HLS 21RS-946 ENGROSSED

2021 Regular Session

HOUSE BILL NO. 383

1

BY REPRESENTATIVE STAGNI

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CHILDRENS CODE: Amends the definition of "caretaker" in laws pertaining to child in need of care proceedings

AN ACT

2	To amend and reenact Children's Code Article 603(4), relative to child in need of care
3	proceedings; to provide for definitions; and to provide for related matters.
4	Be it enacted by the Legislature of Louisiana:
5	Section 1. Children's Code Article 603(4) is hereby amended and reenacted to read
6	as follows:
7	Art. 603. Definitions
8	As used in this Title:
9	* * *
10	(4)(a) "Caretaker" means any person legally obligated to provide or secure
11	adequate care for a child, including a parent, tutor, guardian, legal custodian, foster
12	home parent, an employee of a public or private day care center or an operator of an
13	early learning center as defined in R.S. 17:407.33, an operator or employee of a
14	registered family child day care home, an operator or employee of a restrictive care
15	facility, or other person providing a residence for the child. "Caretaker" also means
16	an adult who occupies a residence of a child and has a consistent and continuing
17	responsibility for the care of a child. "Caretaker" shall not include an operator or
18	employee of a correctional facility, detention facility, or nonresidential school.
19	(b) For the purposes of this Subparagraph, "restrictive care facility" means
20	a public or private licensed or unlicensed child care facility, group home, emergency

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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1 <u>shelter facility, maternity home, psychiatric hospital, or a psychiatric unit located in</u>

a state-owned or state-contracted general hospital.

3 * * *

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 383 Engrossed

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Stagni

Abstract: Revises definitions pertaining to child in need of care proceedings.

<u>Present law</u> defines "caretaker" as any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster home parent, an employee of a public or private day care center, an operator or employee of a registered family child day care home, or other person who provides a residence for the child.

<u>Proposed law</u> retains <u>present law</u> and adds an employee or operator of an early learning center as defined in <u>present law</u> may also be identified as persons who are legally obligated to provide or secure adequate care for a child.

<u>Proposed law</u> provides that the "caretaker" also means any adult who occupies a residence of a child and has a consistent and continuing responsibility for the care of a child. <u>Proposed law</u> states that a "caretaker" does not include an operator or employee of a correctional facility, detention facility, or nonresidential school.

<u>Proposed law</u> defines "restrictive care facility" as any public or private licensed or unlicensed child care facility, group home, emergency shelter facility, maternity home, psychiatric hospital, or a psychiatric unit located in a state-owned or state-contracted general hospital.

(Amends Ch.C. Art. 603(4))