

2018 Regular Session

HOUSE BILL NO. 109

BY REPRESENTATIVE HOFFMANN

SUNSET LAW: Re-creates the Department of Children and Family Services

1 AN ACT

2 To enact R.S. 49:191(10)(c) and to repeal R.S. 49:191(8)(e), relative to the Department of  
3 Children and Family Services, including provisions to provide for the re-creation of  
4 the Department of Children and Family Services and the statutory entities made a  
5 part of the department by law; to provide for the effective termination date for all  
6 statutory authority for the existence of such statutory entities; and to provide for  
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Pursuant to R.S. 49:193, the Department of Children and Family Services  
10 and the statutory entities made a part of the department by law shall be re-created effective  
11 June 30, 2018, and all statutory authority therefor is continued in accordance with the  
12 provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

13 Section 2. All statutory authority for the existence of the Department of Children and  
14 Family Services and the statutory entities made a part of the department as re-created by  
15 Section 1 of this Act shall cease as of July 1, 2023, pursuant to R.S. 49:191. However, the  
16 Department of Children and Family Services may be re-created prior to such date in  
17 accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised  
18 Statutes of 1950.

19 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that  
20 those provisions are in conflict with the provisions of this Act.

1 Section 4. R.S. 49:191(10)(c) is hereby enacted to read as follows:

2 §191. Termination of legislative authority for existence of statutory entities; phase-  
3 out period for statutory entities; table of dates

4 Notwithstanding any termination dates set by any previous Act of the legislature, the  
5 statutory entities set forth in this Section shall begin to terminate their operations on July  
6 first of each of the following years, and all legislative authority for the existence of any  
7 statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year,  
8 which shall be the termination date:

9 \* \* \*

10 (10) July 1, 2022:

11 \* \* \*

12 (c) The Department of Children and Family Services and all statutory entities  
13 made a part of the department by law.

14 Section 5. R.S. 49:191(8)(e) is hereby repealed in its entirety.

15 Section 6. This Act shall become effective on June 30, 2018; if vetoed by the  
16 governor and subsequently approved by the legislature, this Act shall become effective on  
17 June 30, 2018, or on the day following such approval by the legislature, whichever is later.

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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)]

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HB 109 Original

2018 Regular Session

Hoffmann

**Abstract:** Re-creates the Dept. of Children and Family Services.

Present law (Sunset) provides that the Dept. of Children and Family Services and all statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2018, and that all legislative authority for such entities shall cease as of July 1, 2019, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of Children and Family Services and its statutory entities, effective June 30, 2018, in accordance with the "sunset" law. Proposed law sets out the procedure for review and the re-creation and which require a separate bill to re-create each statutory entity within the department along with additional provisions. Proposed law makes July 1, 2023, the new termination date and termination would begin July 1, 2022, unless the department is re-created again.

Effective June 30, 2018.

(Adds R.S. 49:191(10)(c); Repeals R.S. 49:191(8)(e))