

ACT No. 406

Regular Session, 2014

HOUSE BILL NO. 228

BY REPRESENTATIVE JEFFERSON

1 AN ACT

2 To amend and reenact R.S. 46:51.2(C), relative to criminal history; to provide for
3 consideration of criminal history of certain persons living in a foster home; to limit
4 consideration of certain drug-related convictions of adults living in a foster home to
5 those committed within the past five years; to provide for drug testing; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 46:51.2(C) is hereby amended and reenacted to read as follows:

9 §51.2. Criminal history and central registry information

10 * * *

11 C.(1) No child shall be newly placed in a foster home for temporary care,
12 except for emergency placement, or for adoption until it is determined that no adult
13 living in such home has been convicted of or pled nolo contendere to a crime listed
14 in R.S. 15:587.1(C).

15 (2) No child shall be newly placed in a foster home for temporary care,
16 except for emergency placement, or for adoption until it is determined that the
17 prospective foster or adoptive parent has not been convicted of or pled nolo
18 contendere to a felony listed in R.S. 40:966(C) and (E), 967(C), 968(C), 969(C), or
19 970(C) unless five or more years have elapsed between the date of placement and the
20 date of successful completion of any sentence, deferred adjudication, or period of
21 probation or parole.

22 (3) No child shall be placed by the department into a home where the
23 prospective foster or adoptive parent has been convicted of or pled nolo contendere
24 to a felony listed in Paragraph (2) of this Subsection until the individual has

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1 submitted to and passed an initial drug test and has provided written consent to any
2 plan of random drug testing required by the department for the duration of the
3 placement. Any required drug tests shall be at the expense of the individual.

4 (4) Nothing in this Subsection shall be construed to prohibit or prevent the
5 department or its employees from considering prior convictions in determining
6 whether to place a child in a foster home for temporary care or for adoption.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____