

RÉSUMÉ DIGEST

ACT 367 (HB 383)

2021 Regular Session

Stagni

Prior law provided the following definition for purposes of existing law relative to child in need of care proceedings (Ch.C. Art. 601 et seq.):

"Caretaker" means any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster home parent, an operator or employee of a registered family child daycare home, an employee of a public or private daycare center, or an adult providing a residence for the child and having a consistent and continuing responsibility for the care of the child.

New law updates prior law to change a reference in this definition from "an employee of a public or private daycare center" to "an employee or an operator of an early learning center" as defined in existing law relative to child day care (R.S. 17:407.33). New law provides further that the definition of "caretaker" shall also include the following persons:

- (1) An adult who occupies a residence of a child and has a consistent and continuing responsibility for the care of a child.
- (2) An operator or employee of a "restrictive care facility", defined as any public or private licensed or unlicensed childcare facility, group home, emergency shelter facility, maternity home, psychiatric hospital, or a psychiatric unit located in a state-owned or state-contracted general hospital.

New law provides that caretaker does not include an operator or employer of a correctional facility, detention facility, or nonresidential school.

New law otherwise retains the content of the definition of "caretaker" provided in prior law.

Effective August 1, 2021.

(Amends Ch.C. Art. 603(4))