

RÉSUMÉ DIGEST

ACT 349 (SB 49)

2018 Regular Session

Morrell

Prior law provided that the secretary of the Dept. of Public Safety and Corrections may authorize visits and correspondence under reasonable conditions between inmates and approved friends, relatives, and other persons.

New law retains prior law and adds that if an inmate sustains bodily injury requiring admittance to an intensive care unit or trauma center, the warden or other governing authority of the correctional facility, jail, or other detention facility shall notify the inmate's immediate family within one hour of the medical decision to transport the inmate to the intensive care unit or trauma center.

New law further provides that, notwithstanding any provision of prior law, if an inmate sustains serious bodily injury requiring admittance to an intensive care unit or trauma center, members of the inmate's immediate family must be granted visitation with the inmate for the duration of the inmate's admission to the intensive care unit or trauma center unless the warden or other governing authority of the inmate's correctional facility, jail, or other detention facility provides written notice, within six hours of the inmate's admission to the intensive care unit or trauma center, to any immediate family member seeking visitation why such visitation cannot be granted.

If the inmates admission occurs between the hours of eight p.m. and four a.m. the correctional or detention facility shall provide the required written notification within twenty-four hours of the time the serious bodily injury occurred. Visitation may be supervised. Visitation may be revoked if any immediate family member possesses any item of contraband during visitation.

New law defines "serious bodily injury" as bodily injury that involves unconsciousness, extreme physical pain or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

New law defines "immediate family" as a spouse, child, parent, stepparent, sibling, step-sibling, grandchild, or grandparent of the inmate.

Effective upon signature of the governor (May 20, 2018).

(Amends R.S. 15:833(A)(1))