

2022 Regular Session

SENATE BILL NO. 297

BY SENATOR BARROW

POSTSECONDARY ED. Provides relative to public institutions of postsecondary education power-based violence. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:3399.12(5)(a) and (b), 3399.15(B)(5)(b), 3399.16(A) and (E),
3 and 3399.18(E) and (F) and to enact R.S. 17:3399.18(K) and 3399.20, relative to
4 power-based violence at public postsecondary institutions; to provide relative to
5 definitions and implementation of the Campus Accountability and Safety Act; to
6 require a report to the legislature; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3399.12(5)(a) and (b), 3399.15(B)(5)(b), 3399.16(A) and (E),
9 3399.18(E) and (F) are hereby amended and reenacted and R.S. 17:3399.18(K) and 3399.20
10 are hereby enacted to read as follows:

11 §3399.12. Definitions

12 For the purposes of this Part, the following terms and phrases shall have the
13 following meanings unless the context clearly indicates otherwise:

14 * * *

15 (5) "Power-based violence" means any form of interpersonal violence
16 intended to control or intimidate another person through the assertion of power over
17 the person and shall include the following:

1 (a) Dating violence (R.S. 46:2151(~~C~~)).

2 (b) Domestic abuse and family violence (R.S. 46:2121.1(~~2~~) and 2132(~~3~~)). For
3 the purposes of this Part, domestic abuse shall also include any act or threat to act
4 that is intended to coerce, control, punish, intimidate, or exact revenge on the other
5 party, for the purpose of preventing the victim from reporting to law enforcement or
6 requesting medical assistance or emergency victim services, or for the purpose of
7 depriving the victim of the means or ability to resist the abuse or escape the
8 relationship.

9 * * *

10 §3399.15. Campus security policy

11 * * *

12 B.

* * *

13 (5)

* * *

14 (b) ~~Not later than January 1, 2022, the~~ **The** Board of Regents, ~~in coordination~~
15 ~~with the attorney general and in consultation with state or local victim services~~
16 ~~organizations, shall develop~~ **shall provide** the annual training program required by
17 Subparagraph (a) of this Paragraph. The Board of Regents shall annually review and
18 revise as needed the annual training program.

19 * * *

20 §3399.16. Safety education; recognition and reporting of potential threats to safety

21 A. ~~The~~ **Not later than the beginning of the fall semester of 2022, the**
22 administration of each institution, in consultation with campus or local law
23 enforcement agencies, shall develop and distribute information to students regarding
24 power-based violence, campus safety, and internet and cell phone safety and online
25 content that is a potential threat to school safety.

26 * * *

27 E. Each institution shall adopt a policy to implement the provisions of this
28 **Part Section**. The policy shall require that for every report of an incident of power-
29 based violence or a safety threat received, the actions taken by the institution and the

1 campus law enforcement agency or security officers be documented. The ~~policies~~
2 **policy** shall also provide for guidelines on referring the reports to the appropriate law
3 enforcement agencies.

4 * * *

5 §3399.18. Louisiana Power-Based Violence Review Panel

6 * * *

7 E. ~~The commissioner of higher education shall call an organizational meeting~~
8 ~~of the panel by August 15, 2021.~~ The panel shall elect a chairman, and any other
9 officers deemed necessary, from among the membership.

10 F. The panel shall meet at least two times per year ~~up to a maximum of four~~
11 ~~times per year, and may meet at other times~~ upon the call of the chair or as provided
12 by panel rules.

13 * * *

14 **K. By February 1, 2023, the panel shall provide a report on its findings**
15 **and recommendations to the Senate and House select committees on women and**
16 **children.**

17 * * *

18 **§3399.20. Adoption and implementation of policies**

19 **Not later than September 1, 2022, and earlier if specified otherwise in**
20 **this Part, each public postsecondary board and institution shall adopt policies**
21 **and implement the provisions of this Part.**

22 Section 2. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST

SB 297 Original 2022 Regular Session Barrow

Present law provides for public postsecondary education institutions to provide for safe campuses and requires certain actions to ensure campuses are safe and that postsecondary education administrators are accountable for providing the safe environment.

Proposed law amends certain definitions and imposes implementation deadlines. Requires the Louisiana Power-Based Violence Review Panel to provide a report by Feb. 1, 2023, to the Senate and House select committees on women and children.

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

(Amends R.S. 17:3399.12(5)(a) and (b), 3399.15(B)(5)(b), 3399.16(A) and (E), and 3399.18(E) and (F); adds R.S. 17:3399.18(K) and 3399.20)