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## REPORT ON THE 2021 SESSION OF THE LOUISIANA LEGISLATURE

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

*(Forming Consciences for Faithful Citizenship, USCCB)*

### Overview

This fiscal session eliminated the federal income tax deduction and used the revenue to cut income tax rates and reduce the number of brackets. This was done in order to make the state more attractive to business but some say this should have been used to cut regressive sales taxes on the poor. This measure will require a vote in the Fall elections. They also created a stream of funds for infrastructure by taxing sales of motor vehicles.

The federal pandemic relief dollars lessened the pressure on the state budget and allowed the legislature to make important investments in education, including a much-needed boost to supplement the Pell Grants program that will make college more affordable for low-income students. It also created the MJ Foster Promise Program to provide short term workforce training for Louisiana adults.

A historic veto session did not yield enough votes to override the permit-less carry bill nor the transgender bill. The transgender bill failed, according to opponents of the override, because the High School Athletic Association had policies in place that made it very difficult for a biological male to compete as a transgender female. However, the bill will be amended and brought up again in the next session.

- The session was marked with a blend of a focus on tax reform and infrastructure with a rather balanced view from the legislators compared to other states related to voting rights, gender ideology and critical race theory.
- There was an undercurrent from the Legislative Black Caucus offering insights to other legislators about the reality of racism in our culture.
- The LCCB took strong positions to affirm life by advocating for more reporting on abortions, improvements in the post placement adoption processes and a series of measures to improve accommodations for women while pregnant and after childbirth in the workplace.

- We continued our strong advocacy for more restorative justice measures relative to the criminal justice reforms that were started in 2017. These included several bills to increase good time, improve our services to children if a parent is arrested, improve the amounts to those wrongfully convicted along with some police reforms related to prohibiting neck restraints and no-knock entry.
- The Common Good was evident when addressing the digital divide by funding \$180 Million for broadband in rural dioceses. Many of our children experienced delayed learning during the pandemic due to the lack of internet access in rural areas of the state.
- ACT 322 relating to abuse of minors now includes an unlimited prescriptive period moving forward and a look back period for three years.

**The following frames the legislation under our four key principles  
and seven themes of Catholic Social Teaching**



## **Life and Dignity of the Human Person-Sanctity of Life**

- Life affirming legislation was passed by Reps. Raymond Crews and Rick Edmonds that increased significantly the amount of data required on minors under 13 obtaining abortions and those with complications from the procedure. (Act 482/Act 485).
- An Abortion Pill Reversal bill by Rep. Beryl Amedee, that was supported by Louisiana Right to Life but opposed by the Governor, was amended to only require the abortion facility to inform the patient that she should consult a physician after taking the first pill. (Act 483)
- Rep. Huval (Act 421) (C-Lafayette) passed a bill to provide safe haven safety devices for mothers to relinquish the infant at a hospital with no questions.
- Senator Johns SB 352 (C-Lake Charles) passed this bill to create the Office of Human Trafficking under the Governor's Office. The LCCB testified in support at a committee hearing emphasizing the impacts human trafficking has on our children and violation of human dignity.
- Senator Morris's SB 218 (Shreveport) bill to allow for permit-less carry of guns was staunchly opposed by LCCB and provided testimony at the Criminal Justice Committee hearing. However, it passed but was not overridden in the Veto Session.
- A bill by Rep. Stephanie Hilferty (C-New Orleans) was passed that establishes a tax credit following the delivery of a stillborn child. (Act 467)
- LCCB also supported Rep. Butler (New Orleans) Act 450 to provide Medicaid coverage of dental care for adults with developmental and intellectual disabilities past 21 years old.
- LCCB supported but lost on HB 68 Rep. Landry (New Orleans) to restrict solitary confinement for those with serious mental illness. We testified at the committee hearing but the bill was voluntarily deferred by Rep. Landry.



## **Subsidiarity: The Sacred Family Unit and Religious Liberty**

- The LCCB was ready to provide testimony on Sen. Barrow's Act 392 (Shreveport) Pregnant Women's Workers Act, which will provide reasonable accommodations for women while pregnant and after childbirth so they can maintain work without discrimination, but it passed out of committee with no objections so we waived our testimony.

- Rep. Bacala Act 6 (C-Baton Rouge) improved the post adoption placement process with LCCB and Catholic Charities Baton Rouge testifying, for information purposes only, to inform the legislators of the current practice and how the bill could be improved.
- Rep. Edmonds Act 464 (Baton Rouge) passed an Adoption Deception bill that will criminalize, with fines, for those birth moms that falsely present themselves to prospective adoptive parents for financial gain. The LCCB and Catholic Charities Baton Rouge testified to ensure that these measures would not deter prospective adoptive parents from engaging in the adoptive process.
- Senator Barrow Act 351 (Shreveport) passed the Foster Care Bill of Rights which will allow more engagement of the youth ages 14-18 in their placement and plans.
- LCCB supported Rep. McFarland's Act 378 that establishes an individual income tax deduction for taxpayers who adopt a child from foster care or privately.
- Act 263 by Rep. Miller established the Louisiana Commission for Non-Profit Safety and Security so that congregations can worship and engage in their religious liberty rights without attacks on their houses of worship. The LCCB supported this legislation at the Committee Hearings.
- HB 7/Act 449 by Rep. Freeman (New Orleans) eliminated the tax on feminine hygiene product and diapers.



## **Subsidiarity- Catholic Education-Parental Choice**

- HB 1 did include some funding for the non-public school scholarship program with an additional 1 million dollars. 75% these funds went to Scholarships for Students with Exceptionalities.
- Other important funding for Required Services and the School Lunch Salary Supplement and Textbooks were included at same levels as last year.
- We still need more funding in all these programs as the gaps are widening.



## **Common Good-Improve Public Education**

There were several good improvements in the public education system including more funding from the Biden Administration's American Rescue Plan for teachers and support staff; continuation of the Dual Enrollment program; creation of a literacy program based on more phonics; better reporting of students with dyslexia; more early childhood education and supports at home; more trauma informed care training for teachers; and more afterschool programming.



## **Solidarity-Dignity of Work and Rights of Workers**

- The LCCB took action to support Rep. Duplessis Act 453 (New Orleans) Work Opportunity Tax Credits and Rep. Hughes Act 454 (New Orleans) Youth Opportunity Tax Credits.
- These two measures will enhance employment opportunities for returning citizens and at-risk youth.



## Solidarity -Preferential Option for the Poor

- We advocated for HB1 to include more funding for our most vulnerable children in our intermediate care facilities. At this point we were only able to provide a cost of living increase.
- The Minimum Wage again was unsuccessful with two attempts at \$11 per hour and \$15.00 per hour by Senators Carter (New Orleans) and Peterson (C-New Orleans). Even a resolution to study the impacts of the minimum wage was rejected.
- There was a compromise bill that cut off the \$300 enhanced federal unemployment benefits starting July 31<sup>st</sup> in order to get a modest increase of \$28 per week more in regular unemployment beginning January 1, 2022.
- LCCB supported Act 188 by Rep. Carpenter (Baton Rouge) to establish the Louisiana Sexual Assault Oversight Commission.
- In addition, LCCB supported HB 375/Act 1 by Rep. Freeman (New Orleans) that prohibits discrimination in rental lease agreements if you are a victim of domestic violence.
- LCCB also supported SCR 45 by Senator McMath (New Orleans) that creates the Survivor Informed Task Force.
- However, HB 159 by Rep. White (New Orleans) to revise the definition of domestic violence to be more inclusive of today's reality of victims was supported by LCCB, the Louisiana Law Institute and UWSELA but eventually was pulled by Rep. White.



## Solidarity-Restorative Justice

- The 2021 session made good strides in continuing to improve on the criminal justice reforms of 2017. LCCB supported Act 5 Rep. Selders (Baton Rouge) that increases the number of credits that can be earned by an offender upon earning a bachelors or master degree while incarcerated for an additional 180 days.
- We supported Rep. Marino (New Orleans) Act 257 which increases the amount paid for a person who has been wrongfully convicted and spent time in prison from \$25,000 to \$50,000.
- We supported Act 304 by Rep. Marcelle (Baton Rouge) to create a pilot residential program for women returning from prison.
- We supported Act 126 Rep. Larvadain (Lafayette) that improved outreach to children if their parent is arrested. This requires more focus on ensuring children are safe while the parent is in custody.
- However, we lost on HB 346 Rep. Gaines (New Orleans) to review those 1500 cases of persons in jail under the old and unlawful non-unanimous jury verdict.
- LCCB did support Act 406 by Rep. Willard (New Orleans) to reduce the discrimination in hiring practices for persons with criminal records.
- Act 430 from Senator Fields did move toward better policing policy which prohibits choke holds (neck restraints) and no-knock entry.
- In addition, HCR 84 (House Continuing Resolution) by Representative James urges the State Police Commission to adopt the recommendations of the Police Training, Screening and De-Escalation Task Force to improve police training.



## Common Good – Care of God’s Creation

- SB 129 Senator Mills (C-Lafayette) Community Drinking Water Infrastructure Sustainability Act passed.
- However, other environmental bills failed including HB 481 Rep. Willard (New Orleans) to provide for more testing of contaminants in drinking water and a bill by Senator Peterson to require more responsive reporting of dangerous toxins released in the community.

## Looking Forward Resolutions and Studies for 2022 Session

There are several study resolutions that will form the backdrop for the future session next year. These include HCR 76 to convene an Opioid Summit in 2021; HCR 85 to study health issues of women in prison; HCR 89 to study safety conditions in Louisiana prisons; HCR 97 to better understand best parole practices; HCR 127 to study and enhance equity throughout our disability service system; HR 1 to study the effects of legalizing recreational marijuana, HR 174 to study coordination of care for persons receiving mental health services in community based settings; HR 190 to study a statewide education savings account program; HR 193 to study and amend Medicaid to allow for post- partum for coverage 12 months after childbirth; HR 197 creates the Equal Justice Task Force to study the effects of non-unanimous jury verdict law in Louisiana and HR 198 to study non-capital felony offenses

### Summary

There was some movement with legislation that followed the principles of Catholic Social Teaching as outlined above. There will be challenges ahead with the redistricting session in February 2022 prior to the three month long General Session beginning in March of 2022.