2022 Regular Session

HOUSE BILL NO. 245

BY REPRESENTATIVE MINCEY

SCHOOLS: Provides relative to minors taken into protective custody from schools

AN ACT

To enact Children's Code Articles 1432(D) and 1433(F) and R.S. 17:184, relative to information required for a minor to be taken from school into protective custody; to require that certain information be provided to a school administrator; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Articles 1432(D) and 1433(F) are hereby enacted to read as follows:

Art. 1432. Order for custody; grounds

* * *

D.(1) Any person removing a minor from a school pursuant to this Article shall provide the following information about the minor to a school administrator:

(a) First and last name.

(b) Address.

(c) Date of birth.

(2) The provisions of this Paragraph shall not apply to an arrest for which there is probable cause.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
Art. 1433. Protective custody without court order

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F.(1) Any person removing a minor from a school pursuant to this Article shall provide the following information about the minor to a school administrator:

(a) First and last name.

(b) Address.

(c) Date of birth.

(2) The provisions of this Paragraph shall not apply to an arrest for which there is probable cause.

Section 2. R.S. 17:184 is hereby enacted to read as follows:

§184. Protective custody

A. No school administrator shall release a minor into protective custody unless the official to whom the minor is being released provides the following information about the minor:

(1) First and last name.

(2) Address.

(3) Date of birth.

B. The provisions of this Section shall not apply to an arrest for which there is probable cause.
Present law provides for conditions under which a peace officer or a peace officer accompanied by an emergency medical technician is authorized to take a minor into protective custody without a court order.

Proposed law retains present law.

Proposed law requires that an official who seeks to remove a minor from a school to take him into protective custody provide the minor's first and last name, address, and date of birth to a school administrator.

(Adds Ch.C. Arts. 1432(D) and 1433(F) and R.S. 17:184)