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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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DIGEST

SB 329 Original 2026 Regular Session Mizell

Present law (Ch.C. Art. 610) provides that a reporter shall immediately report suspected child abuse or neglect or that child abuse or neglect was a contributing factor in a child's death in the following ways:

- (1) To the Department of Children and Family Services (DCFS) if the reporter has reason to believe that the perpetrator is any of the individuals listed in present law (Ch.C. Art. 610(A)(1)).
- (2) To a local or state law enforcement agency if the reporter has reason to believe that the perpetrator is any of the individuals listed in present law (Ch.C. Art. 610(A)(2)).

Proposed law provides that a reporter shall immediately report to DCFS as provided in present law (Ch.C. Art. 610(A)(4)) suspected child abuse or neglect or that child abuse or neglect was a contributing factor in a child's death.

Proposed law retains the listings of types of perpetrators in present law (Ch.C. Art. 610(A)(1) and (2)) and provides that:

- (1) If the reporter communicates reason to believe that the perpetrator is any of the individuals listed in present law (Ch.C. Art. 610(A)(1)), DCFS shall initiate and conduct an investigation pursuant to present law (Ch.C. Art. 612).
- (2) If the reporter communicates reason to believe that the perpetrator is any of the individuals listed in present law (Ch.C. Art. 610(A)(2)), DCFS shall send the report to the appropriate local or state law enforcement agency pursuant to present law (Ch.C. Art. 610(E)) and law enforcement shall initiate and conduct an investigation.

Present law (Ch.C. Art. 610(A)(3)) provides that dual reporting to both DCFS and the local or state law enforcement agency is permitted, and that the agency who receives a report pursuant to present law (Ch.C. Art. (A)(1) or (2)) shall be the agency responsible for accepting and acting on the report and shall ensure referral to other agencies as necessary.

Proposed law provides that dual reporting to both DCFS and the local or state law enforcement agency is permitted, and that the agency who receives a report under proposed law shall be the agency responsible for accepting and acting on the report and shall ensure referral to other agencies as necessary.

Present law (Ch.C. Art. 610(A)(4)) provides for the manner in which reports of child abuse or neglect shall be made to DCFS. Present law provides that a mandatory reporter shall make a report of suspected abuse or neglect requiring immediate assistance via the designated state child protection reporting hotline telephone number. Further provides that a report of suspected abuse or neglect which is of a nonemergency nature may be reported via the Louisiana Department of Children and Family Services Mandated Reporter Portal online, and that reports may also be made in person at any child welfare office.

Proposed law retains present law and adds that in receiving any report of child abuse or neglect, DCFS and law enforcement shall clearly inform the reporter that, unless the reporter requests anonymity, the department and law enforcement may contact the reporter directly to obtain further information during the investigation.

Proposed law provides that DCFS, through its secretary, shall administer the public assistance and welfare laws of the state, including through the appointment of a designated department employee to have primary responsibility for and serve as the dedicated liaison to all matters regarding child fatalities and near fatalities, including but not limited to child death notification to the state child ombudsman in accordance with present law (R.S. 24:525(D)(2)) and for management of the public website on incidents involving child fatality or near fatality in accordance with proposed law.

Proposed law provides that DCFS shall promptly provide information to the public regarding a case of child abuse or neglect that has resulted in a fatality or near fatality on its public website as provided in proposed law.

Proposed law provides that the department shall provide the following preliminary information:

- (1) In the case of a fatality, the name of the child who has died.
- (2) The age, gender, parish, and general location of the residence of the child who has suffered a fatality or a near fatality.
- (3) The fact that a child suffered a fatality or near fatality as the result of abuse or neglect.
- (4) The name, age and city, town, or general location of the residence of the alleged perpetrator, if available, unless the disclosure would violate any privacy laws of this state.
- (5) Whether there have been reports, or any current or past cases, of abuse or neglect involving the child or the alleged perpetrator.
- (6) Actions taken by the department in response to the fatality or near fatality of the child.
- (7) A detailed synopsis of prior reports or cases of abuse or neglect involving the child or the alleged perpetrator and of the actions taken or determinations made by the department in response to these reports or cases.

Proposed law provides that within 90 days after the date of the report for a case involving a fatality or a near fatality, the department shall provide to the public a summary report that includes any actions taken by the department in response to the case, any changes in policies or practices that have been made to address any issues raised in the review of the case and any recommendations for further changes in policies, practices, rules, or statutes to address those issues.

Effective August 1, 2026.

(Amends Ch.C. Art. 610; adds R.S. 46:51(17) and 52.2)