

Regular Session, 2011

ACT No. 189

HOUSE BILL NO. 465

BY REPRESENTATIVES NORTON, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BISHOP, HENRY BURNS, BURRELL, CARMODY, DIXON, GISCLAIR, HONORE, MORENO, RICHARD, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact Children's Code Article 612(A)(2), relative to child abuse; to provide
3 that a preliminary investigation shall include an immediate assessment of certain
4 visitation or custody orders; to require the Department of Children and Family
5 Services to request a temporary restraining order if it determines that any previous
6 ordered visitation or custody would put the child's health and safety at risk; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Children's Code Article 612(A)(2) is hereby amended and reenacted to
10 read as follows:

11 Art. 612. Assignment of reports for investigation and assessment

12 A.

13 * * *

14 (2) Reports of high and intermediate levels of risk shall be investigated
15 promptly. This investigation shall include a preliminary investigation as to the
16 nature, extent, and cause of the abuse or neglect and the identity of the person
17 actually responsible for the child's condition. This preliminary investigation shall
18 include an interview with the child and his parent or parents or other caretaker. Such
19 preliminary investigation shall also include an immediate assessment of any existing
20 visitation or custody order or agreement involving the alleged perpetrator and the
21 child. The department shall request a temporary restraining order pursuant to Article

