

SENATE BILL NO. 165

BY SENATOR MILLER

AN ACT

To amend and reenact R.S. 15:1109.11, 1109.12(A), 1109.13, 1109.15, 1109.16(A), and 1109.17 and to enact R.S. 15:1109.16(C), relative to the River Parishes Juvenile Justice District; to provide relative to the jurisdiction of the River Parishes Juvenile Justice District; to provide relative to the addition of Lafourche Parish to the district; to provide relative to the board of commissioners of the district; to provide relative to the composition, administration and domicile of the board; to provide for certain requirements and limitations; to provide for effectiveness; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1109.11, 1109.12(A), 1109.13, 1109.15, 1109.16(A), and 1109.17 are hereby amended and reenacted and R.S. 15:1109.16(C) is hereby enacted to read as follows:

§1109.11. River Parishes Juvenile Justice District; creation; jurisdiction

The River Parishes Juvenile Justice District is hereby established as a political subdivision of the state, with a territorial jurisdiction throughout the **Seventeenth**, Twenty-Third, Twenty-Ninth, and Fortieth Judicial Districts, including the parishes of Ascension, Assumption, **Lafourche**, St. Charles, St. James, and St. John the Baptist.

§1109.12. Board of commissioners; appointment; terms

A. The River Parishes Juvenile Justice Commission is hereby created to control, administer, and manage the affairs of the district. The commission shall be composed of a board of fourteen commissioners, who shall be qualified electors domiciled and residing in the district. ~~Five~~ **Three** commissioners shall be jointly appointed, for terms of four years, by the sheriffs of the Twenty-Third Judicial District; **one commissioner shall be appointed, for a term of four years, by the**

sheriff of Lafourche Parish, ~~two commissioners~~ one commissioner shall be appointed, for ~~terms~~ a term of four years, by the sheriff of St. Charles Parish; one commissioner shall be appointed, for a term of four years, by the sheriff of St. John the Baptist Parish; one commissioner shall be appointed, for a term of four years, by the district attorney of the Seventeenth Judicial District; one commissioner shall be appointed, for a term of four years, by the district attorney of the Twenty-Third Judicial District; one commissioner shall be appointed, for a term of four years, by the district attorney of the Twenty-Ninth Judicial District; one commissioner shall be appointed, for a term of four years, by the district attorney of the Fortieth Judicial District; one commissioner shall be appointed, for a term of four years, by the chief judge of the Seventeenth Judicial District; one commissioner shall be appointed, for a term of four years, by the chief judge of the Twenty-Third Judicial District; one commissioner shall be appointed, for a term of four years, by the chief judge of the Twenty-Ninth Judicial District; and one commissioner shall be appointed, for a term of four years, by the chief judge of the Fortieth Judicial District. All appointments shall be confirmed by the Senate.

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§1109.13. Purpose

The purpose of the commission shall be to assist and afford opportunities to children who enter the juvenile justice system, or who are children in need of care or supervision, to become productive, law-abiding citizens of the community, parish, and state by the establishment of rehabilitative programs within a structured environment and to provide physical facilities and related services for children throughout the parishes of Ascension, Assumption, **Lafourche**, St. Charles, St. James, and St. John the Baptist.

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§1109.15. Board; general authority

A.(1) The board may purchase or otherwise acquire, construct, reconstruct, rehabilitate, improve, repair, operate, lease as lessor or lessee, manage, and administer ~~or enter into contracts for~~ the management, administration, and operation

1 of a juvenile detention facility or facilities, shelter care facility or facilities, or such
2 other juvenile justice facilities as are useful, necessary, expedient, or convenient to
3 carry out the plans and purposes of the commission and **provide** for the orderly
4 conduct of its business. **All employees shall be employed directly by the**
5 **commission.**

6 **(2)** Such facilities may include but are not limited to office facilities, parking
7 facilities, diagnostic facilities, dormitories, and other residential facilities for
8 delinquent, neglected, or abused children or children in need of care or supervision,
9 as well as for employees, patrons, visitors, and relatives of children who may enter
10 the juvenile justice system or who are in need of care or supervision. In addition, the
11 commission may lease, purchase, or acquire by donation or otherwise any property,
12 immovable or movable, ~~tangible or intangible~~ **corporeal or incorporeal**, from any
13 person, firm, or corporation, including the state and its agencies and political
14 subdivisions.

15 ~~(2)~~**(3)** The diagnostic facilities, dormitories, and other residential facilities
16 may also be used to operate post-adjudication programming, including treatment and
17 rehabilitation.

18 B. The board may also authorize and approve, upon such terms as it may
19 deem advisable, contracts of employment for a superintendent or administrator and
20 other necessary personnel and contracts for legal, financial, engineering, and other
21 professional services necessary or expedient for the conduct of its affairs. **The**
22 **superintendent or administrator shall be employed directly by the commission.**

23 §1109.16. Board; domicile; power to levy taxes, incur debt, and issue bonds

24 A. The board of commissioners shall be domiciled in the parish of ~~St. James~~
25 **Lafourche** and shall have the power to sue and be sued. In the exercise of its powers
26 to control, administer, and manage the affairs of the district, the board may incur
27 debt and issue bonds and may levy taxes in the manner provided in this Subpart and
28 pursuant to Article VI, Sections 30 and 32 of the Constitution of Louisiana or any
29 other constitutional or statutory authority. The board generally may perform any
30 function and exercise any power necessary, requisite, or proper for the administration

1 and management of the affairs of the commission and, specifically, may cooperate
2 with juvenile courts and other courts and public agencies within the Seventeenth,
3 Twenty-Third, Twenty-Ninth, and Fortieth Judicial Districts to aid and assist in all
4 ways authorized by law for the purposes and responsibilities for which the
5 commission is established.

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7 C. When the River Parishes Juvenile Justice District presents any tax
8 proposal to the electors of the district, the Lafourche Parish Council shall
9 submit to the electors of Lafourche Parish a reduction of any current levied
10 millage at or lower than the tax increase proposed by the River Parishes
11 Juvenile Justice District on the same election date.

12 §1109.17. Funding for the commission; criminal court costs

13 A. In the parishes of Ascension, Assumption, Lafourche, St. Charles, St.
14 James, and St. John the Baptist, in all felony and misdemeanor prosecutions,
15 including traffic offenses, under state law or parish or municipal ordinance, in any
16 district, parish, city, or mayor's court, special costs in an amount not to exceed five
17 dollars shall be levied against every defendant who is convicted after trial, enters a
18 plea of guilty or nolo contendere, or forfeits bond. However, in lieu of imposing the
19 special costs, the court may direct that a like amount be deducted from any fine
20 imposed prior to disposition of the fine in accordance with other laws, but in either
21 event any amounts so collected shall be remitted, by the tenth of the month following
22 the month in which collected, by the proper officer of the court to the board of the
23 River Parishes Juvenile Justice Commission to be used for the expenses of its
24 operations as provided in this Subpart.

25 B. In the parishes of Ascension, Assumption, Lafourche, St. Charles, St.
26 James, and St. John the Baptist, in all courts exercising juvenile jurisdiction, special
27 costs in an amount not to exceed five dollars shall be levied against every juvenile
28 who is found to have committed a traffic violation, under state law or parish or
29 municipal ordinance, and special costs in an amount not to exceed twenty-five
30 dollars shall be levied against every juvenile who is adjudicated a delinquent. All or

1 part of the costs may be suspended, but any amounts collected shall be remitted, by
2 the tenth of the month following the month in which collected, by the proper officer
3 of the court in which the matter was heard to the board of the River Parishes Juvenile
4 Justice Commission to be used for the expenses of its operations pursuant to this
5 Subpart.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____