

2020 Second Extraordinary Session

HOUSE BILL NO. 100

BY REPRESENTATIVES NEWELL, BRYANT, AND JONES

JUVENILES: Provides relative to the Juvenile Justice Reform Act Implementation Commission's powers and duties (Item #28)

1 AN ACT

2 To amend and reenact R.S. 46:2751(C), 2752(C) and (D), 2755(B)(introductory paragraph),

3 and 2756 and to enact R.S. 46:2751(B)(1)(i) and (4), 2752(E), and 2755(B)(5),

4 relative to the Juvenile Justice Reform Act Implementation Commission; to provide

5 relative to the commission's purposes, powers, and duties; to provide relative to the

6 membership of the commission; to require the commission to consider the well-being

7 of youth in the juvenile justice system during a public health emergency; to provide

8 relative to meetings of the commission; to provide relative to officers of the

9 commission; to require annual reports of the commission; to provide for an effective

10 date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 46:2751(C), 2752(C) and (D), 2755(B)(introductory paragraph), and

13 2756 are hereby amended and reenacted and R.S. 46:2751(B)(1)(i) and (4), 2752(E), and

14 2755(B)(5) are hereby enacted to read as follows:

15 §2751. Juvenile Justice Reform Act Implementation Commission; creation;

16 composition; duties

17 * * *

18 B.(1) The commission shall be composed as follows:

19 * * *

1 (i) The chairman of the House Committee on Administration of Criminal
2 Justice or his designee.

3 * * *

4 (4) The appointed representative of the Families and Friends of Louisiana's
5 Incarcerated Children shall serve as the vice chairperson of the commission.

6 C. The commission shall have as its purpose the implementation of the
7 recommendations contained in the Juvenile Justice Reform Act of 2003 and ~~HCR~~
8 House Concurrent Resolution No. 56 or ~~SCR~~ Senate Concurrent Resolution No. 31,
9 or both, of the 2003 Regular Session of the Legislature, ~~and~~ the continued reform of
10 the state's juvenile justice system, the well-being of youth in the juvenile justice
11 system during a public health emergency, and House Concurrent Resolution No. 47
12 of the 2020 Regular Session of the Legislature.

13 §2752. Rules; meetings; officers

14 * * *

15 C. The commission shall meet ~~for the first time~~ no later than ~~August 1, 2003~~
16 January 15, 2021, and shall meet at such other times as ~~shall be~~ necessary to
17 accomplish its purposes.

18 D. The commission shall meet at least once each quarter.

19 E. The commission shall elect ~~such~~ additional officers as it finds necessary.

20 * * *

21 §2755. Powers and duties

22 * * *

23 B. The commission in its consideration of the recommendations of the
24 Juvenile Justice Reform Act of 2003 and ~~HCR~~ House Concurrent Resolution No. 56
25 or ~~SCR~~ Senate Concurrent Resolution No. 31, or both, of the 2003 Regular Session
26 of the Legislature, and in the consideration of recommendation of other juvenile
27 justice reform measures shall address such issues as:

28 * * *

1 (5) The well-being of youth in the juvenile justice system during a public
 2 health emergency and House Concurrent Resolution No. 47 of the 2020 Regular
 3 Session of the Legislature.

4 * * *

5 §2756. Reports; recommendations

6 The commission shall report to the legislature and the governor with respect
 7 to the findings of such studies, reviews, and analysis as it may undertake. The
 8 commission shall submit its initial report prior to the 2004 Regular Session of the
 9 Legislature, ~~and~~ annual reports prior to each regular session of the legislature, and
 10 at such other times as it shall deem appropriate.

11 Section 2. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

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)]

HB 100 Engrossed

2020 Second Extraordinary Session

Newell

Abstract: Requires the Juvenile Justice Reform Act Implementation Commission to consider the well-being of youth in the juvenile justice system during a public health emergency and requires the commission to submit annual reports to the legislature.

Present law (R.S. 46:2751) provides for the Juvenile Justice Reform Act Implementation Commission and its membership. Requires members to be appointed, if required, and take office no later than July 15, 2003. Further requires the representative appointed by the speaker of the House of Representatives and the senator appointed by the president of the Senate to serve alternating one year terms as chairman beginning on Aug. 15, 2010, and Aug. 15, 2011, respectively.

Proposed law adds the chairman of the House Committee on Administration of Criminal Justice or his designee as a member of the commission.

Proposed law provides that the appointed representative of the Families and Friends of Louisiana's Incarcerated Children shall serve as the vice chairperson of the commission.

Present law requires the commission to have as its purpose the implementation of the recommendations contained in the Juvenile Justice Reform Act of 2003 and HCR No. 56 or

SCR No. 31, or both, of the 2003 Regular Session of the Legislature, and the continued reform of the state's juvenile justice system.

Proposed law adds the well-being of youth in the juvenile justice system during a public health emergency and HCR No. 47 of the 2020 Regular Session of the Legislature to the commission's purposes.

Present law (R.S. 46:2752) requires the commission to meet for the first time no later than Aug. 1, 2003, and at other times as necessary to accomplish its purposes.

Proposed law amends present law to require the commission to meet no later than Jan. 15, 2021. Further requires the commission to meet at least once each quarter.

Present law (R.S. 46:2755) requires the commission to address issues such as:

- (1) The creation of a single state entity for providing services to children and their families, as more fully set forth in present law (R.S. 46:2757).
- (2) The closure of Swanson Correctional Center for Youth-Madison Parish Unit as a facility for juveniles, as more fully set forth in present law (R.S. 15:902.2), and the development of a comprehensive plan to reduce the over reliance on secure incarceration and provide community-based services including a time schedule for statewide implementation for the plan.
- (3) The closure of Jetson Center for Youth-East Baton Rouge Parish Unit as a facility for juveniles, as set forth in present law (R.S. 15:902.4), and the development of a comprehensive plan to reduce the over-reliance on secure incarceration and provide community-based services including a time schedule for statewide implementation for the plan.
- (4) Priorities of state entities funding children and family services.

Proposed law adds that the commission shall also consider the well-being of youth in the juvenile justice system during a public health emergency and HCR No. 47 of the 2020 Regular Session of the Legislature.

Present law (R.S. 46:2756) requires the commission to report to the legislature and the governor with respect to the findings of studies, reviews, and analysis as it may undertake. Further requires the commission to submit its initial report prior to the 2004 Regular Session of the Legislature and at such other times as it deems appropriate.

Proposed law retains present law and requires the commission to submit annual reports prior to each regular session of the legislature.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 46:2751(C), 2752(C) and (D), 2755(B)(intro. para.), and 2756; Adds R.S. 46:2751(B)(1)(i) and (4), 2752(E), and 2755(B)(5))

Summary of Amendments Adopted by House

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

1. Add the chairman of House Committee on Administration of Criminal Justice or his designee to the composition of the commission.
2. Make technical changes to citation.