

SENATE BILL NO. 324

BY SENATOR MORRELL AND REPRESENTATIVES BAGNERIS, BOUIE, GARY CARTER, CONNICK, COX, GLOVER, JIMMY HARRIS, HILFERTY, HUNTER, JACKSON, JAMES, TERRY LANDRY, LEGER, LYONS, MAGEE, MARCELLE, DUSTIN MILLER, MORENO, NORTON AND SMITH

1 AN ACT

2 To amend and reenact Children's Code Arts. 305(A)(2), 306(D), and 804(1) and to enact
3 Chapter 13-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised
4 of R.S. 15:1441 and 1442, and Children's Code Art. 306(G), relative to juvenile
5 jurisdiction; to provide for a child who commits a delinquent act before a certain age;
6 to provide for transfer of juveniles to adult detention centers pending trial; to create
7 the Juvenile Jurisdiction Planning and Implementation Committee; to provide for
8 membership, authority, duties, and responsibilities; to provide for directives to the
9 Louisiana State Law Institute, Louisiana Judicial Council, and Department of
10 Children and Family Services; to provide for an effective date; and to provide for
11 related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Chapter 13-B of Title 15 of the Louisiana Revised Statutes of 1950,
14 comprised of R.S. 15:1441 and 1442, is hereby enacted to read as follows:

15 **CHAPTER 13-B. JUVENILE JURISDICTION**

16 **PLANNING AND IMPLEMENTATION ACT**

17 **§1441. Short title**

18 **This Chapter shall be known and may be cited as the "Juvenile**
19 **Jurisdiction Planning and Implementation Act".**

20 **§1442. Louisiana Juvenile Jurisdiction Planning Implementation Committee;**

1 composition; authority; responsibilities

2 A. The Louisiana Juvenile Jurisdiction Planning and Implementation
3 Committee, hereafter referred to as the "committee", is hereby created as a
4 committee of the Juvenile Justice Reform Act Implementation Commission
5 established pursuant to R.S. 46:2751 et seq.

6 B. The committee shall have the following authority, duties, and
7 responsibilities:

8 (1) Not later than January 1, 2017, the committee shall develop and
9 submit to the commissioner of administration, the president of the Senate, and
10 the speaker of the House of Representatives a plan for full implementation of
11 the provisions of this Chapter. The plan shall include recommendations for
12 changes required in the juvenile justice system to expand jurisdiction to include
13 persons seventeen years of age. These recommendations may include the
14 following items:

15 (a) The development of programs and policies that can safely reduce the
16 number of youth in the juvenile justice system, including expanded use of
17 diversion where appropriate; development and use of civil citation programs;
18 use of evidence-based and promising services wherever possible; and
19 reinvestment programs targeting the expanded use of community-based
20 alternatives to secure, nonsecure, and pre-disposition custody.

21 (b) The development of comprehensive projections to determine the
22 long-term distribution of placement capacity for youth in the juvenile justice
23 system.

24 (c) An analysis of the impact of the expansion of juvenile jurisdiction to
25 persons seventeen years of age on state agencies and a determination of which
26 state agencies shall be responsible for providing relevant services to juveniles,
27 including but not limited to mental health and substance abuse services,
28 housing, education, and employment.

29 (2) Not later than April 1, 2017, and quarterly thereafter, the committee
30 shall submit a written status report to the commissioner of administration, the

1 president of the Senate, and the speaker of the House of Representatives on
2 implementation of the plan as provided in this Subsection.

3 (3) The committee shall have such powers, authority, and prerogatives
4 as provided for the Juvenile Justice Reform Act Implementation Commission
5 pursuant to R.S. 46:2754 et seq.

6 C. The committee shall be composed of the following members:

7 (1) Each member of the Juvenile Justice Reform Act Implementation
8 Commission shall be an ex officio member.

9 (2) Two sitting Louisiana judges: one appointed by the president of the
10 Louisiana District Judges Association and one appointed by the president of the
11 Louisiana Council of Juvenile and Family Court Judges.

12 (3) The deputy secretary of the office of juvenile justice, or his designee.

13 (4) The superintendent of the state Department of Education, or his
14 designee.

15 (5) The executive director of the Louisiana Sheriffs' Association, or his
16 designee.

17 (6) The president of the Louisiana Juvenile Detention Association, or his
18 designee.

19 (7) An attorney appointed by the Louisiana Public Defender Board that
20 is an expert in juvenile defense.

21 (8) The executive director of the Children's Cabinet.

22 (9) The director of the Institute for Public Health and Justice, or his
23 designee.

24 (10) Two child or youth advocates, one appointed by the president pro
25 tempore of the Senate and one appointed by the speaker pro tempore of the
26 House of Representatives.

27 (11) Two parents of children who have been involved in the juvenile
28 justice system, one appointed by the executive director of the Cecil J. Picard
29 Center for Child Development and Lifelong Learning and one appointed by the
30 executive director of the Children's Coalition for Northeast Louisiana.

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

3 Section 5. This Act shall be known as the "Raise the Age Louisiana Act of 2016".

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____