

2025 Regular Session

HOUSE BILL NO. 27

BY REPRESENTATIVE GALLE

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

EMERGENCY PREPAREDNESS: Provides relative to the release of inmates during a declared disaster

1 AN ACT

2 To enact R.S. 29:740, relative to emergency declarations; to provide relative to the release
3 of inmates during declared emergencies; to provide relative to the authority of the
4 Department of Public Safety and Corrections; to provide relative to the authority of
5 sheriffs; to provide relative to the authority of certain private contractors; to provide
6 for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 29:740 is hereby enacted to read as follows:

9 §740. Procedure to obtain authority to release inmates during declared emergency

10 A. During a declared emergency, the release of inmates within the declared
11 area of the emergency by the Department of Safety and Corrections or any local
12 facility housing inmates is prohibited except pursuant to an individualized court
13 order.

14 B. During a declared emergency, no court or other officer, including any
15 sheriff operating a parish prison or private contractor operating a prison, shall have
16 authority and are expressly prohibited from releasing any inmate or prisoner except
17 pursuant to a court order issued pursuant to a motion served upon the district attorney
18 of a parish within the area of the declared emergency.

19 Section 2. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 3 effective on the day following such approval.

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 27 Original

2025 Regular Session

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Abstract: Prohibits the release of inmates during a declared state of emergency without a court order.

Proposed law provides that during a declared emergency, the release of inmates within the declared area of the emergency by the DPS&C or any local facility housing inmates is prohibited except pursuant to an individualized court order.

Proposed law provides that during a declared emergency, no court or other officer, including any sheriff operating a parish prison or private contractor operating a prison, shall have authority and are expressly prohibited from releasing any inmate or prisoner except pursuant to a court order issued pursuant to a motion served upon the district attorney of a parish within the area of the declared emergency.

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

(Adds R.S. 29:740)