

2026 Regular Session

HOUSE BILL NO. 546

BY REPRESENTATIVE SPELL

LAW ENFORCE/OFFICERS: Provides relative to the ability of peace officers to take a person into protective custody

1 AN ACT

2 To amend and reenact R.S. 28:53(L)(1), relative to taking a person into protective custody;
3 to specify the information necessary to authorize a peace officer to take a person into
4 protective custody; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 28:53(L)(1) is hereby amended and reenacted to read as follows:

7 §53. Admission by emergency certificate; extension; payment for services rendered

8 * * *

9 L.(1)(a) A peace officer or a peace officer accompanied by an emergency
10 medical service trained technician may take a person into protective custody and
11 transport him to a treatment facility for a medical evaluation ~~when, as a result of his~~
12 ~~personal observation, if~~ if the peace officer or emergency medical service technician
13 has ~~reasonable grounds~~ reason to believe both of the following: ~~the person is a proper~~
14 ~~subject for involuntary admission to a treatment facility because the person is acting~~
15 ~~in a manner dangerous to himself or dangerous to others, is gravely disabled, and is~~
16 ~~in need of immediate hospitalization to protect such a person or others from physical~~
17 ~~harm. The person may be transported only to a treatment facility as defined in R.S.~~
18 ~~28:2.~~

19 (i) The person is a danger to himself, a danger to others, or gravely disabled.

