

SENATE BILL NO. 63

BY SENATORS MIZELL, ABRAHAM, BARROW, BERNARD, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, LAMBERT, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MORRIS, PEACOCK, POPE, SMITH, WARD AND WHITE AND REPRESENTATIVES ADAMS, AMEDEE, BACALA, BAGLEY, BUTLER, CREWS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FREEMAN, FREIBERG, GAROFALO, HORTON, HUGHES, ILLG, JEFFERSON, MARCELLE, MCMAHEN, DUSTIN MILLER, MOORE, CHARLES OWEN, PRESSLY, SCHLEGEL, STAGNI, THOMPSON AND WHITE

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AN ACT

To amend and reenact Children's Code Art. 610(A)(1) and to enact Children's Code Art. 610(E)(4) and R.S. 46:51(16), relative to mandatory reporting of child abuse; to provide for reporting of child sex trafficking; to provide for the duties of the department including the provision of care coordination and advocacy services; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Art. 610(A)(1) is hereby amended and reenacted and Children's Code Art. 610(E)(4) is hereby enacted to read as follows:

Art. 610. Reporting procedure; reports to the legislature and the United States Department of Defense Family Advocacy Program

A.(1) Reports of child abuse or neglect or that such was a contributing factor in a child's death, where the abuser is believed to be a parent or caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not, shall be made immediately to the department. A permitted reporter shall make a report through the designated state child protection reporting hotline telephone number or in person at any child welfare office. A mandatory reporter shall make a report through the designated state child protection reporting hotline telephone number, via the Louisiana Department of Children and Family Services Mandated Reporter Portal online, or in person at any child welfare

1 office. Reports in which the abuse or neglect is believed to be perpetrated by
 2 someone other than a caretaker, a person who maintains an interpersonal dating or
 3 engagement relationship with the parent or caretaker, or a person living in the same
 4 residence with the parent or caretaker as a spouse whether married or not, and the
 5 caretaker is not believed to have any responsibility for the abuse or neglect shall be
 6 made immediately to a local or state law enforcement agency. Dual reporting to both
 7 the department and the local or state law enforcement agency is permitted. **If a**
 8 **report involves alleged sex trafficking, all mandatory reporters shall report to**
 9 **the department regardless of whether there is alleged parental or caretaker**
 10 **culpability.**

11 * * *

12 E.

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13 **(4) The department shall communicate as soon as possible all reports**
 14 **involving alleged child victims of sex trafficking to the Louisiana State Police for**
 15 **referral to the appropriate local law enforcement agency for investigation or**
 16 **other action as appropriate.**

17 * * *

18 Section 2. R.S. 46:51(16) is hereby enacted to read as follows:

19 §51. Duties of the department

20 The Department of Children and Family Services, through its secretary, shall
 21 administer the public assistance and welfare laws of the state, as follows:

22 * * *

23 **(16) Make care coordination and advocacy services available for child**
 24 **victims of child sex trafficking as follows:**

25 **(a) Care coordination services may include emergency and ongoing**
 26 **multidisciplinary coordination and service planning with key agencies to**
 27 **address medical, psychological, safety, housing, and other emergency and long-**
 28 **term needs of the child and the investigative needs of law enforcement.**

29 **(b) Based on the needs of the child and the child's family, advocacy**
 30 **services may include:**

- 1 **(i) Face-to-face visits to include emotional support.**
- 2 **(ii) Development, implementation, and updates to safety plans.**
- 3 **(iii) Communication and advocacy on the child's behalf with care**
- 4 **coordinators.**
- 5 **(iv) Assistance with referrals and implementation of services.**
- 6 **(v) Twenty-four hour on-call crisis assistance to respond to the needs of**
- 7 **the child.**
- 8 **(vi) Assistance with transportation and other physical needs.**
- 9 **(vii) Support work with the family to develop safety procedures based on**
- 10 **the particular situation and the child's needs.**
- 11 **(viii) Education on how to monitor and address the child's internet**
- 12 **access, messaging, and telephone contacts.**

13 Section 3. This Act shall become effective on January 1, 2023; if vetoed by the
 14 governor and subsequently approved by the legislature, this Act shall become effective on
 15 the day following such approval by the legislature or January 1, 2023, whichever is later.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____