared, maintained, submitted to, and updated with the department. What specific technical qualifications, if any, should the person preparing such a decommissioning plan possess? What events should trigger and/or how frequently should a decommissioning plan be updated with the department? What timeframe after the end of power generation or expiration of the associated property lease(s) should decommissioning of the solar power generation facility be completed? Third, the department may propose requiring

financial assurance to cover the estimated decommissioning costs for the regulated solar power generation facility. An estimated decommissioning cost may be required as part of the decommissioning plan. What specific qualifications, if any, should the person preparing an estimated decommissioning cost possess? Should the potential resale value of solar power generation facility parts and equipment be taken into account when determining the cost estimate, and if so, how? Which types of financial assurance should be accepted as part of such a requirement? What should be the triggers for calling in or releasing the financial assurance? Fourth, how should financial assurance requirements from parishes or other local governing authorities interact with a statewide requirement for financial assurance? Finally, should any, all, or a portion of these proposed rules apply to solar power generation facilities previously constructed or already in the generator interconnection queue with an independent system operator such as the Midcontinent Independent System Operator or the Southwest Power Pool?

In addition to comments on the above matters and in order to prepare certain required impact statements and reports, the department is requesting comments on the following potential impacts in the event it were to promulgate rules requiring decommissioning and financial assurance to cover decommissioning costs. Identifying how different options for such rules might change these impacts is encouraged. First, what are the anticipated impacts of such a proposed rule on local government units, including adjustments in workload and paperwork? Would such a proposed rule affect sources of local funding for the local government unit? Second, what persons, small businesses, or non-governmental groups would be directly affected by such a rule? Would such a proposed rule impact receipts of income for these groups? Third, what impact would the proposed rule have on competition and employment in the public and private sectors? Fourth, would such a rule adversely impact a “small business” as defined in R.S. 49:978.3(5)? If so, are there any less intrusive or costly alternative methods to implement such a rule? Fifth, what if any impacts would such rule have on child, individual, or family poverty considering those effects listed in R.S. 49:973(B)? Sixth, what if any impacts would such a rule have on family formation, stability, and autonomy considering those effects listed in R.S. 49:972(B)?

Interested parties and members of the public are encouraged to submit written comments to the department by no later than February 20, 2022. Written comments may be addressed to Blake Canfield, Executive Counsel, Office of the Secretary, Department of Natural Resources, 617 North Third Street, 12th Floor, Baton Rouge, LA 70802 or via e-mail to dnrsolarreg@la.gov. Please reference “Solar Power Generation Facility Decommissioning” in your comments and include your name and whom you represent, if someone other than yourself. In the event the department pursues formal rulemaking, it will publish a Notice of Intent and provide additional opportunities for public comment pursuant to R.S. 49:950, et seq.

Thomas F. Harris
Secretary

2201#031

POTPOURRI

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Public Hearing—Substantive Change to Notice of Intent Menhaden Season (LAC 76:VII.307)

The Department of Wildlife and Fisheries (Department) and the Wildlife and Fisheries Commission (Commission) published a Notice of Intent to amend its rules in the October 20, 2021 edition of the Louisiana Register. The Commission proposes to amend the original Notice of Intent to eliminate a 1/4 mile buffer zone proposed to originate from the line known as the “Double Rig Line” (as defined in the rule being amended) within the areas of Breton and Chandeleur Sounds, in which no commercial menhaden fishing would be allowed. These changes are being made based upon public comment originally heard during the regular October 7, 2021 Commission meeting and were not incorporated at that meeting.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§307. Menhaden Season

A. - B. ...

C. The menhaden season shall apply to all waters 1/4 statute mile seaward of the inside-outside line described in R.S. 56:495, except as noted in Subsection D, including waters in the Federal Exclusive Economic Zone (EEZ), and in Chandeleur and Breton Sounds as described in Subsection E below. All other inside waters and passes are permanently closed to menhaden fishing.

D. Coastal Buffer Restrictions

1. Restrictions off Elmer’s Island, Louisiana. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Belle Pass, Louisiana to the eastern shore of Caminada Pass, Louisiana.

2. Restrictions off Grand Isle, Louisiana. The menhaden season shall apply to waters beginning 3 statute miles seaward of the inside-outside line from the eastern shore of Caminada Pass, Louisiana to the eastern shore of Barataria Pass, Louisiana.

3. Restrictions off West Grand Terre Island, Louisiana. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Barataria Pass, Louisiana to the eastern shore of Pass Abel, Louisiana.

4. Repealed.

E. For purposes of the menhaden season, Breton and Chandeleur Sounds are described as that portion of the statutorily described inside waters as shown on a map by Raymond C. Impastato, P.L.S., dated July 20, 1992, and more particularly described as follows.

1. Beginning at the most northerly point on the south side of Taylor Pass, Latitude 29 degrees 23 minutes 00 seconds N, Longitude 89 degrees 20 minutes 06 seconds W which is on the inside-outside shrimp line as described in R.S. 56:495; thence westerly to Deep Water Point, Latitude 29 degrees 23 minutes 36 seconds N, Longitude 89 degrees

22 minutes 54 seconds W; thence westerly to Coquille Point, Latitude 29 degrees 23 minutes 36 seconds N, Longitude 89 degrees 24 minutes 12 seconds W; thence westerly to Raccoon Point, Latitude 29 degrees 24 minutes 06 seconds N, Longitude 89 degrees 28 minutes 10 seconds W; thence northerly to the most northerly point of Sable Island, Latitude 29 degrees 24 minutes 54 seconds N, Longitude 89 degrees 28 minutes 27 seconds W; thence northwesterly to California Point, Latitude 29 degrees 27 minutes 33 seconds N, Longitude 89 degrees 31 minutes 18 seconds W; thence northerly to Telegraph Point, Latitude 29 degrees 30 minutes 57 seconds N, Longitude 89 degrees 30 minutes 57 seconds W; thence northerly to Mozambique Point, Latitude 29 degrees 37 minutes 20 seconds N, Longitude 89 degrees 29 minutes 11 seconds W; thence northeasterly to Grace Point (red light no. 62 on the M.R.G.O.), Latitude 29 degrees 40 minutes 40 seconds N, Longitude 89 degrees 23 minutes 10 seconds W; thence northerly to Deadman Point, Latitude 29 degrees 44 minutes 06 seconds N, Longitude 89 degrees 21 minutes 05 seconds W; thence easterly to Point Lydia, Latitude 29 degrees 45 minutes 27 seconds N, Longitude 89 degrees 16 minutes 12 seconds W; thence northerly to Point Comfort, Latitude 29 degrees 49 minutes 32 seconds N, Longitude 89 degrees 14 minutes 18 seconds W; thence northerly to the most easterly point on Mitchell Island, Latitude 29 degrees 53 minutes 42 seconds N, Longitude 89 degrees 11 minutes 50 seconds W; thence northerly to the most easterly point on Martin Island, Latitude 29 degrees 57 minutes 30 seconds N, Longitude 89 degrees 11 minutes 05 seconds W; thence northerly to the most easterly point on Brush Island, Latitude 30 degrees 02 minutes 42 seconds N, Longitude 89 degrees 10 minutes 06 seconds W; thence northerly to Door Point, Latitude 30 degrees 03 minutes 45 seconds N, Longitude 89 degrees 10 minutes 08 seconds W; thence northerly to the most easterly point on Isle Au Pitre, Latitude 30 degrees 09 minutes 27 seconds N, Longitude 89 degrees 11 minutes 02 seconds W; thence north (grid) a distance of 19214.60 feet to a point on the Louisiana-Mississippi Lateral Boundary, Latitude 30 degrees 12 minutes 37.1781 seconds N, Longitude 89 degrees 10 minutes 57.8925 seconds W; thence S60 degrees 20 minutes 06 seconds E (grid) along the Louisiana-Mississippi Lateral Boundary a distance of 31555.38 feet, Latitude 30 degrees 09 minutes 57.4068 seconds N, Longitude 89 degrees 05 minutes 48.9240 seconds W; thence S82 degrees 53 minutes 53 seconds E (grid) continuing along the Louisiana-Mississippi Lateral Boundary a distance of 72649.38 feet, Latitude 30 degrees 08 minutes 14.1260 seconds N, Longitude 89 degrees 52 minutes 10.3224 seconds W; thence south (grid) a distance of 32521.58 feet to the Chandeleur Light, Latitude 30 degrees 02 minutes 52 seconds N, Longitude 88 degrees 52 minutes 18 seconds W, which is on the inside-outside shrimp line as described in R.S. 56:495; thence southeasterly along the inside-outside shrimp line as described in R.S. 56:495 to the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:313, 56:6(25)(a), 56:315, and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), LR 19:58 (January 1993), LR 19:1179 (September 1993), LR 48:

Public Hearing

In accordance with R.S. 49:968(H)(2), a public hearing on proposed substantive changes will be held by the Department of Wildlife and Fisheries on February 22, 2022 at 5:30 p.m., in the Joe L. Herring Louisiana Room of the Wildlife and Fisheries Headquarters Building, 2000 Quail Drive, Baton Rouge, LA, 70808.

Jerri G. Smitko
Chair

2201#032

POTPOURRI

**Workforce Commission
Office of Workers' Compensation Administration**

Notice of Public Hearing

The Louisiana Workforce Commission (LWC) will hold a hearing to receive public comment from any interested person regarding the Notice of Intent published on December 20, 2021.

Date	Time	Location	Rules Subject to Review
Monday, January 24, 2022	9:30am	Register in advance for this webinar: https://us06web.zoom.us/join/register/WN_boVxH16PT_yk0BPFOxhZpw After registering, you will receive a confirmation email containing information about joining the webinar. <i>If the Governor's COVID Emergency Order regarding public meetings is not extended past Wednesday, January 19th:</i> LWC Headquarters: 1001 N. 23 rd Street Baton Rouge, LA 70802 4 th Floor- A/O training room	LAC 40:I. Chapters 25, 27, & 51 Medical Reimbursement

At the public hearing, all interested persons will be afforded an opportunity to submit data, views, or arguments orally regarding these rules only. The agency will consider fully all written and oral comments.

The hearing site is accessible to people using wheelchairs or other mobility aids. Parking is available on-site.

Sheral Kellar
Assistant Secretary

2201#010

POTPOURRI

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2201#011

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