

2019 Regular Session

HOUSE BILL NO. 287

BY REPRESENTATIVE HILL

1 AN ACT

2 To amend and reenact R.S. 28:55(E)(1) and 454.6(B), relative to the judicial commitment
3 of persons; to require judicial notice upon such commitments during judicial
4 hearings to be given to the Louisiana Department of Health; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 28:55(E)(1) and 454.6(B) are hereby amended and reenacted to read
8 as follows:

9 §55. Judicial hearings

10 * * *

11 E.(1) If the court finds by clear and convincing evidence that the respondent
12 is dangerous to self or others or is gravely disabled, as a result of a substance-related
13 or addictive disorder or mental illness, it shall render a judgment for his
14 commitment. After considering all relevant circumstances, including clinical
15 recommendations and any preference of the respondent or his family, the court shall
16 determine whether the respondent should be committed to a treatment facility which
17 is medically suitable and least restrictive of the respondent's liberty. However, if the
18 placement determined by the court is unavailable, the court may commit the
19 respondent to the Louisiana Department of Health for appropriate placement subject
20 to the availability of department resources until such time as an opening is available
21 for transfer to the treatment facility determined by the court. If the department is not
22 the petitioner, the parties shall first consult with the department or its counsel before
23 entering into a judgment stipulating a commitment of the respondent to the
24 department. When the judgment results in a commitment of the respondent to the

