

SENATE BILL NO. 61

BY SENATOR HEITMEIER

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

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AN ACT

To enact Children's Code Article 837(I), relative to certain delinquency proceedings; to provide that the court, upon a showing of good cause, may authorize the Department of Health and Hospitals to use restraints on the person of a child during transport; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Article 837(I) is hereby enacted to read as follows:

Art. 837. Procedure after determination of mental capacity

* * *

(I) Subsequent to a finding that a child is incompetent to proceed pursuant to a felony charge, upon a showing of good cause that a child presents a danger of flight, the court may authorize the Department of Health and Hospitals to use appropriate restraints on the person of a child during transport, until further order of the court. Use of restraints pursuant to the provisions of this Section shall comply with the policy of the Department of Health and Hospitals on seclusion and restraints.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of

- 1 Louisiana. If vetoed by the governor and subsequently approved by the legislature, this
- 2 Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____