Regular Session, 2011

HOUSE BILL NO. 94

BY REPRESENTATIVE KATZ

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

CHILDREN/MISSING: Transfers the Missing and Exploited Children Information Clearinghouse from the Department of Children and Family Services to the Department of Public Safety and Corrections, office of state police

AN ACT

To amend and reenact R.S. 33:1563(H), R.S. 43:34, and R.S. 46:1431(A) and (C)(3), relative to the Missing and Exploited Children Information Clearinghouse of this state; to provide for administrative authority; to authorize the promulgation of rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1563(H) is hereby amended and reenacted to read as follows:

§1563. Duty to hold autopsies, investigations, etc.

* * *

H. In deaths investigated by the coroner where he is not able to establish the identity of the dead body by visual means, fingerprints, or other identifying data, the coroner shall have a qualified dentist or forensic anthropologist or forensic pathologist carry out a dental examination of the dead body. If the coroner, with the aid of the dental examination, is still not able to establish the identity of the dead body, the coroner shall prepare and forward the dental examination and other identifying records to state and local law enforcement agencies. When the dead body may be that of an individual under the age of eighteen years, the coroner shall send this information to the Missing and Exploited Children Information Clearinghouse

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within the Department of ~~Children and Family Services~~ Public Safety and Corrections, office of state police.

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Section 2. R.S. 43:34 is hereby amended and reenacted to read as follows:

§34. Louisiana Conservationist magazine; information on missing children; publication required

The Department of Wildlife and Fisheries, in conjunction with the Missing and Exploited Children Information Clearinghouse of the Department of ~~Children and Family Services~~ Public Safety and Corrections, office of state police, shall publish in each issue of the Louisiana Conservationist magazine the picture, name, and description of one or more Louisiana children believed to be missing or the picture, name, and description of one or more children believed to be missing in Louisiana. In addition, the department shall also publish in the Louisiana Conservationist magazine in reasonable proximity to such names and pictures, the names of children whose pictures were published in the magazine and the dates that they were located. The toll-free telephone number provided by the National Center for Missing and Exploited Children for the purpose of receiving information related to a missing child or children shall be published with the consent of the organization.

Section 3. R.S. 46:1431(A) and (C)(3) are hereby amended and reenacted to read as follows:

§1431. Missing and Exploited Children Information Clearinghouse; establishment; definitions

A. There is hereby created a Missing and Exploited Children Information Clearinghouse within the Department of ~~Children and Family Services~~ Public Safety and Corrections, office of state police. ~~The clearinghouse shall be operated by the office of human development.~~ The ~~secretary~~ deputy secretary for public safety services shall establish services deemed appropriate by the department to aid in the location of missing and/or exploited children. The department may promulgate rules

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and regulations in accordance with the Administrative Procedure Act to provide for the Missing and Exploited Children Information Clearinghouse.

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C. As used in this Section:

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(3) "Missing child report" is a report prepared on a form designed by the Department of ~~Children and Family Services~~ Public Safety and Corrections, office of state police for use by private citizens and law enforcement agencies to report missing children information to the Missing and Exploited Children Information Clearinghouse.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Katz HB No. 94

Abstract: Transfers the Missing and Exploited Children Information Clearinghouse from Dept. of Children and Family Services to Dept. of Public Safety and Corrections, office of state police.

Present law creates a Missing and Exploited Children Information Clearinghouse within the Dept. of Children and Family Services (DCFS).

Present law provides for the purpose and functions of the clearinghouse.

Proposed law transfers administrative authority for the clearinghouse from DCFS to the Dept. of Public Safety and Corrections, office of state police.

Proposed law amends references to the clearinghouse in present law to reflect transfer of administrative authority.

Proposed law authorizes the Dept. of Public Safety and Corrections to promulgate rules in accordance with the APA to administer the clearinghouse.

(Amends R.S. 33:1563(H), R.S. 43:34, and R.S. 46:1431(A) and (C)(3))

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