

A raft of new state laws take effect today

Ed Anderson, The Times-Picayune

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BATON ROUGE -- Starting today, employees can bring their firearms to work, but can't ride in the bed of a pickup truck if they take interstate highways to get there.

It also is now illegal to display nooses in public with the intention of intimidating others, and those charged with violent crimes must post a bond before going to trial, not just promise to show up. And contractors who take up-front payments from homeowners and don't start the work within 45 days without a good reason can be charged with home improvement fraud.

The new do's and don'ts are among the 467 laws that go into effect today, half of the 937 that lawmakers passed at their recent session. Another seven passed but are proposed changes in the state Constitution and must go before voters Nov. 4.

A ban on text-messaging while driving and the use of cell phones by novice drivers, two of the more controversial measures the Legislature approved, went into effect July 1.

House Clerk Alfred "Butch" Speer said 91 laws will go into effect after today -- mainly on Jan. 1 -- and 372 have been in effect on specific dates in the bills or when the governor signed them.

A law passed at the special ethics session in February also kicks in today: It takes away from the State Ethics Board its power to hear ethics cases and turns that authority over to administrative law judges, one of the laws that prompted a mass resignation of the board in late June. The bill, sponsored by House Speaker Jim Tucker, R-Algiers, also raises the standards for finding someone in violation of the law, something critics said makes the ethics code almost unenforceable.

Jim Brandt, president of the Public Affairs Research Council, a nonpartisan think tank, said there are few new laws that "a number of people will stand up and notice." Brandt said his organization and others will follow the implementation of the changes made by Tucker's ethics bill since it could have "a major impact on the state" in the future and how ethics laws are enforced.

Criminal matters

Veteran legislation-watcher Barry Erwin, president of the Council for a Better Louisiana, said dozens of the new laws deal with new criminal matters: creating new crimes, increasing penalties and clarifying ways to make the criminal justice system work better.

"In the last few years, there has been a lot of tinkering with (existing) laws in the Legislature, especially dealing with criminal laws," he said. "Maybe there is a loophole or an incident that happens not covered by existing law. . . . I question whether we need all of these."

Erwin said dozens of the laws will affect only one parish or one city, while others, such as Senate Bill 51 by Sen. Joe McPherson, D-Woodworth, allowing individuals to take their firearms to work, will affect thousands of people. The new law allows workers to keep their firearms in a locked container out of sight in a locked vehicle.

Erwin said another bill that will have impact for the message it sends is House Bill 726 by Rep. Rickey Hardy, D-Lafayette, banning the public display of a hangman's noose, long associated with lynchings in the South. "It sends the message that this is something we will not tolerate," Erwin said. Displaying a noose on someone else's property or in a public place with the intention of intimidating another can be punished by up to a year in jail, a maximum \$5,000 fine or both.

Public agendas

Rep. Rick Gallot, D-Ruston, has made it a little tougher for public bodies to take up items not on their public agendas in his House Bill 392, which kicks in today. Gallot's measure requires the public body to add items to an agenda only with a unanimous vote, not the two-thirds vote of the body in the old law.

Louisiana has joined the rest of the nation in banning cockfights, the last state to do so. The ban was adopted in 2007 but became effective today. A companion measure also is now effective: House Bill 286 by Rep. J.P. Morrell, D-New Orleans, making it a felony to attend a dogfight, the same as it is to stage or participate in one: a minimum of a \$1,000 fine and maximum of \$25,000, and at least one year and up to 10 years in jail or both.

Also effective today is House Bill 958 by Rep. Franklin Foil, R-Baton Rouge, mandating that insurance companies provide coverage for autism in health care policies opened or renewed starting Jan. 1.

The bill requires autism coverage be provided by insurers for companies having more than 50 employees. Foil's bill provides coverage for children under 17 and limits annual benefits to \$36,000 and lifetime benefits to \$144,000.

House Bill 28 by Rep. Cedric Richmond, D-New Orleans, is aimed at reducing the chances that a suspect accused of a violent crime will get out of jail by signing documents agreeing to appear for hearings and trials. The new law requires a judge to order any such suspect who cannot post a bond to be jailed.

Getting work done

One of the new crimes, spawned in large measure by post-hurricane rip-offs, is spelled out in House Bill 662 by Rep. Tom Willmott, R-Kenner. People who sign contracts and take money for home repairs, then don't perform the work in a timely manner and without a good reason, could be jailed for up to six months, fined up to \$1,000 or both for a first offense. If there is a repeat offense or the victim of the first offense is disabled or 60 and over, the penalties jump to a maximum \$10,000 fine, up to five years in jail or both.

Willmott also is the chief sponsor of House Bill 1296, banning a passenger from riding in the bed of a pickup while traveling on interstate highways as a safety measure -- except in emergencies. An earlier version of the law prohibited anyone under 12 from riding there. The new law can be punished by a fine up to \$175 for a first offense; subsequent violations can be punished by a fine not to exceed \$500, 90 days in jail or both.