

2022 Regular Session

HOUSE BILL NO. 245

BY REPRESENTATIVE MINCEY

SCHOOLS: Provides relative to minors taken into protective custody from schools

1 AN ACT

2 To enact Children's Code Articles 1432(D) and 1433(F) and R.S. 17:184, relative to
3 information required for a minor to be taken from school into protective custody; to
4 require that certain information be provided to a school administrator; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Articles 1432(D) and 1433(F) are hereby enacted to read
8 as follows:

9 Art. 1432. Order for custody; grounds

10 * * *

11 D.(1) Any person removing a minor from a school pursuant to this Article
12 shall provide the following information about the minor to a school administrator:

13 (a) First and last name.

14 (b) Address.

15 (c) Date of birth.

16 (2) The provisions of this Paragraph shall not apply to an arrest for which
17 there is probable cause.

18 Art. 1433. Protective custody without court order

19 * * *

1 F.(1) Any person removing a minor from a school pursuant to this Article
2 shall provide the following information about the minor to a school administrator:

3 (a) First and last name.

4 (b) Address.

5 (c) Date of birth.

6 (2) The provisions of this Paragraph shall not apply to an arrest for which
7 there is probable cause.

8 Section 2. R.S. 17:184 is hereby enacted to read as follows:

9 §184. Protective custody

10 A. No school administrator shall release a minor into protective custody
11 unless the official to whom the minor is being released provides the following
12 information about the minor:

13 (1) First and last name.

14 (2) Address.

15 (3) Date of birth.

16 B. The provisions of this Section shall not apply to an arrest for which there
17 is probable cause.

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 245 Original

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Mincey

Abstract: Requires an official who is taking a minor from school in order to place him in protective custody to have certain information about the minor.

Present law authorizes any parish coroner or judge to order a minor to be taken into protective custody. Provides the court order is required to be in writing and contain certain information relative to the minor and his state of being a threat to himself or others.

Proposed law retains present law.

Present law provides for conditions under which a peace officer or a peace officer accompanied by an emergency medical technician is authorized to take a minor into protective custody without a court order.

Proposed law retains present law.

Proposed law requires that an official who seeks to remove a minor from a school to take him into protective custody provide the minor's first and last name, address, and date of birth to a school administrator.

(Adds Ch.C. Arts. 1432(D) and 1433(F) and R.S. 17:184)