

SENATE BILL NO. 129

BY SENATORS COLOMB, CORTEZ, HEWITT, LONG, PRICE AND GARY SMITH
AND REPRESENTATIVES BAGNERIS, BERTHELOT, BILLIOT,
DAVIS, DUBUISSON, DWIGHT, EDMONDS, HILFERTY, HUVAL,
JACKSON, JENKINS, LARVADAIN, LYONS, MARCELLE,
NORTON, PUGH, SMITH, STAGNI AND WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 32:218, relative to pedestrians; to provide for the solicitation of charitable contributions for charitable or civic nonprofit organizations by certain pedestrians standing in a roadway; to provide relative to the regulation of charitable solicitations on public roadways by a local municipal or parish authority; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:218 is hereby amended and reenacted to read as follows:

§218. Pedestrians soliciting rides or business

A. ~~No~~ **Subject to Subsection B of this Section, no** person shall stand on a public roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

B. **(1)** Subject to the permission of the ~~municipality or parish governing~~ **local municipal or parish** authority in which the roadway is located, a member of a professional firefighters association, **a police officer,** or other ~~nonprofit organization~~

1 public safety officer shall not be prohibited by this Section nor any other provision
2 of state law from standing on a public roadway for the purpose of soliciting
3 contributions, ~~as a member of such association,~~ on behalf of bona fide charitable or
4 civic organizations: during daylight hours, if all of the following are satisfied:

5 (a) The charitable or civic organization complies with applicable local
6 government regulations. A local municipal or parish authority may enact or
7 enforce regulations that restrict, but shall not prohibit, the activity described
8 in this Subsection.

9 (b) The charitable or civic organization maintains at least five hundred
10 thousand dollars in liability insurance.

11 (c) The person is eighteen years of age or older.

12 (d) The person is wearing high-visibility safety apparel that meets
13 current American standards promulgated by the International Safety
14 Equipment Association.

15 (e) The portion of the roadway upon which the solicitation occurs is not
16 a work zone and is within an intersection where traffic control devices are
17 present.

18 (2) A local municipal or parish authority with jurisdiction over a
19 roadway upon which solicitation occurs as described in this Subsection shall not
20 be liable for any claim for damages arising out of the use of the roadway as
21 described in this Subsection.

22 (3) A person who violates this Subsection may be assessed a civil penalty.

23 (4) As used in this Subsection, "charitable or civic organization" means
24 a nonprofit organization that is qualified under Section 501(c)(3) or 501(c)(4)
25 of the Internal Revenue Code, 26 U.S.C. 501, or a veteran's organization that
26 has tax-exempt status under the Internal Revenue Code.

27 (5) A local municipal or parish authority that has enacted or is enforcing
28 regulations that are prohibited under this Subsection shall bring those
29 regulations into compliance with this Subsection no later than sixty days
30 following its effective date.

1 C. This Section shall be known as the Rivers Lacrouts Charitable
2 Solicitation Act.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____