

2019 Regular Session

HOUSE BILL NO. 267

BY REPRESENTATIVE NORTON

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

JUVENILES/DELINQUENTS: Authorizes the establishment of arts-based programming at juvenile detention facilities

1 AN ACT

2 To amend and reenact R.S. 15:905(A) and to enact R.S. 15:1110(D), relative to juvenile
3 facilities; to authorize the establishment of arts-based programming at juvenile
4 detention facilities operated by the office of juvenile justice or by any governmental,
5 profit, nonprofit, private, or public agency; to provide relative to the funding of the
6 arts-based programming; to provide for findings from studies conducted relative to
7 arts-based programming for children in juvenile facilities; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Arts-based programs have been shown to be effective in promoting
11 positive youth development by teaching valuable skills such as logic, organizational
12 teamwork, and patience and by incorporating the knowledge that "failure" is a critical
13 element of discovery and learning. Studies have shown that integrating the creative arts into
14 all learning experiences enhances academic, social, and personal developmental outcomes.
15 Arts-based programs for juvenile offenders support the premise that participation in arts
16 programming reduces risk factors that cause children to be more susceptible to problem
17 behaviors and enhance positive factors that enable youth to lead productive lives by
18 increasing communication skills, conflict management techniques, and positive peer
19 association.

1 Section 2. R.S. 15:905(A) is hereby amended and reenacted and R.S. 15:1110(D)
2 is hereby enacted to read as follows:

3 §905. Rules and regulations; education; training and discipline, work opportunities,
4 vocational training, contracts and agreements

5 A. Except as otherwise provided in laws and rules concerning oversight,
6 accountability, and quality control of educational services delivered in state juvenile
7 justice facilities, the Department of Public Safety and Corrections, office of juvenile
8 justice, shall have full control of all juvenile institutions, facilities, and programs
9 under its administration and the affairs of such institutions, facilities, and programs
10 and shall adopt all rules and regulations which it deems essential to the proper
11 conduct of these institutions, facilities, and programs. All children in these juvenile
12 institutions, facilities, and programs shall receive appropriate treatment, training, and
13 education commensurate with their needs and abilities. In addition, the Department
14 of Public Safety and Corrections, office of juvenile justice, may establish arts-based
15 programming in these juvenile institutions, facilities, and programs which may
16 include but is not limited to performing arts, visual arts, and other arts activities that
17 enhance youth development. For the purposes of funding the arts-based
18 programming, the deputy secretary of the office of juvenile justice is authorized to
19 receive, by appropriation, gift, grant, donation, or otherwise, any sum of money, aid,
20 or assistance from any person, firm, or corporation or from the United States, its
21 agencies, the state of Louisiana, or any political subdivision of the state. The
22 department may enter into contracts or cooperative agreements to fulfill its
23 obligations to accomplish its goals in the most efficient manner possible.

24 * * *

25 §1110. Detention standards; licensing; fees

26 * * *

27 D. Each juvenile detention facility licensed pursuant to this Section,
28 including facilities owned or operated by any governmental, profit, nonprofit,
29 private, or public agency, may establish arts-based programming in the facility which

1 may include but is not limited to performing arts, visual arts, and other arts activities
 2 that enhance youth development. For the purposes of funding the arts-based
 3 programming, the facility owner or operator is authorized to receive, by
 4 appropriation, gift, grant, donation, or otherwise, any sum of money, aid, or
 5 assistance from any person, firm, or corporation or from the United States, its
 6 agencies, the state of Louisiana, or any political subdivision of the state.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 267 Original

2019 Regular Session

Norton

Abstract: Authorizes the establishment of arts-based programming at juvenile detention facilities operated by OJJ or by any governmental, profit, nonprofit, private, or public agency and provides relative to the funding of such programming.

Present law requires the Dept. of Public Safety and Corrections, office of juvenile justice (OJJ), to have full control of all juvenile institutions, facilities, and programs under its administration and the affairs of such institutions, facilities, and programs. Present law further requires all children in these juvenile institutions, facilities, and programs to receive appropriate treatment, training, and education commensurate with their needs and abilities. In this regard, present law authorizes OJJ to enter into contracts or cooperative agreements to fulfill its obligations to accomplish its goals in the most efficient manner possible.

Present law requires the Dept. of Children and Family Services (DCFS) to develop and promulgate, in accordance with the provisions of the Administrative Procedure Act, rules governing the licensing of juvenile detention facilities, and further requires all juvenile detention facilities, including facilities owned or operated by any governmental, profit, nonprofit, private, or public agency, to be licensed in accordance with rules promulgated by DCFS pursuant to present law.

Proposed law retains present law and does all of the following:

- (1) Authorizes OJJ to establish arts-based programming in its juvenile institutions, facilities, and programs.
- (2) Authorizes each juvenile detention facility licensed pursuant to present law, including facilities owned or operated by any governmental, profit, nonprofit, private, or public agency, to establish arts-based programming in the juvenile detention facility.
- (3) Provides that the arts-based programming may include but is not limited to performing arts, visual arts, and other arts activities that enhance youth development.
- (4) Authorizes OJJ and the juvenile detention facility owner or operator, for the purposes of funding the arts-based programming, to receive, by appropriation, gift, grant, donation, or otherwise, any sum of money, aid, or assistance from any person, firm,

or corporation or from the U.S., its agencies, the state of La., or any political subdivision of the state.

(Amends R.S. 15:905(A); Adds R.S. 15:1110(D))