

RÉSUMÉ DIGEST

ACT 209 (HB 193)

2019 Regular Session

Bacala

Existing law provides relative to a student reported to law enforcement for a threat of violence or terrorism, relative to the mental health evaluation of such a student, and relative to such a student's return to school.

Relative to his mental health evaluation, prior law required the law enforcement agency to file a petition with the court for such evaluation. New law instead provides that if the law enforcement agency determines that the threat is credible and imminent, it shall report the threat to the district attorney, who may file such a petition not later than seven days after receiving the report.

Relative to his return to school, prior law prohibited return prior to a mental health evaluation. New law instead requires the school administration to permit the student to return to school under either of the following circumstances:

- (1) If at any point prior to a hearing the threat is determined not to be credible by the school administration, law enforcement agency, or district attorney or by order of the court after a hearing.
- (2) If the district attorney does not timely file a petition for an evaluation.

Effective August 1, 2019.

(Amends R.S. 17:409.2, 409.3(A), 409.4(A) and (B)(intro. para.), and 409.5(A)(1))