

Regular Session, 2014

SENATE BILL NO. 54

BY SENATOR BROOME

CHILDREN. Provides for an early intervention program in East Baton Rouge Parish.  
(8/1/14)

1 AN ACT  
2 To amend and reenact Children's Code Articles 793.1, 793.3 and 793.4, relative to early  
3 intervention programs; to include East Baton Rouge Parish; to provide certain  
4 procedures, terms, conditions and fees; to provide for a method of collecting and  
5 depositing fees to fund such early intervention program; and to provide for related  
6 matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Children's Code Articles 793.1, 793.3 and 793.4 are hereby amended and  
10 reenacted to read as follows:

11 Art. 793.1. Early intervention program; authorization; purpose

12 The purpose of this Article and Articles 793.2 through 793.4 is to authorize the  
13 creation of an early intervention program, hereinafter referred to as the "program", in the  
14 parishes of **East Baton Rouge**, Iberia, St. Mary, and St. Martin. The purpose of the program  
15 shall be to address the underlying causes of behavioral problems and school performance  
16 problems related to behavior by pooling existing resources targeted at the child and family  
17 through appropriate action by service and treatment providers. The legislature finds:

1 (1) Research indicates that early identification and intervention of  
2 aggressive, antisocial, or delinquent behaviors are critical to the prevention of  
3 juvenile delinquency in later years.

4 (2) Research also indicates that school-based preventive tactics for violent  
5 or aggressive behaviors are beneficial to the overall academic success of children,  
6 especially when such programs include parental involvement in prevention and  
7 intervention strategies.

8 (3) The district attorney of **East Baton Rouge**, Iberia, St. Mary, and St.  
9 Martin parishes, in conjunction with the local school boards in such parishes, has  
10 demonstrated a willingness to address behavioral problems or school performance  
11 problems related to behavior by providing physical locations in each parish where  
12 personnel can work together in a coordinated effort.

13 (4) Early intervention has been demonstrated as the key to providing the  
14 greatest chance for correcting the actions of youth who demonstrate a propensity for  
15 destructive or criminal behavior.

16 (5) The earliest possible venue for addressing the problem begins in the  
17 elementary grades.

18 (6) By intervening at this phase, it is possible to correct potential delinquent  
19 behavior before the changes for correction become insurmountable.

20 \* \* \*

21 Art. 793.3. Reporting; funding; implementation; termination

22 A. No later than June fifteenth of each year, the district attorney shall report  
23 statistical data indicating the effectiveness of the program to the appropriate standing  
24 committees of the legislature for use by the committees in consideration of  
25 expansion of the program.

26 B. The program shall be implemented in three phases as follows:

27 (1) Phase one shall be implemented in grades pre-kindergarten through six.

28 (2) Phase two shall be implemented in grades seven and eight.

29 (3) Phase three shall be implemented in grades nine through twelve.

1 C. All children who enroll in a public school within the Sixteenth Judicial  
2 District or the Nineteenth Judicial District in grades pre-kindergarten to sixth shall  
3 be required to follow all compulsory attendance requirements in R.S. 17:221 et seq.  
4 and all families in need of services provisions in Children's Code Article 726 et seq.

5 D. The implementation of this program may be subject to appropriation of  
6 funds by the legislature for such purpose.

7 Art. 793.4. Early intervention fund; fees collected

8 A. In all criminal matters except for matters involving traffic violations in  
9 the parishes of East Baton Rouge, Iberia, St. Mary, and St. Martin, there shall be  
10 taxed against every defendant who is convicted after trial or after a plea of guilty or  
11 nolo contendere or who forfeits his bond, a sum in the amount of twenty-five dollars  
12 for each misdemeanor and fifty dollars for each felony, which shall be in addition to  
13 all other fines, costs, or forfeitures lawfully imposed, and which shall be transmitted  
14 to the sheriff for further disposition in accordance with the provisions of this Article.

15 B. The sheriff shall deposit all sums collected or received pursuant to this  
16 Article in a separate account to be designated as the Sixteenth Judicial District  
17 Attorney Early Intervention Fund, except for those sums collected or received  
18 pursuant to this Article from defendants in East Baton Rouge Parish and such  
19 funds shall be deposited in a separate account to be designated as the Nineteenth  
20 Judicial District Attorney Early Intervention Fund. The sheriff shall remit on a  
21 quarterly basis funds collected in such account to the office of the district attorney.  
22 The district attorney shall cause to be conducted on an annual basis an audit of the  
23 fund and the books and accounts relating thereto and shall file such audit information  
24 with the office of the legislative auditor where it shall be available for public  
25 inspection. In matters involving any court other than the district court, the clerk of  
26 court or the appropriate court personnel shall remit the money to the sheriff of the  
27 respective parish.

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Julie J. Baxter.

---

DIGEST

Broome (SB 54)

Present law provides for the creation, structure and funding of an early intervention program in the Sixteenth Judicial District (parishes of Iberia, St. Mary, and St. Martin) to address the underlying causes of juvenile behavioral problems and school performance problems related to behavior in order to attempt to prevent juvenile delinquency in later years.

Present law provides certain program procedures and conditions, including: (1) duly authorized representatives of the local school board, law enforcement agencies, including sheriff's offices and city and municipal police offices, courts exercising jurisdiction over juveniles and their caretakers, and designated service providers sign interagency agreements specific to each parish representing a commitment by each entity to agree to provide certain services; (2) reports are to be provided by the district attorney concerning certain statistical information; and (3) the creation of the Sixteenth Judicial District Attorney Early Intervention Fund, and providing that in all criminal matters except traffic violations in the parishes of Iberia, St. Mary, and St. Martin, there is taxed against every defendant who is convicted after trial or after a plea of guilty or nolo contendere or who forfeits his bond, an additional \$25 for each misdemeanor and \$50 for each felony, to be placed into the fund.

Proposed law retains present law and adds the Nineteenth Judicial District (parish of East Baton Rouge) within the present law concerning the early intervention program.

Proposed law further creates the Nineteenth Judicial District Attorney Early Intervention Fund and provides for the placement into the fund of the additional amounts collected against criminal defendants in East Baton Rouge Parish.

Effective on August 1, 2014.

(Amends Ch. C. Arts. 793.1, 793.3 and 793.4)