

2019 Regular Session

HOUSE BILL NO. 193

BY REPRESENTATIVE BACALA

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

JUVENILE PROCEDURE: Revises procedures relative to students investigated for threats of violence or terrorism

1 AN ACT

2 To amend and reenact R.S. 17:409.5(A)(1), relative to school safety; to revise procedures  
3 relative to students investigated for making threats of violence or terrorism; to  
4 provide for law enforcement agencies to make determinations relative to such threats  
5 and report them to district attorneys under certain circumstances; to provide relative  
6 to the authority of district attorneys to file petitions relative to mental health  
7 examinations; to provide relative to the return of such students to school; and to  
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:409.5(A)(1) is hereby amended and reenacted to read as follows:

11 §409.5. Restrictions and ~~mandatory evaluation~~ examination

12 A.(1) ~~If the person who is reported to a local law enforcement agency~~  
13 ~~pursuant to R.S. 17:409.3(A) is a student, he shall not be permitted to return to~~  
14 ~~school until undergoing a formal mental health evaluation. The~~ If a law enforcement  
15 ~~agency shall~~ agency, based on its investigation as required by R.S. 17:409.4(B)(1),  
16 determines that a student's threat is credible and imminent, it shall report it to the  
17 district attorney, who may file a petition with the appropriate judicial district court  
18 for medical, psychological, and psychiatric evaluation examination as outlined in this  
19 Subsection. The school administration may permit a student who is the subject of

