

SENATE BILL NO. 135

BY SENATOR ABRAHAM

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 40:2852(C) and (D), relative to the Judicial Agency Referral
3 Residential Facility Regulatory Act; to provide for facilities providing housing or
4 temporary residence to individuals referred by judicial agencies; to provide for
5 certain services of a facility; to provide for definitions; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2852(C) and (D) are hereby amended and reenacted to read as
9 follows:

10 §2852. Facilities providing **treatment**, housing, or temporary residence to
11 individuals referred by judicial agencies

12 * * *

13 C.~~(1)~~ No facility shall provide housing or temporary residence to any
14 individual and no judicial agency shall refer any individual to a facility providing
15 housing or temporary residence until the Department of Public Safety and
16 Corrections has adopted rules and has inspected the facility and certified that the
17 facility is in compliance with these rules as provided for by this Section.

18 **(2) No facility shall provide treatment to any individual and no judicial**
19 **agency shall refer any individual to a facility providing treatment until the**
20 **Louisiana Department of Health has adopted rules and has inspected the facility**
21 **and certified that the facility is in compliance with these rules as provided for**
22 **by this Section.**

D. For the purposes of this Chapter, "judicial agency" means the sheriff, sheriff's department, or district court and officers thereof, including the district judge, the prosecutor, and district attorneys. ~~However, no sheriff or sheriff's department of any parish in this state shall be deemed to be a judicial agency pursuant to this Chapter.~~ Judicial agency referral residential facilities shall not participate in sheriffs' work release programs nor shall they receive funding from the state.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____