

2023 Regular Session

HOUSE BILL NO. 359

BY REPRESENTATIVE GREGORY MILLER

1 AN ACT

2 To enact Subpart M of Part XI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of  
3 1950, to be comprised of R.S. 15:1109 through 1109.6, relative to the creation of a  
4 juvenile justice district for certain parishes; to create and provide with respect to the  
5 River Parishes Juvenile Justice District; to establish and provide with respect to the  
6 purposes and functions; to provide for a board of commissioners of the district and  
7 for the composition, administration, powers, and duties of the board, including the  
8 power to incur debt, issue bonds, and levy taxes; to provide for the assessment and  
9 collection of court costs in certain criminal, traffic, and juvenile proceedings; to  
10 provide for the distribution of the monies to the board of commissioners of the River  
11 Parishes Juvenile Justice District; to provide for an effective date; and to provide for  
12 related matters.

13 Notice of intention to introduce this Act has been published  
14 as provided by Article III, Section 13 of the Constitution of  
15 Louisiana.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Subpart M of Part XI of Chapter 7 of Title 15 of the Louisiana Revised  
18 Statutes of 1950, comprised of R.S. 15:1109 through 1109.6, is hereby enacted to read as  
19 follows:

1            SUBPART M. RIVER PARISHES JUVENILE JUSTICE DISTRICT2            §1109. River Parishes Juvenile Justice District; creation; jurisdiction

3            The River Parishes Juvenile Justice District is hereby established as a  
4            political subdivision of the state, with a territorial jurisdiction throughout the  
5            Twenty-Third, Twenty-Ninth, and Fortieth Judicial Districts, including the parishes  
6            of Ascension, Assumption, St. Charles, St. James, and St. John the Baptist.

7            §1109.1. Board of commissioners; appointment; terms

8            A. The River Parishes Juvenile Justice Commission is hereby created to  
9            control, administer, and manage the affairs of the district. The commission shall be  
10           composed of a board of fourteen commissioners, who shall be qualified electors  
11           domiciled and residing in the district. Five commissioners shall be jointly appointed,  
12           for terms of four years, by the sheriffs of the Twenty-Third Judicial District; two  
13           commissioners shall be appointed, for terms of four years, by the sheriff of St.  
14           Charles Parish; one commissioner shall be appointed, for a term of four years, by the  
15           sheriff of St. John the Baptist Parish; one commissioner shall be appointed, for a  
16           term of four years, by the district attorney of the Twenty-Third Judicial District; one  
17           commissioner shall be appointed, for a term of four years, by the district attorney of  
18           the Twenty-Ninth Judicial District; one commissioner shall be appointed, for a term  
19           of four years, by the district attorney of the Fortieth Judicial District; one  
20           commissioner shall be appointed, for a term of four years, by the chief judge of the  
21           Twenty-Third Judicial District; one commissioner shall be appointed, for a term of  
22           four years, by the chief judge of the Twenty-Ninth Judicial District; and one  
23           commissioner shall be appointed, for a term of four years, by the chief judge of the  
24           Fortieth Judicial District. All appointments shall be confirmed by the Senate.

25           B. The members of the board of commissioners shall serve without salary  
26           or per diem but the board may authorize a reasonable travel allowance for its  
27           members in the performance of their official duties.

1           §1109.2. Purpose

2                   The purpose of the commission shall be to assist and afford opportunities to  
3                   children who enter the juvenile justice system, or who are children in need of care  
4                   or supervision, to become productive, law-abiding citizens of the community, parish,  
5                   and state by the establishment of rehabilitative programs within a structured  
6                   environment and to provide physical facilities and related services for children  
7                   throughout the parishes of Ascension, Assumption, St. Charles, St. James, and St.  
8                   John the Baptist.

9           §1109.3. Board of commissioners; officers; meetings

10                   A. The board of commissioners shall elect a president, a secretary, and a  
11                   treasurer, whose duties in addition to those provided by this Subpart shall be  
12                   established by the board. If the board so decides, one commissioner may serve as  
13                   both secretary and treasurer, but in any event, the treasurer shall furnish bond in an  
14                   amount and in accordance with terms and conditions fixed by the board.

15                   B. The board shall fix a time and place for the holding of its regular meetings  
16                   and shall hold at least one regular meeting in each calendar month. Additional  
17                   regular or special meetings may be held upon the call of the president or of five of  
18                   the commissioners. All meetings of the board shall be held at the domicile of the  
19                   board and shall be governed by the provisions of R.S. 42:11 et seq.

20                   C. A majority of the current members of the board shall constitute a quorum.  
21                   A quorum shall be required to transact business and any action of the board shall  
22                   require approval by a majority of the quorum present.

23           §1109.4. Board; general authority

24                   A.(1) The board may purchase or otherwise acquire, construct, reconstruct,  
25                   rehabilitate, improve, repair, operate, lease as lessor or lessee, manage, and  
26                   administer or enter into contracts for the management, administration, and operation  
27                   of a juvenile detention facility or facilities, shelter care facility or facilities, or such  
28                   other juvenile justice facilities as are useful, necessary, expedient, or convenient to  
29                   carry out the plans and purposes of the commission and for the orderly conduct of  
30                   its business. Such facilities may include but are not limited to office facilities,

1 parking facilities, diagnostic facilities, dormitories, and other residential facilities for  
2 delinquent, neglected, or abused children or children in need of care or supervision,  
3 as well as for employees, patrons, visitors, and relatives of children who may enter  
4 the juvenile justice system or who are in need of care or supervision. In addition, the  
5 commission may lease, purchase, or acquire by donation or otherwise, any property,  
6 immovable or movable, tangible or intangible, from any person, firm, or corporation,  
7 including the state and its agencies and political subdivisions.

8 (2) The diagnostic facilities, dormitories, and other residential facilities may  
9 also be used to operate post-adjudication programming, including treatment and  
10 rehabilitation.

11 B. The board may also authorize and approve, upon such terms as it may  
12 deem advisable, contracts of employment for a superintendent or administrator and  
13 other necessary personnel and contracts for legal, financial, engineering, and other  
14 professional services necessary or expedient for the conduct of its affairs.

15 §1109.5. Board; domicile; power to levy taxes, incur debt, issue bonds

16 A. The board of commissioners shall be domiciled in the parish of St. James  
17 and shall have the power to sue and be sued. In the exercise of its powers to control,  
18 administer, and manage the affairs of the district, the board may incur debt and issue  
19 bonds and may levy taxes in the manner provided in this Subpart and pursuant to  
20 Article VI, Sections 30 and 32 of the Constitution of Louisiana or any other  
21 constitutional or statutory authority. The board generally may perform any function  
22 and exercise any power necessary, requisite, or proper for the administration and  
23 management of the affairs of the commission and, specifically, may cooperate with  
24 juvenile courts and other courts and public agencies within the Twenty-Third,  
25 Twenty-Ninth, and Fortieth Judicial Districts to aid and assist in all ways authorized  
26 by law for the purposes and responsibilities for which the commission is established.

27 B. In addition to the general powers conferred by this Section, in order to  
28 obtain the necessary funds to carry out its purposes, duties, and responsibilities, and  
29 in order to acquire, construct, maintain, and operate a juvenile facility or facilities  
30 and related services and programs throughout the River Parishes Juvenile Justice

1 District, the commission may incur debt and issue general obligation bonds within  
2 the limitations prescribed by Article VI, Section 33 of the Constitution of Louisiana  
3 and other applicable constitutional or statutory authority, but only when authorized  
4 by a majority of the electors in the district who vote thereon in an election held for  
5 that purpose in accordance with laws governing such elections.

6 §1109.6. Funding for the commission; criminal court costs

7 A. In the parishes of Ascension, Assumption, St. Charles, St. James, and St.  
8 John the Baptist, in all felony and misdemeanor prosecutions, including traffic  
9 offenses, under state law or parish or municipal ordinance, in any district, parish,  
10 city, or mayor's court, special costs in an amount not to exceed five dollars shall be  
11 levied against every defendant who is convicted after trial, enters a plea of guilty or  
12 nolo contendere, or forfeits bond. However, in lieu of imposing the special costs, the  
13 court may direct that a like amount be deducted from any fine imposed prior to  
14 disposition of the fine in accordance with other laws, but in either event any amounts  
15 so collected shall be remitted, by the tenth of the month following the month in  
16 which collected, by the proper officer of the court to the board of the River Parishes  
17 Juvenile Justice Commission to be used for the expenses of its operations as  
18 provided in this Subpart.

19 B. In the parishes of Ascension, Assumption, St. Charles, St. James, and St.  
20 John the Baptist, in all courts exercising juvenile jurisdiction, special costs in an  
21 amount not to exceed five dollars shall be levied against every juvenile who is found  
22 to have committed a traffic violation, under state law or parish or municipal  
23 ordinance, and special costs in an amount not to exceed twenty-five dollars shall be  
24 levied against every juvenile who is adjudicated a delinquent. All or part of the costs  
25 may be suspended, but any amounts collected shall be remitted, by the tenth of the  
26 month following the month in which collected, by the proper officer of the court in  
27 which the matter was heard to the board of the River Parishes Juvenile Justice  
28 Commission to be used for the expenses of its operations pursuant to this Subpart.

1           Section 2. In accordance with the provisions of R.S. 13:62, the special court costs  
2 or fees as provided by this Act shall become effective if and when the Judicial Council  
3 provides a recommendation that such court costs or fees meet the applicable guidelines in  
4 its report to the Louisiana Legislature. No fees shall be imposed or collected without  
5 Judicial Council approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_