

2016 Regular Session

HOUSE BILL NO. 107

BY REPRESENTATIVES WILLMOTT AND LEBAS

LEGISLATION: Provides for technical corrections to provisions of the La. Revised Statutes as necessary for conformity with the Safe Haven Law

1 AN ACT

2 To amend and reenact R.S. 14:46.4(B)(5), R.S. 17:81(R)(1) and 3996(B)(22), and Children's
3 Code Article 1150(2), relative to the Safe Haven Law and references to certain
4 provisions thereof in the Louisiana Revised Statutes; to provide for technical
5 corrections; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:46.4(B)(5) is hereby amended and reenacted to read as follows:

8 §46.4. Re-homing of a child

9 * * *

10 B. Re-homing does not include:

11 * * *

12 (5) Relinquishment of a child pursuant to the ~~safe haven~~ provisions of law
13 the Safe Haven Law, Ch.C. Art. 1149 et seq.

14 * * *

15 Section 2. R.S. 17:81(R)(1) and 3996(B)(22) are hereby amended and reenacted to
16 read as follows:

17 §81. General powers of local public school boards

18 * * *

19 R.(1) Each city, parish, or other local public school board shall provide to
20 high school students age and grade appropriate classroom instruction relative to the
21 state's ~~safe haven relinquishments law~~ Safe Haven Law, Children's Code ~~Articles~~

1 ~~Article 1149 through 1160~~ et seq., which provides a mechanism whereby any parent
2 may relinquish the care of an infant who is not more than ~~thirty~~ sixty days old to the
3 state in safety and anonymity and without fear of prosecution.

4 * * *

5 §3996. Charter schools; exemptions; requirements

6 * * *

7 B. Notwithstanding any state law, rule, or regulation to the contrary and
8 except as may be otherwise specifically provided for in an approved charter, a
9 charter school established and operated in accordance with the provisions of this
10 Chapter and its approved charter and the school's officers and employees shall be
11 exempt from all statutory mandates or other statutory requirements that are
12 applicable to public schools and to public school officers and employees except for
13 the following laws otherwise applicable to public schools with the same grades:

14 * * *

15 (22) Teaching regarding the state's ~~safe haven relinquishments law~~ Safe
16 Haven Law, R.S. 17:81(R).

17 * * *

18 Section 3. Children's Code Article 1150(2) is hereby amended and reenacted to read
19 as follows:

20 Art. 1150. Definitions

21 As used in this Chapter:

22 * * *

23 (2) "Designated emergency care facility" means any hospital licensed in the
24 state of Louisiana, any public health unit, any emergency medical service provider,
25 any medical clinic, any fire station, any police station, any ~~pregnancy~~ crisis
26 pregnancy center, or any child advocacy center.

27 * * *

 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)]

HB 107 Reengrossed

2016 Regular Session

Willmott

Abstract: Provides for corrections to provisions of the La. Revised Statutes as necessary for conformity with provisions of Acts 2013, No. 186 and Acts 2015, No. 223 relative to the Safe Haven Law (Ch.C. Art. 1149 et seq.).

Present law, Ch.C. Art. 1149 et seq., provides a mechanism whereby any parent may relinquish the care of an infant who is not more than 60 days old to the state in safety and anonymity and without fear of prosecution. Provisions of Acts 2015, No. 223, §1 designated present law as the "Safe Haven Law" by means of a short title.

Proposed law changes occurrences of "safe haven law" to read "Safe Haven Law" in present law in order to properly reflect the short title of the referenced law.

Present law, R.S. 17:81(R), indicates that the Safe Haven Law provides a mechanism whereby any parent may relinquish the care of an infant who is not more than 30 days old to the state in safety and anonymity and without fear of prosecution. Proposed law changes the age referred to in this provision from "30 days old" to "60 days old" in order to properly reflect the infant age indicated in the Safe Haven Law as enacted through Acts 2013, No. 186, §1.

Present law relative to sites designated as emergency care facilities by the Safe Haven Law provides that such sites include "pregnancy crisis centers". Proposed law corrects this reference by specifying that such sites include crisis pregnancy centers.

(Amends R.S. 14:46.4(B)(5), R.S. 17:81(R)(1) and 3996(B)(22), and Ch.C. Art 1150(2))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Revise the term "pregnancy crisis center" used in present law relative to designated emergency care facilities to provide for the correct term of "crisis pregnancy center" in reference to those facilities.
2. Make technical changes.