

## RÉSUMÉ DIGEST

**SB 403**

**2016 Regular Session**

**Morrish**

Present law requires that any pretrial diversion facility not required to be licensed by the Department of Health and Hospitals or the Department of Children and Family Services be regulated by rules adopted by the Department of Public Safety and Corrections (DPSC) governing the construction, standards of operation, and services provided by the facility. Proposed law would have retained these provisions.

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

Proposed law would have removed the requirement that all the facilities be accredited by the American Correctional Association within 24 months of opening and that they maintain accreditation at all times.

Present law defines judicial agency as the district court and officers thereof, including the district judge, the prosecutor, and district attorneys and prohibits a sheriff or sheriff's department from being deemed a judicial agency. Prohibits a judicial agency referral residential facility from participating in a sheriff's work release program or from receiving state funding. Proposed law would have retained these provisions.

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

Proposed law would have prohibited the owner of a facility providing temporary housing or temporary residence to individuals referred by judicial agencies from employing any person referred by a judicial agency to the temporary housing or residence facility, including his own.

Would have become effective August 1, 2016.

(Would have amended R.S. 40:2852(D); would have repealed R.S. 40:2852(E))

**VETO MESSAGE:** "Please be advised that I have exercised my veto authority pursuant to La. Constitution Art. 3, Section 16 with regard to Senate Bill 403 of the 2016 Regular Session. The facilities at issue in Senate Bill 403 should be accredited by the American Correctional Association."