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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Landrieu to Engrossed House Bill No. 2018 by Representative Landrieu, et al

1 AMENDMENT NO. 1

2 On page 1, line 3, change "906.1," to "902.3,"

3 AMENDMENT NO. 2

4 On page 1, line 8, delete "Chapter 11 of Title 24" and in lieu thereof insert
5 "R.S. 36:4(E),"

6 AMENDMENT NO. 3

7 On page 1, delete line 9 in its entirety

8 AMENDMENT NO. 4

9 On page 1, at the beginning of line 10, delete "24:671 through 677,"

10 AMENDMENT NO. 5

11 On page 1, line 12, delete the second occurrence of "and"

12 AMENDMENT NO. 6

13 On page 2, line 2, after "2610," insert "and Chapter 59 of Title 46 of the
14 Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2751 through
15 2757,"

16 AMENDMENT NO. 7

17 On page 2, line 7, delete "risk review panel;" and insert in lieu thereof
18 "placement review process;"

19 AMENDMENT NO. 8

20 On page 3, line 2, change "906.1," to "902.3,"

21 AMENDMENT NO. 9

22 On page 3, after line 26, insert the following:

1 "(a) Shall include a specific plan for provision of aftercare
2 services to meet the needs of juveniles for whom release to the
3 community is recommended and to provide for safety to the
4 community."

5 AMENDMENT NO. 10

6 On page 4, at the beginning of line 1, change "(a)" to "(b)"

7 AMENDMENT NO. 11

8 On page 4, at the beginning of line 5, change "(b)" to "(c)"

9 AMENDMENT NO. 12

10 On page 4, at the beginning of line 10, change "(c)" to "(d)"

11 AMENDMENT NO. 13

12 On page 4, line 16, change "R.S. 24:671" to "R.S. 46:2751"

13 AMENDMENT NO. 14

14 On page 5, delete lines 11 through 25 and in lieu thereof insert the following:

15 "§902.3. Juvenile Placement Review Process

16 A. The legislature hereby finds that in order to improve our
17 juvenile justice system it is necessary that every juvenile in the custody
18 of the Department of Public Safety and Corrections be reviewed
19 periodically in order to determine whether the juvenile is placed in the
20 least restrictive placement most appropriate to their needs and
21 consistent with the circumstances of the case and the protection of the
22 best interests of society and the safety of the public within the state. In
23 order to facilitate the transition of the Swanson Correctional Center for
24 Youth-Madison Parish Unit to alternate adult offender utilization as
25 provided in R.S. 15:902.2, the provisions of this Section shall be
26 applicable.

27 B. The placement review shall be conducted by the department
28 through such multi-disciplinary review panel as the secretary of the
29 department shall designate. This placement review shall include an
30 assessment of the needs and progress of the individual juvenile, the risk
31 of danger to society, and the community resources needed to serve the
32 best interest of the child and society and a recommendation for
33 placement and services.

34 C. The secretary of the department shall establish and
35 promulgate rules, regulations, and procedures to govern the placement
36 review process. Such rules shall include provisions for the department
37 to notify appropriate law enforcement communities and any registered
38 crime victim of the placement review recommendation at the time the
39 recommendation is provided to the judge.

40 D. When the assessment results in a determination that the
41 juvenile be transferred to a less restrictive setting, including but not
42 limited to release pursuant to R. S. 15:906 or transfer pursuant to R. S.

1 15:907, the department shall develop recommendations for placement,
2 care and treatment in accordance with the assessment.

3 E. If the recommendation includes placement in a less
4 restrictive setting, the department shall file a motion with the court and
5 serve a copy of the motion on the district attorney in accordance with
6 Children’s Code Article 911. The motion shall include all of the
7 following:

8 (1) The recommendation of the department.

9 (2) All relevant documentation supporting the recommendation
10 including but not limited to the needs and risk assessments.

11 (3) An aftercare plan developed by the department when the
12 recommendation is for release pursuant to R.S. 15:906.

13 F. The recommendations shall be implemented by the
14 department unless the court, within fourteen legal days of receipt of the
15 motion and accompanying documentation does any one of the
16 following:

17 (1) Rejects the recommendations and denies the motion.

18 (2) Notifies the department in writing that there is no objection
19 and the recommendations have been accepted as orders of the court.

20 (3) Schedules a hearing and issues an order rejecting or
21 modifying the recommendations of the department.

22 G. Juveniles adjudicated delinquent and given a disposition
23 under the provisions of Children’s Code Article 897.1 shall not be
24 eligible for consideration under the provisions of this Section."

25 AMENDMENT NO. 15

26 Delete pages 6, 7, 8, and 9 in their entirety

27 AMENDMENT NO. 16

28 On page 10, delete lines 1 and 2 in their entirety

29 AMENDMENT NO. 17

30 On page 10, line 7, change "R.S. 24:677" to "R.S. 46:2757"

31 AMENDMENT NO. 18

32 On page 10, line 9, between "for" and "juvenile" insert "local"

33 AMENDMENT NO. 19

34 On page 10, at the beginning of line 11, insert "local"

35 AMENDMENT NO. 20

36 On page 13, line 13, change "R.S. 24:677" to "R.S. 46:2757"

37 AMENDMENT NO. 21

38 On page 18, between lines 4 and 5, insert the following:

1 "Section 4. R.S. 36:4(E) is hereby enacted to read as follows:

2 §4. Structure of executive branch of state government

3 * * *

4 E. The Juvenile Justice Reform Act Implementation
5 Commission, as more specifically provided in R.S. 46:2751
6 through 2757, shall be placed within the office of the governor
7 and shall perform and exercise its powers, duties, functions, and
8 responsibilities as provided by law.

9 * * *

10 AMENDMENT NO. 22

11 On page 18, line 5, change "Section 4." to "Section 5." and change "Chapter
12 11 of Title 24" to "Chapter 59 of Title 46"

13 AMENDMENT NO. 23

14 On page 18, line 6, change "R.S. 24:671 through 677," to "R.S. 46:2751
15 through 2757,"

16 AMENDMENT NO. 24

17 On page 18, line 8, change "CHAPTER 11" to "CHAPTER 59"

18 AMENDMENT NO. 25

19 On page 18, at the beginning of line 10, change "§671." to "§2751."

20 AMENDMENT NO. 26

21 On page 18, line 14, change "legislative" to "executive"

22 AMENDMENT NO. 27

23 On page 19, at the beginning of line 9, change "§672." to "§2752."

24 AMENDMENT NO. 28

25 On page 19, at the beginning of line 23, change "§673." to "§2753."

26 AMENDMENT NO. 29

27 On page 20, at the beginning of line 1, change "B.(1)" to "B."

28 AMENDMENT NO. 30

29 On page 20, delete lines 6 through 8 in their entirety

30 AMENDMENT NO. 31

31 On page 20, at the beginning of line 9, change "§674." to "§2754."

1 AMENDMENT NO. 32

2 On page 22, at the beginning of line 1, change "§675." to "§2755."

3 AMENDMENT NO. 33

4 On page 22, line 11, change "R.S. 24:677." to "R.S. 46:2757."

5 AMENDMENT NO. 34

6 On page 22, at the end of line 14, change the period "." to a comma "," and
7 insert "and the development of a comprehensive plan to reduce the over
8 reliance on secure incarceration and provide community-based services
9 including a time schedule for statewide implementation for the plan."

10 AMENDMENT NO. 35

11 On page 23, at the beginning of line 24, change "§676." to "§2756."

12 AMENDMENT NO. 36

13 On page 24, at the beginning of line 4, change "§677." to "§2757."

14 AMENDMENT NO. 37

15 On page 26, line 9, change "request" to "requests"

16 AMENDMENT NO. 38

17 On page 26, line 20, change "Section 5." to "Section 6." and change "and
18 2604" to "2604 and 2607"

19 AMENDMENT NO. 39

20 On page 26, line 23, delete the first occurrence of "2605.3,"

21 AMENDMENT NO. 40

22 On page 27, line 14, change "board-based" to "broad-based"

23 AMENDMENT NO. 41

24 On page 27, line 18, change "meets" to "meet"

25 AMENDMENT NO. 42

26 On page 47, line 12, change "R.S. 24:677." to "R.S. 46:2757."

27 AMENDMENT NO. 43

28 On page 47, line 17, change "R.S. 24:677." to "R.S. 46:2757."

29 AMENDMENT NO. 44

- 1 On page 48, line 11, change "R.S. 24:677," to "R.S. 46:2757,"
- 2 AMENDMENT NO. 45
- 3 On page 51, line 7, change "R.S. 24:677," to "R.S. 46:2757,"
- 4 AMENDMENT NO. 46
- 5 On page 52, line 1, change "from the fund," to "for a grant,"