
HOUSE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 189 by Representative Willard

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" and before the comma "," change "enact R.S. 15:440.2(D) and
3 440.4(A)(5)" to "amend and reenact R.S. 15:440.4(A)(5) and Children's Code Articles 323
4 and 326(A)(7) and to enact R.S. 15:440.2(D) and 440.4(C) and Children's Code Article
5 326(C)"

6 AMENDMENT NO. 2

7 On page 1, line 3, after "authorized to" and before "a" change "take" to "supervise the taking
8 of"

9 AMENDMENT NO. 3

10 On page 1, line 6, after "Section 1." and before "to" change "R.S. 15:440.2(D) and
11 440.4(A)(5) are hereby enacted" to "R.S. 15:440.4(A)(5) is hereby amended and reenacted
12 and R.S. 15:440.2(D) and 440.4(C) are hereby enacted"

13 AMENDMENT NO. 4

14 On page 1, at the end of line 10, delete "police" and delete line 11 in its entirety and insert
15 the following:

16 "law enforcement agency and has met either of the following requirements:
17 (1) Is a former law enforcement officer who is certified by the Peace Officer
18 Standards and Training Council.
19 (2) Has completed investigative training as part of his employment with a
20 law enforcement agency."

21 AMENDMENT NO. 5

22 On page 2, after line 3, add the following:

23 "C. The provisions of this Section, relative to a civilian investigator's ability
24 to render a videotape as competent evidence, shall only apply to a civilian
25 investigator within a parish with a population of not less than three hundred eighty-
26 three thousand and not more than four hundred forty thousand as provided in the
27 most recent federal decennial census.

28 Section 2. Children's Code Articles 323 and 326(A)(7) are hereby amended
29 and reenacted and Children's Code Articles 326(C) is hereby enacted to read as
30 follows:

31 Art. 323. Definitions

32 (1) "Civilian investigator" means any person who performs investigative
33 work as a non-certified employee of a law enforcement agency and has met either
34 of the following requirements:

35 (a) Is a former law enforcement officer who is certified by the Peace Officer
36 Standards and Training Council.

37 (b) Has completed investigative training as part of his employment with a
38 law enforcement agency.

39 (2) "Department" means the Department of Children and Family Services.

1 ~~(2)~~ (3) "Protected person" means any person who is a victim of a crime or
 2 a witness in a juvenile proceeding and who either:

3 (a) Is under the age of eighteen years.

4 (b) Has a developmental disability as defined in R.S. 28:451.2~~(12)~~.

5 ~~(3)~~ (4) "Videotape" means the visual recording on a magnetic tape, film,
 6 videotape, compact disc, digital versatile disc, digital video disc, or by other
 7 electronic means together with the associated oral record.

8 * * *

9 Art. 326. Competent evidence; procedures for making videotape

10 A. A videotape of the statements of a protected person who is alleged to be
 11 the victim of or witness to a crime may be offered in evidence for or against such
 12 crime. To render such a videotape competent evidence, all of the following must be
 13 satisfactorily proved:

14 * * *

15 (7) The taking of the protected person's statement was supervised by a
 16 physician, a social worker, a law enforcement officer, a licensed psychologist,
 17 medical psychologist, licensed professional counselor, a civilian investigator, or an
 18 authorized representative of the department.

19 * * *

20 C. The provisions of this Article, relative to a civilian investigator's ability
 21 to render a videotape as competent evidence, shall only apply to a civilian
 22 investigator within a parish with a population of not less than three hundred eighty-
 23 three thousand and not more than four hundred forty thousand as provided in the
 24 most recent federal decennial census."