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 DIGEST

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SB 49 Reengrossed

2018 Regular Session

Morrell

Present law provides that the secretary of the Dept. of Public Safety and Corrections may authorize visits and correspondence under reasonable conditions between inmates and approved friends, relatives, and other persons.

Proposed law retains present law and adds that if an inmate sustains bodily injury requiring admittance to an intensive care unit or trauma center, the warden or other governing authority of the correctional facility, jail, or other detention facility shall attempt to notify the inmate's immediate family within eight hours of the medical decision to transport the inmate to the intensive care unit or trauma center.

Proposed law further provides that, notwithstanding any provision of present law, if an inmate sustains serious bodily injury requiring admittance to an intensive care unit or trauma center, members of the inmate's immediate family must be granted visitation with the inmate for the duration of the inmate's admission to the intensive care unit or trauma center unless the warden or other governing authority of the inmate's correctional facility, jail, or other detention facility provides written notice, within six hours of the inmate's admission to the intensive care unit or trauma center, to any immediate family member seeking visitation why such visitation cannot be granted.

Proposed law also provides that if the inmate's admission occurs between the hours of 8:00 p.m. and 4:00 a.m., the correctional or detention facility shall provide the required written notification within 24 hours of the time the serious bodily injury occurred. Visitation may be supervised. Visitation may be revoked if any immediate family member possesses any item of contraband during visitation.

Proposed law defines "serious bodily injury" as bodily injury that involves unconsciousness, extreme physical pain or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

Proposed law defines "immediate family" as a spouse, child, parent, stepparent, sibling, step-sibling, grandchild, or grandparent of the inmate.

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

(Amends R.S. 15:833(A)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds technical language.
2. Requires notification of the inmate's family within one hour of the decision to transport him to the ICU.
3. Allows notification of why visitation cannot be granted to be provided within 24 hours if the admission occurs between 8pm and 4am.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill:

1. Make technical corrections.
2. Provide that the warden or other governing authority of the facility or jail shall attempt to notify the inmate's immediate family of the decision to transport the inmate to the ICU or trauma center.
3. Change the time period in which the inmate's family is to be notified of the decision to transport the inmate to the ICU or trauma center from one hour to eight hours.