
DIGEST

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HB 729 Original

2020 Regular Session

Marcelle

Abstract: Establishes the Council on the Children of Incarcerated Parents and Caregivers and repeals the termination of the Children's Cabinet.

Present law provides for the Children's Cabinet, a state agency within the office of the governor, to facilitate and require coordination of policy, planning, and budgeting affecting programs and services for children and their families; to coordinate delivery of services to children and their families; and to eliminate duplication of services where appropriate.

Present law provides that the existence of the Children's Cabinet shall terminate, all legal authority of the Children's Cabinet shall cease, and provisions of present law regarding the Children's Cabinet shall be repealed on Aug. 1, 2022.

Proposed law repeals the provision which provides for the termination of the Children's Cabinet and legal authority and the repeal of the present law provisions regarding the Children's Cabinet.

Present law provides for the Children's Cabinet Advisory Board to provide information and recommendations from the perspective of advocacy groups, service providers, and parents.

Proposed law establishes the Council on the Children of Incarcerated Parents and Caregivers as a subcommittee of the Children's Cabinet Advisory Board.

Proposed law defines "incarcerated parents and caregivers" to include all individuals who, prior to or following incarceration, are primarily or secondarily responsible for the health and well-being of an individual.

Proposed law provides that the council shall be composed of certain members described in proposed law and shall be domiciled in East Baton Rouge Parish. Proposed law authorizes the council to add additional members by a majority vote of current council members.

Proposed law provides that council members shall serve two-year terms, until the appointment and qualification of their successor, and shall not receive any compensation or reimbursement of expenses.

Proposed law provides that the chair and vice chair of the council shall be appointed by the executive director of the Children's Cabinet Advisory Board with the consultation and approval of the council.

Proposed law requires the council to meet at least once in at least three of the four quarters each year and to comply with the Open Meetings Law.

Proposed law requires all departments, boards, agencies, officers, and institutions of the state and all subdivisions thereof to cooperate with the council in carrying out its purposes.

Proposed law requires the council to make, or cause to be made, all such studies, reviews, or analyses that it determines to be necessary to effect its purpose.

Proposed law authorizes the council to receive and expend funds appropriated or otherwise made available by the legislature or from any other source, including donations or gifts of money or services from public or private organizations or from any other sources, to be utilized for the purposes of the council.

Proposed law provides for the specific duties of the council including the following:

- (1) Investigate the impact that a parent's or caregiver's involvement in the criminal justice system has on the mental, emotional, physical, and financial well-being of their child or children up to and through adulthood.
- (2) Serve as a liaison between government and private interest groups with regard to matters of unique interest and concern to the children of incarcerated parents or caregivers.
- (3) Identify and discuss best practices as they affect the children of incarcerated parents and caregivers and explore how those practices can be adapted to programs and services within the state.
- (4) Advise executive and legislative bodies of the potential effect of proposed legislation on the children of incarcerated parents and caregivers, as the CIP Council determines to be necessary and appropriate.
- (5) Investigate the merits of the establishment of a state agency within a department dedicated to issues affecting the children of incarcerated parents and caregivers, and determine how such agency or program is to be organized and implemented.
- (6) Provide resources and education to the caregivers of children with incarcerated parents or caregivers.

Proposed law requires the council to report its findings, conclusions, and recommendations at least once every two years beginning Jan. 31, 2022.

Proposed law creates the Children of Incarcerated Parents and Caregivers Fund and provides for the administration and use of monies in the fund for purposes of the council and provides that the fund shall be comprised of any monies appropriated annually by the legislature, including federal funds; any public or private donations, gifts, or grants from individuals, corporations, nonprofit

organizations, or other business entities; and any other monies that may be obtained or provided by law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 46:2605.4, 2605.5, and 2605.6; Repeals R.S. 46:2607)