

SENATE BILL NO. 165

BY SENATOR MILLER

1 AN ACT

2 To amend and reenact R.S. 15:1109.11, 1109.12(A), 1109.13, 1109.15, 1109.16(A), and  
3 1109.17 and to enact R.S. 15:1109.16(C), relative to the River Parishes Juvenile  
4 Justice District; to provide relative to the jurisdiction of the River Parishes Juvenile  
5 Justice District; to provide relative to the addition of Lafourche Parish to the district;  
6 to provide relative to the board of commissioners of the district; to provide relative  
7 to the composition, administration and domicile of the board; to provide for certain  
8 requirements and limitations; to provide for effectiveness; and to provide for related  
9 matters.

10 Notice of intention to introduce this Act has been published.

11 Be it enacted by the Legislature of Louisiana:

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

15 §1109.11. River Parishes Juvenile Justice District; creation; jurisdiction

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

21 §1109.12. Board of commissioners; appointment; terms

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

1 sheriff of Lafourche Parish, two commissioners **one commissioner** shall be  
 2 appointed, for ~~terms~~ **a term** of four years, by the sheriff of St. Charles Parish; one  
 3 commissioner shall be appointed, for a term of four years, by the sheriff of St. John  
 4 the Baptist Parish; **one commissioner shall be appointed, for a term of four years,**  
 5 **by the district attorney of the Seventeenth Judicial District;** one commissioner  
 6 shall be appointed, for a term of four years, by the district attorney of the Twenty-  
 7 Third Judicial District; one commissioner shall be appointed, for a term of four  
 8 years, by the district attorney of the Twenty-Ninth Judicial District; one  
 9 commissioner shall be appointed, for a term of four years, by the district attorney of  
 10 the Fortieth Judicial District; **one commissioner shall be appointed, for a term of**  
 11 **four years, by the chief judge of the Seventeenth Judicial District;** one  
 12 commissioner shall be appointed, for a term of four years, by the chief judge of the  
 13 Twenty-Third Judicial District; one commissioner shall be appointed, for a term of  
 14 four years, by the chief judge of the Twenty-Ninth Judicial District; and one  
 15 commissioner shall be appointed, for a term of four years, by the chief judge of the  
 16 Fortieth Judicial District. All appointments shall be confirmed by the Senate.

17 \* \* \*

18 §1109.13. Purpose

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

26 \* \* \*

27 §1109.15. Board; general authority

28 A.(1) The board may purchase or otherwise acquire, construct, reconstruct,  
 29 rehabilitate, improve, repair, operate, lease as lessor or lessee, manage, and  
 30 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.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_