The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

SB 73 Original | 2015 Regular Session | Morrish

Present law provides for judicial agency referral residential facilities, including pretrial diversion facilities, not otherwise required to be licensed by the Department of Health and Hospitals or the Department of Children and Family Services, that provide housing or temporary residence for individuals who have been arrested for the commission of a crime. Provides for referral of arrestees to these facilities by any judicial agency, including the district attorney's office.

Proposed law removes specific reference to the district attorney's office but defines a judicial agency, for purposes of proposed law, to mean the district court and officers thereof, including the judge, the prosecutor, and the clerk of court, the Crime Victims Reparations Board, the Department of Public Safety and Corrections, and the division of probation and parole.

Proposed law retains present law requirements that the facility be regulated by rules adopted and enforced by the Department of Public Safety and Corrections and that each facility be accredited by the American Correctional Association (ACA) within 24 months of operating as a judicial agency referral residential facility and that it maintain accreditation by the ACA at all times.

Present law prohibits any facility, including a pretrial diversion facility, that provides housing or temporary residence for individuals who have been arrested for the commission of a crime who are referred by any judicial, prosecuting, or law enforcement authority from being located within 1,000 feet of any property used by any school or any child day care center.

Proposed law retains present law but removes reference of referral by any judicial, prosecuting, or law enforcement authority and provides for referral by any judicial agency as defined in proposed law.

Effective August 1, 2015.

(Amends R.S. 40:2852 and 2853(A))