

forms and/or records to the State Archives. Chapter 13 establishes best practices for managing electronic records. Chapter 15 outlines procedures for microfilming records.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are not anticipated to have any effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes are not anticipated to result in any costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to have an effect on competition and employment.

Shanda R. Jones
Undersecretary
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Patrice Thomas
Deputy Fiscal Officer
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NOTICE OF INTENT

Department of Transportation and Development Professional Engineering and Land Surveying Board

Bylaws (LAC 46:LXI.Chapter 7)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Professional Engineering and Land Surveying Board has initiated procedures to amend its rules contained in LAC 46:LXI.701, 703, 707 and 709.

This is a revision of existing rules under which LAPELS operates. The revision (a) clarifies the published roster used in connection with determining anticipated vacancies on the board, (b) clarifies the mileage reimbursement rate, (c) changes the deadline for the election of board officers, (d) transfers one of the secretary's duties to the executive director and (e) changes the name of the Education/Accreditation Committee and updates its duties. The anticipated effective date of the proposed amendments is the date of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXI. Professional Engineers and Land Surveyors

Chapter 7. Bylaws

§701. Board Nominations

A. - B.2. ...

C. An examination will be made of the anticipated vacancies scheduled to occur during each new administrative year because of expiration of terms of appointment, as published in the roster of board members, and the appropriate nominating organization shall be soon notified, along with the official interpretation of the practice areas of engineering represented, as well as a priority listing of the desired practice areas requested to be considered.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 4:298 (August 1978), amended LR 5:120 (May 1979), LR 11:1179 (December 1985), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1706 (August 2004), LR 37:2411 (August 2011), LR 44:613 (March 2018), LR 51:

§703. Compensation and Expenses

A. - A.2. ...

B. Reimbursement of Transportation Expenses

1. Expenses for transportation by personally-owned vehicles shall be reimbursed at the mileage rate specified by the Louisiana Division of Administration's travel policy. Reimbursement shall be on the basis of the most direct route. The traveler shall be required to pay all of the operating expenses of the vehicle.

B.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:58 (February 1976), amended LR 5:110 (May 1979), LR 11:1182 (December 1985), LR 19:55 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1707 (August 2004), LR 44:613 (March 2018), LR 51:

§707. Board Organization

A. - B. ...

C. Date of Elections. The election of board officers shall take place not later than at the board's first meeting of the calendar year. In the event that an officer cannot complete his/her term, an election in order to fill the unexpired term shall be scheduled at the earliest practical regular or special meeting.

D. Duties

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

3. Secretary. The secretary shall:

a. sign, with the chairman, certificates, the issuance of which shall have been authorized by resolution of the board;

b. sign the minutes of the board meetings after approval of the minutes by the board.

D.4....

E. Committees. The board may establish standing committees, including but not limited to the following: executive committee, engineering committees, land surveying committee, engineer intern committee, laws and rules committee, education credential evaluation review committee, finance committee, nominations and awards committee, complaint review committees, continuing professional development committee, firm licensure committee, and enforcement committee. The board may also establish ad hoc committees from time-to-time as necessary.

E.1. - E.6. ...

7. Education Credential Evaluation Review Committee. The chairman of the board shall appoint an education credential evaluation review committee composed of not less than two board members. The education credential evaluation review committee shall review education credential evaluations of applicants for licensure or certification.

E.8. - E.13. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:52 (February 1976), amended LR 5:110 (May 1979), LR 11:1179 (December 1985), LR 19:54 (January 1993), LR 21:1353 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1024 (July 2001), LR 30:1707 (August 2004), LR 33:2788 (December 2007), LR 35:1908 (September 2009), LR 37:2411 (August 2011), LR 38:2563 (October 2012), LR 40:1388 (July 2014), LR 42:1104 (July 2016), LR 44:614 (March 2018), LR 45:76 (January 2019), LR 51:

§709. Executive Director

A. - B. ...

C. Duties of the Executive Director. The executive director shall:

C.1. - C.12. ...

13. employ and supervise the work of all employees essential to the work of the board, but only on approval of the executive committee and in accordance with the provisions of the licensure law;

C.14. - C.23. ...

24. assist in the legislative audit made of all receipts and disbursements at the close of each fiscal year by a certified public accountant;

25. assist the chairman with planning and compiling the agenda for each regular and special meeting of the board; and

26. be the official custodian of the records of the board and of the seal of the board and ensure that the seal of the board is affixed to all appropriate documents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation, Board of Registration for Professional Engineers and Land Surveyors, LR 2:53 (February 1976), amended LR 5:118 (May 1979), LR 11:1180 (December 1985), LR 19:55 (January 1993), LR 21:1354 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1025 (July 2001), LR 30:1709 (August 2004), LR 37:2412 (August 2011), LR 38:2563 (October 2012), LR 44:614 (March 2018), LR 45:76 (January 2019), LR 47:894 (July 2021), LR 51:

Family Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on family formation, stability or autonomy.

Poverty Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on child, individual or family poverty in relation to individual or community asset development.

Small Business Analysis

In accordance with R.S. 49:961(A)(2)(h)(iv) and 974.5, the following Small Business Regulatory Flexibility Analysis is submitted with the Notice of Intent for

publication in the *Louisiana Register*: The impact of the proposed Rule on small businesses has been considered. LAPELS has, consistent with health, safety, environmental and economic welfare, considered utilizing regulatory methods that will accomplish the objectives of applicable statutes while minimizing adverse impact on small businesses. The proposed Rule is not anticipated to have an adverse impact on small businesses.

Provider Impact Statement

In accordance with HCR No. 170 of the 2014 Regular Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide the same level of service or the ability of the provider to provide the same level of service.

Public Comments

Interested parties are invited to submit written comments on the proposed Rule through August 10, 2025 at 4:30 p.m., to Donna D. Sentell, Executive Director, Louisiana Professional Engineering and Land Surveying Board, 8550 United Plaza Blvd., Suite 903, Baton Rouge, LA 70809-2296.

Donna D. Sentell
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Bylaws

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs or savings to state or local governmental units resulting from this proposed rule change.

The proposed rule change does the following:

a) Clarifies that the roster used in connection with determining anticipated vacancies on the board refers to the board's published roster of board members;

b) Clarifies that the board's mileage reimbursement rate is specified by the Louisiana Division of Administration's travel policy;

c) Changes the deadline for the election of board officers from the board's January meeting to its first meeting each calendar year;

d) Transfers one of the Secretary's duties to the Executive Director; and

e) Changes the name of the Education/Accreditation Committee and updates its duties.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state or local governmental units as a result of this proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change has no anticipated costs and/or economic benefits to directly affected persons, small businesses or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment in the public and private sectors as a result of the proposed rule change.

Cheron Seaman
Deputy Executive Director
2507#043

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Treasury Deferred Compensation Commission

Deferred Compensation Plan
(LAC 32:VII.101, 301, 303, 307, 313, 701,
709, 2101, 2103, 2105, and 2107)

In accordance with R.S. 42:1301 et seq., the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019, and SECURE 2.0 Act of 2022, the Deferred Compensation Commission proposes to adopt and amend LAC 32:VII.101, LAC 32:VII.301, LAC 32:VII.303, LAC 32:VII.307, LAC 32:VII.313, LAC 32:VII.701, and LAC 32:VII.709 within the Deferred Compensation Plan. In accordance with R.S. 42:1301 et seq. and R.S. 42:17.2 (Act 393 of the 2023 Regular Session), the Deferred Compensation Commission proposes to adopt LAC 32:VII.2101, LAC 32:VII.2103, LAC 32:VII.2105, and LAC 32:VII.2107 within the Deferred Compensation Plan. These proposed rules and amendments are promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The United States Congress passed the SECURE Act and SECURE 2.0 Act. By virtue of these acts, participants in eligible 457(b) plans now have the ability to take make deferral elections at any time prior to the date the compensation being deferred is available. These acts also permit participants ages 60-63 years of age to utilize increased catch up. Additionally, these acts impose a three-year re-contribution period for participants who take distributions for qualified birth and adoption events. These acts also provide exceptions to early withdrawal penalties for small distributions for personal emergency expenses, distributions taken by victims of domestic abuse, and distributions for qualified disaster recovery. Lastly, these acts permit a plan administrator to rely on the self-certification of a plan participant that a distribution is being requested due to a valid unforeseeable emergency. The Deferred Compensation Commission proposes these Rules and amendments to adopt provisions to incorporate the aforementioned provisions of SECURE and SECURE 2.0 within the Commission's Plan Document. These proposed Rules and amendments also provide clarity in regards to a Roth matching contribution.

Furthermore, the Louisiana Legislature passed Act 393 of the 2023 Regular Session. By virtue of this act, certain agencies may hold open public meetings via electronic means provided the agency adopts rules, regulations, and procedures to allow the public to participate in the meeting via electronic means. The Deferred Compensation Commission proposes these rules to adopt provisions to enable open public meetings via electronic means.

Title 32

EMPLOYEE BENEFITS

Part VII. Public Employee Deferred Compensation

Subpart 1. Deferred Compensation Plan

Chapter 1. Administration

§101. Definitions

* * *

Designated Roth Account—a separate account maintained by the plan in accordance with IRC §402A and the regulations thereunder for accepting designated Roth contributions. A designated Roth contribution is an elective deferral that would otherwise be excludable from gross income but that has been designated by the participant who elects the deferral as not being so excludable, or a non-elective employer contribution designated as a Roth matching contribution, or an existing account which is converted to a designated Roth account in compliance with the Internal Revenue Code. Any amount in a designated Roth account shall be disregarded for the purposes of calculating required minimum distributions under IRC §401(a)(9).

* * *

Non-Elective Employer Contribution—any contribution made by an employer for the participant with respect to which the participant does not have the choice to receive the contribution in cash or property. Such term may also include an employer matching contribution, including a designated Roth matching contribution.

* * *

AUTHORITY NOTE: Promulgated in accordance with IRC §457 and R.S. 42: 1301-1308.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Deferred Compensation Commission, LR 24:1962 (October 1998), amended LR 28:1494 (June 2002), LR 32:118 (January 2006), LR 37:1617 (June 2011), LR 40:2281 (November 2014), LR 50:1011 (July 2024), LR 51:

Chapter 3. Plan Participation, Options, and Requirements

§301. Enrollment in the Plan

A. The following applies to compensation deferred under the plan.

1. A participant may not defer any compensation unless a deferral authorization providing for such deferral has been completed by the participant and is filed in good order with the administrator. Such election shall become effective no earlier than the first payroll period after such new election is made, and shall continue in effect until modified, disallowed or revoked in accordance with the terms of this plan, or until the participant ceases employment with the employer. With respect to a new employee, compensation will be deferred in the payroll period during which a participant first becomes an employee if a deferral authorization providing for such deferral is executed on or before the first day on which the participant becomes an employee. Any prior employee who was a participant in the plan and either revoked their participant agreement, or is rehired by employer, may resume participation in the plan by entering into a participation agreement, which shall take effect no earlier than the first payroll period after such new participation agreement is entered into by the participant and accepted by the administrator. Any distributions being taken from this plan are to be terminated prior to the resumption of deferrals under the plan. Additionally, if distributions had