

2025 Regular Session

SENATE BILL NO. 135

BY SENATOR ABRAHAM

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

CRIMINAL JUSTICE. Defines judicial agencies. (8/1/25)

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

* * *

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

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

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

13 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 135 Engrossed

2025 Regular Session

Abraham

Present law provides for facilities providing housing or temporary residence to individuals referred by judicial agencies.

Present law prohibits any facility providing housing or temporary residence to any individual and prohibits any judicial agency from referring any individual to a facility providing housing or temporary residence until the Dept. of Public Safety and Corrections (DPS&C) has adopted rules and has inspected the facility and certified that the facility is in compliance with these rules as provided for by present law.

Proposed law retains present law, but also requires that La. Dept. of Health to adopt rules and inspect the facility and certify that the facility is in compliance with rules regarding "treatment" facilities.

Present law defines "judicial agency" as the district court and officers thereof, including the district judge, the prosecutor and district attorneys. Present law prohibits any sheriff or sheriff's department from being deemed a judicial agency as provided by present law.

Proposed law retains present law, and adds sheriffs and sheriff departments to the definition of "judicial agency".

Effective August 1, 2025.

(Amends R.S. 40:2852(C) and (D))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Makes technical change.
2. Adds requirement that La. Dept. of Health adopt rules and inspect the facility and certify that the facility is in compliance with rules regarding "treatment" facilities.