

ACT No. 307

2019 Regular Session

HOUSE BILL NO. 287

BY REPRESENTATIVE HILL

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§55. Judicial hearings

* * *

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

