
DIGEST

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HB 395 Original

2017 Regular Session

Dustin Miller

Abstract: Updates provisions relative to judicial commitment and mental health treatment.

Present law provides that a judicial commitment shall remain in effect for a period of up to 120 days.

Proposed law extends the period of time to 180 days.

Proposed law authorizes a person who is civilly committed by a criminal court to request a formal voluntary admission if the person meets the requirements for such admission.

Proposed law makes technical corrections to the provisions of law regarding judicial commitment and updates terminology.

Present law sets forth the procedure for a hearing on a petition for judicial commitment.

Proposed law retains present law and specifies that the hearing shall take precedence over all other matters, except pending cases of the same type, and shall be a closed hearing. Further authorizes the La. Dept. of Health, if not the petitioner, to present evidence, call witnesses, and cross-examine any witness testifying at the hearing.

Proposed law requires the parties to the hearing, if the La. Dept. of Health is not the petitioner, to consult with the department before entering into a stipulated judgment committing the patient to the department.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 28:2(1), 54(A) and (C), 55(A)-(D) and (E)(1) and (5), 56(C) and (G)(1) and (4), 59(A)-(C), 454.6(A)(intro. para.), (5), and (6) and (B); Adds R.S. 28:52.2(C) and 454.6(A)(7))