The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST

SB 403 Engrossed 2016 Regular Session Morrish

Present law provides that any pretrial diversion facility not required to be licensed by DHH or DCFS must be regulated by rules adopted by DPSC governing the construction, standards of operation, and services for the facilities.

Present law prohibits a facility from providing housing or temporary residence or a judicial agency from referring anyone to a facility until DPSC has adopted rules and inspected the facility to certify compliance with the rules.

Present law defines judicial agency as the district court and officers thereof, including the district judge, the prosecutor, and district attorneys.

Present law excludes the sheriff or sheriff's department of any parish from the definition of judicial agency, prohibits judicial agency referral residential facilities from participating in sheriffs' work release programs, and prohibits judicial agency referral residential facilities from receiving state funds.

Present law requires the facilities be accredited by the American Correctional Association with 24 months of opening and maintain accreditation at all times.

Proposed law removes the requirement that all facilities must be accredited by the American Correctional Association within 24 months of opening and maintain accreditation at all times and otherwise retains present law.

Proposed law provides that a facility providing temporary housing or temporary residence to individuals referred by judicial agencies shall not employ any person referred by a judicial agency to any temporary housing or residence facility, including his own.

Effective August 1, 2016.

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

Summary of Amendments Adopted by Senate

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

1. Adds provision prohibiting the owner of a referral facility from employing individuals referred by a judicial agency.