

GREEN SHEET REDIGEST

HB 440

2018 Regular Session

Hodges

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

CRIMINAL/SENTENCING: Expands DPS&C's substance abuse probation program to include treatment for mental health issues

DIGEST

Present law provides for a substance abuse probation program in which the Dept. of Public Safety and Corrections may enter into cooperative endeavors with the La. Dept. of Health to provide substance abuse treatment and counseling for eligible defendants.

Proposed law expands this program to provide counseling and treatment for defendants with substance abuse disorders, or defendants with co-occurring mental illness and substance abuse disorders, who are sentenced to substance abuse probation pursuant to present law.

Proposed law amends present law to authorize the Dept. of Public Safety and Corrections to enter into cooperative endeavors or contracts with local governmental entities and the office of behavioral health to provide for substance abuse treatment and counseling and mental health treatment for defendants participating in the program.

(Amends C.Cr.P. Arts. 903(B) and (C) and 903.2(A)(1) and (B)(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Provides that the substance abuse program shall provide counseling and treatment for defendants with substance abuse disorders, or defendants with co-occurring mental illness and substance abuse disorders, who are sentenced to substance abuse probation.
2. Authorizes the Dept. of Public Safety and Corrections to enter into cooperative endeavors or contracts with local governmental entities, instead of the La. Department of Health, to provide for substance abuse treatment and counseling and mental health treatment for defendants participating in the program.
3. Changes references from "mental health condition" to "mental health disorder".

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the engrossed bill

1. Adds Dept. of Health, office of behavioral health, to entities with which the Dept. of Public Safety and Corrections can contract for certain programs.