

2nd Extraordinary Session of the 2024 Louisiana Legislature
Convened 02-19-2024 @ 12 Noon – Adjourned 02-29-2024 @ 3:00 p.m.

Final Legislative Brief ~ 02-29-2024

Last Items Reviewed						
HB 23	HR 0	HCR 0	HSR 0	HCSR 0		
SB 15	SR 2	SCR 1	SSR 0	SCSR 0	Acts 20	
Total = 41				Items on Watch List = 2		

House of Representatives

HB 6 N. Muscarello [R-86, Hammond] Administration of Criminal Justice
Provides relative to the methods of execution and for confidentiality of records and information relating to the execution of a death sentence.
03-05-2024 Signed by Governor as **Act No. 5**; effective 07-01-2024.

This bill amended the law relative to the execution of death sentences. The bill removed the existing preference for lethal injection added two additional methods (nitrogen hypoxia and electrocution) and left the choice of method to the discretion of the secretary of the department of corrections. The bill preserved the prohibition on forcing a licensed health care professional to administer a lethal injection and expanded it to include participation in any method of execution. The bill added a new provision excluding the purchase of drugs, medical supplies, medical equipment or any other necessary supplies to be used in an execution from the provisions of the Louisiana Procurement Code; however, no member of the legislature or the governor, or any member of their immediate family, nor any business in which such persons hold a controlling interest may offer or provide any drugs, medical supplies, or medical equipment necessary to execute a death sentence. The bill added a new provision exempting any manufacturer, pharmacist, pharmacy, or practitioner from the provisions of Parts III, IV, or V of the Louisiana Pharmacy Practice Act when delivering, dispensing, distributing, supplying, manufacturing, or compounding any drug, equivalent drug product, pharmacy generated drug or device intended for use in the administration of an execution; however, the state shall comply with federal regulations regarding the importation of any drugs, medical supplies or medical equipment obtained for use in an execution. The bill further provided for the absolute confidentiality of any person or business who participates in or performs ancillary functions in the execution process, including a person or business that delivers, dispenses, distributes, supplies, manufactures, or compounds the drugs, equivalent drug products, pharmacy generated drugs, or devices, medical supplies or medical equipment. Records or information that could identify or reasonably be used to identify such persons or businesses shall not be disclosed, nor admissible as evidence in any proceeding before any court, tribunal,

board, agency, legislative committee, or other person. In the event such confidentiality is breached, the person whose identity was disclosed shall have a civil cause of action against the person who disclosed the information and may recover both actual and punitive damages. Finally, if the person or business participating in an execution is licensed by a board, the board shall not suspend or revoke the license or take any other disciplinary action against the license as a result of participation in an execution.

HB 8 L. Schlegel [R-82, Metairie] Administration of Criminal Justice
Provides relative to distribution of fentanyl under certain circumstances.
03-06-2024 Signed by Governor as **Act No. 19**; effective 04-29-2024.

This bill amended the controlled substance law by adding a new section specifying an enhanced penalty when the packaging of the fentanyl product unlawfully distributed was intended to reasonably appeal to minors. The bill included definitions of “fentanyl” and “reasonable appeal.” The enhanced penalty for distribution of fentanyl when packaged to reasonably appeal to minors shall be imprisonment at hard labor for not less than 25 years nor more than 99 years, without benefit of probation, parole or suspension of sentence.