

Regular Session, 2014

SENATE BILL NO. 511

BY SENATOR HEITMEIER

SUNSET LAW. Re-creates the Department of Children and Family Services. (6/30/14)

1 AN ACT

2 To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(g), relative to the Department of  
3 Children and Family Services; to provide for re-creation of the Department of  
4 Children and Family Services and the statutory entities made a part of the department  
5 by law; to provide for the effective termination date for all statutory authority for the  
6 existence of such statutory entities; to provide for an effective date; and to provide  
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Pursuant to R.S. 49:193, the Department of Children and Family Services  
10 and the statutory entities made a part of the department by law shall be re-created effective  
11 June 30, 2014, and all statutory authority therefor is continued in accordance with the  
12 provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

13 Section 2. All statutory authority for the existence of the Department of Children and  
14 Family Services and the statutory entities made a part of the department as re-created by  
15 Section 1 of this Act shall cease as of July 1, 2019, pursuant to R.S. 49:191. However, the  
16 Department of Children and Family Services may be re-created prior to such date in  
17 accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised

1 Statutes of 1950.

2 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that  
3 those provisions are in conflict with the provisions of this Act.

4 Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

5 §191. Termination of legislative authority for existence of statutory entities; phase-  
6 out period for statutory entities; table of dates

7 Notwithstanding any termination dates set by any previous Act of the  
8 legislature, the statutory entities set forth in this Section shall begin to terminate their  
9 operations on July first of each of the following years, and all legislative authority  
10 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of  
11 July first of the following year, which shall be the termination date:

12 \* \* \*

13 **(7) July 1, 2018:**

14 **The Department of Children and Family Services and all statutory**  
15 **entities made a part of the department by law.**

16 Section 5. R.S. 49:191(5)(g) is hereby repealed in its entirety.

17 Section 6. This Act shall become effective on June 30, 2014; if vetoed by the  
18 governor subsequently approved by the legislature, this Act shall become effective on June  
19 30, 2014, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Christopher D. Adams.

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#### DIGEST

Heitmeier (SB 511)

Present law provides that the Department of Children and Family Services and all statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2014, and that all legislative authority for such entities shall cease as of July 1, 2015, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Department of Children and Family Services and its statutory entities, effective June 30, 2014, for a four-year period, in accordance with the "sunset" law. Supersedes that provision of the "sunset" law which requires a separate bill to recreate each statutory entity within the department.

Effective on June 30, 2014.

(Adds R.S. 49:191(7); repeals R.S. 49:191(5)(g))