
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)]

DIGEST

SB 470 Reengrossed

2026 Regular Session

Mizell

Present law allows the use of therapeutic restraints on a prisoner during childbirth.

Proposed law applies present law to prisoners during both the pregnancy and postpartum recovery period. Proposed law also prohibits the use of shackles on a pregnant prisoner.

Proposed law otherwise retains present law.

Present law defines "postpartum".

Proposed law changes the definition of "postpartum" by extending the postpartum period and defines "therapeutic restraint".

Proposed law requires every state and local correctional facility, during the intake process, to offer a pregnancy test to any woman that is 55 years of age or younger who is arrested and taken into custody. Proposed law also provides that the La. Dept. of Health will identify funding sources from nonprofit organizations or federal grants for pregnancy tests and maintain certain records relating thereto.

Present law allows the court to suspend the sentences for individuals convicted of certain noncapital felonies and to place the defendant on probation.

Proposed law authorizes the court to consider whether the defendant is pregnant at the time of sentencing and whether participation in a medically appropriate prenatal care program, residential treatment program, or substance use disorder treatment program would serve the interests of justice and public safety.

Present law requires the court to accord weight to certain grounds in its determination of suspension of sentence or probation.

Proposed law adds the consideration of whether a defendant is pregnant at the time of sentencing and whether an alternative sentence involving community-based supervision and participation in a prenatal care, maternal health, or substance use disorder treatment program would be appropriate.

Proposed law establishes sentencing considerations and conditions of probation for pregnant defendants.

Proposed law requires the La. Dept. of Health to maintain and make available to courts, upon

request, a list of publicly and privately available programs that may satisfy the requirements of proposed law.

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

(Amends R.S. 15:744.3(A), (B)(intro para), and (C)(3), and 744.5(2); Adds R.S. 15:744.5(7) and 744.9, and C.Cr.P. Arts. 893(A)(5), 894.1(B)(34), and 894.6)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Provide relative to restraining a prisoner during pregnancy and postpartum recovery.
2. Extend the time period recognized as being part of the postpartum period.
3. Define "therapeutic restraint".
4. Require correctional facilities to offer pregnancy tests to women that are 55 years of age or younger.

Senate Floor Amendments to engrossed bill

1. Specify that LDH will pursue certain sources of funding for pregnancy tests.