

ACT No. 145

2023 Regular Session

HOUSE BILL NO. 359

BY REPRESENTATIVE GREGORY MILLER

1 AN ACT

2 To enact Subpart M of Part XI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of
3 1950, to be comprised of R.S. 15:1109 through 1109.6, relative to the creation of a
4 juvenile justice district for certain parishes; to create and provide with respect to the
5 River Parishes Juvenile Justice District; to establish and provide with respect to the
6 purposes and functions; to provide for a board of commissioners of the district and
7 for the composition, administration, powers, and duties of the board, including the
8 power to incur debt, issue bonds, and levy taxes; to provide for the assessment and
9 collection of court costs in certain criminal, traffic, and juvenile proceedings; to
10 provide for the distribution of the monies to the board of commissioners of the River
11 Parishes Juvenile Justice District; to provide for an effective date; and to provide for
12 related matters.

13 Notice of intention to introduce this Act has been published
14 as provided by Article III, Section 13 of the Constitution of
15 Louisiana.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Subpart M of Part XI of Chapter 7 of Title 15 of the Louisiana Revised
18 Statutes of 1950, comprised of R.S. 15:1109 through 1109.6, is hereby enacted to read as
19 follows:

1 SUBPART M. RIVER PARISHES JUVENILE JUSTICE DISTRICT2 §1109. River Parishes Juvenile Justice District; creation; jurisdiction

3 The River Parishes Juvenile Justice District is hereby established as a
4 political subdivision of the state, with a territorial jurisdiction throughout the
5 Twenty-Third, Twenty-Ninth, and Fortieth Judicial Districts, including the parishes
6 of Ascension, Assumption, St. Charles, St. James, and St. John the Baptist.

7 §1109.1. Board of commissioners; appointment; terms

8 A. The River Parishes Juvenile Justice Commission is hereby created to
9 control, administer, and manage the affairs of the district. The commission shall be
10 composed of a board of fourteen commissioners, who shall be qualified electors
11 domiciled and residing in the district. Five commissioners shall be jointly appointed,
12 for terms of four years, by the sheriffs of the Twenty-Third Judicial District; two
13 commissioners shall be appointed, for terms of four years, by the sheriff of St.
14 Charles Parish; one commissioner shall be appointed, for a term of four years, by the
15 sheriff of St. John the Baptist Parish; one commissioner shall be appointed, for a
16 term of four years, by the district attorney of the Twenty-Third Judicial District; one
17 commissioner shall be appointed, for a term of four years, by the district attorney of
18 the Twenty-Ninth Judicial District; one commissioner shall be appointed, for a term
19 of four years, by the district attorney of the Fortieth Judicial District; one
20 commissioner shall be appointed, for a term of four years, by the chief judge of the
21 Twenty-Third Judicial District; one commissioner shall be appointed, for a term of
22 four years, by the chief judge of the Twenty-Ninth Judicial District; and one
23 commissioner shall be appointed, for a term of four years, by the chief judge of the
24 Fortieth Judicial District. All appointments shall be confirmed by the Senate.

25 B. The members of the board of commissioners shall serve without salary
26 or per diem but the board may authorize a reasonable travel allowance for its
27 members in the performance of their official duties.

1 §1109.2. Purpose

2 The purpose of the commission shall be to assist and afford opportunities to
3 children who enter the juvenile justice system, or who are children in need of care
4 or supervision, to become productive, law-abiding citizens of the community, parish,
5 and state by the establishment of rehabilitative programs within a structured
6 environment and to provide physical facilities and related services for children
7 throughout the parishes of Ascension, Assumption, St. Charles, St. James, and St.
8 John the Baptist.

9 §1109.3. Board of commissioners; officers; meetings

10 A. The board of commissioners shall elect a president, a secretary, and a
11 treasurer, whose duties in addition to those provided by this Subpart shall be
12 established by the board. If the board so decides, one commissioner may serve as
13 both secretary and treasurer, but in any event, the treasurer shall furnish bond in an
14 amount and in accordance with terms and conditions fixed by the board.

15 B. The board shall fix a time and place for the holding of its regular meetings
16 and shall hold at least one regular meeting in each calendar month. Additional
17 regular or special meetings may be held upon the call of the president or of five of
18 the commissioners. All meetings of the board shall be held at the domicile of the
19 board and shall be governed by the provisions of R.S. 42:11 et seq.

20 C. A majority of the current members of the board shall constitute a quorum.
21 A quorum shall be required to transact business and any action of the board shall
22 require approval by a majority of the quorum present.

23 §1109.4. Board; general authority

24 A.(1) The board may purchase or otherwise acquire, construct, reconstruct,
25 rehabilitate, improve, repair, operate, lease as lessor or lessee, manage, and
26 administer or enter into contracts for the management, administration, and operation
27 of a juvenile detention facility or facilities, shelter care facility or facilities, or such
28 other juvenile justice facilities as are useful, necessary, expedient, or convenient to
29 carry out the plans and purposes of the commission and for the orderly conduct of
30 its business. Such facilities may include but are not limited to office facilities,

1 parking facilities, diagnostic facilities, dormitories, and other residential facilities for
 2 delinquent, neglected, or abused children or children in need of care or supervision,
 3 as well as for employees, patrons, visitors, and relatives of children who may enter
 4 the juvenile justice system or who are in need of care or supervision. In addition, the
 5 commission may lease, purchase, or acquire by donation or otherwise, any property,
 6 immovable or movable, tangible or intangible, from any person, firm, or corporation,
 7 including the state and its agencies and political subdivisions.

8 (2) The diagnostic facilities, dormitories, and other residential facilities may
 9 also be used to operate post-adjudication programming, including treatment and
 10 rehabilitation.

11 B. The board may also authorize and approve, upon such terms as it may
 12 deem advisable, contracts of employment for a superintendent or administrator and
 13 other necessary personnel and contracts for legal, financial, engineering, and other
 14 professional services necessary or expedient for the conduct of its affairs.

15 §1109.5. Board; domicile; power to levy taxes, incur debt, issue bonds

16 A. The board of commissioners shall be domiciled in the parish of St. James
 17 and shall have the power to sue and be sued. In the exercise of its powers to control,
 18 administer, and manage the affairs of the district, the board may incur debt and issue
 19 bonds and may levy taxes in the manner provided in this Subpart and pursuant to
 20 Article VI, Sections 30 and 32 of the Constitution of Louisiana or any other
 21 constitutional or statutory authority. The board generally may perform any function
 22 and exercise any power necessary, requisite, or proper for the administration and
 23 management of the affairs of the commission and, specifically, may cooperate with
 24 juvenile courts and other courts and public agencies within the Twenty-Third,
 25 Twenty-Ninth, and Fortieth Judicial Districts to aid and assist in all ways authorized
 26 by law for the purposes and responsibilities for which the commission is established.

27 B. In addition to the general powers conferred by this Section, in order to
 28 obtain the necessary funds to carry out its purposes, duties, and responsibilities, and
 29 in order to acquire, construct, maintain, and operate a juvenile facility or facilities
 30 and related services and programs throughout the River Parishes Juvenile Justice

1 District, the commission may incur debt and issue general obligation bonds within
2 the limitations prescribed by Article VI, Section 33 of the Constitution of Louisiana
3 and other applicable constitutional or statutory authority, but only when authorized
4 by a majority of the electors in the district who vote thereon in an election held for
5 that purpose in accordance with laws governing such elections.

6 §1109.6. Funding for the commission; criminal court costs

7 A. In the parishes of Ascension, Assumption, St. Charles, St. James, and St.
8 John the Baptist, in all felony and misdemeanor prosecutions, including traffic
9 offenses, under state law or parish or municipal ordinance, in any district, parish,
10 city, or mayor's court, special costs in an amount not to exceed five dollars shall be
11 levied against every defendant who is convicted after trial, enters a plea of guilty or
12 nolo contendere, or forfeits bond. However, in lieu of imposing the special costs, the
13 court may direct that a like amount be deducted from any fine imposed prior to
14 disposition of the fine in accordance with other laws, but in either event any amounts
15 so collected shall be remitted, by the tenth of the month following the month in
16 which collected, by the proper officer of the court to the board of the River Parishes
17 Juvenile Justice Commission to be used for the expenses of its operations as
18 provided in this Subpart.

19 B. In the parishes of Ascension, Assumption, St. Charles, St. James, and St.
20 John the Baptist, in all courts exercising juvenile jurisdiction, special costs in an
21 amount not to exceed five dollars shall be levied against every juvenile who is found
22 to have committed a traffic violation, under state law or parish or municipal
23 ordinance, and special costs in an amount not to exceed twenty-five dollars shall be
24 levied against every juvenile who is adjudicated a delinquent. All or part of the costs
25 may be suspended, but any amounts collected shall be remitted, by the tenth of the
26 month following the month in which collected, by the proper officer of the court in
27 which the matter was heard to the board of the River Parishes Juvenile Justice
28 Commission to be used for the expenses of its operations pursuant to this Subpart.

1 Section 2. In accordance with the provisions of R.S. 13:62, the special court costs
2 or fees as provided by this Act shall become effective if and when the Judicial Council
3 provides a recommendation that such court costs or fees meet the applicable guidelines in
4 its report to the Louisiana Legislature. No fees shall be imposed or collected without
5 Judicial Council approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____