

2018 Regular Session

HOUSE BILL NO. 482

BY REPRESENTATIVE LEGER

(On Recommendation of the Louisiana State Law Institute)

JUVENILE PROCEDURE: Provides relative to the release of a child from the custody of
DPS&C

1 AN ACT

2 To amend and reenact Children’s Code Article 911(A), relative to release of a child from
3 custody; to provide for the requirements relative to release of a child from the
4 custody of the Department of Public Safety and Corrections; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Article 911(A) is hereby amended and reenacted to read
8 as follows:

9 Art. 911. Modification of dispositions while in custody of the Department of Public
10 Safety and Corrections

11 A. A motion filed by the Department of Public Safety and Corrections
12 ~~whereby the conditions of the disposition are sought to be made less restrictive~~
13 seeking the release of a child from its custody shall be tried contradictorily against
14 the district attorney, unless the district attorney files in the record an affidavit
15 averring no opposition to the motion.

16 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 482 Engrossed

2018 Regular Session

Leger

Abstract: Provides that motions filed by the Dept. of Public Safety and Corrections for the release of a child from the custody of the department shall be tried contradictorily.

Present law provides for modification of dispositions while a child is in the custody of the Department of Public Safety and Corrections and requires that motions filed by DPS&C seeking to make the conditions of the disposition less restrictive shall be tried contradictorily against the district attorney.

Proposed law changes present law to apply to motions filed by DPS&C seeking the release of a child from custody.

(Amends Ch.C. Art. 911(A))