

2022 Regular Session

SENATE BILL NO. 170

BY SENATOR MIZELL

CHILDREN. Provides relative to powers and duties of the Children's Cabinet. (8/1/22)

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AN ACT

To enact R.S. 46:2605.7, relative to the Children's Cabinet; to provide for the Council on the State Central Registry of Child Abuse and Neglect; to provide for the council's membership and officers; to provide for the council's purpose and duties; to provide for the council's meetings and quorum; to provide for reporting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:2605.7 is hereby enacted to read as follows:

§2605.7. Council on the State Central Registry of Child Abuse and Neglect

A. There is hereby established the Council on the State Central Registry of Child Abuse and Neglect, hereinafter referred to as the "SCR council", as a subcommittee of the Children's Cabinet Advisory Board.

B.(1) The purpose for the creation of the SCR council is to study and make recommendations to the Children's Cabinet and legislature on state central registry reform. The state central registry is a federally mandated, state operated database of child abuse and neglect records.

(2) Nationally, there is an effort to ensure that states protect children as

1 the first and foremost priority while ensuring that due process and equal
2 protection is afforded to adults who are placed on the registry. There is also
3 nationwide recognition that persons placed on the registry and ultimately found
4 to be innocent of allegations of child abuse or neglect often remain on the
5 registry and are subsequently denied employment and volunteer opportunities.

6 (3) The SCR council shall consider all state and national best practices
7 regarding administration of a state central registry in conducting its analysis
8 and recommendations for reform. The SCR council shall monitor
9 implementation of any reforms enacted by the legislature or adopted by the
10 Department of Children and Family Services by rulemaking to ensure
11 continued prioritization of child safety while also providing for due process and
12 equal protection for those ultimately found to be innocent of child abuse or
13 neglect allegations.

14 C. The SCR council shall be composed of the following members:

15 (1) The executive director of the Children's Cabinet Advisory Board or
16 his designee.

17 (2) Two members representing the Department of Children and Family
18 Services, division of child welfare, appointed by the secretary of the department.

19 (3) Two members representing the Louisiana Department of Health
20 appointed by the secretary of the department.

21 (4) The chief justice of the Louisiana Supreme Court or his designee.

22 (5) The president of the Louisiana District Judges Association or his
23 designee.

24 (6) The president of the Louisiana District Attorneys Association or his
25 designee.

26 (7) The president of the Louisiana Sheriffs' Association or his designee.

27 (8) The president of the Louisiana Association of Chiefs of Police or his
28 designee.

29 (9) The secretary of the Louisiana Workforce Commission or his

1 designee.

2 (10) A member of the Senate to be appointed by the president of the
3 Senate.

4 (11) A member of the House of Representatives to be appointed by the
5 speaker of the House of Representatives.

6 D. Members of the SCR council shall serve four-year terms and shall not
7 receive any compensation or reimbursement of expenses. Each member of the
8 SCR council shall hold office until the appointment and qualification of his
9 successor. Whenever a vacancy occurs in an appointed position, the vacancy
10 shall be filled in the same manner and under the same terms and conditions as
11 required for the original appointment.

12 E. At the first meeting each year, the chair and vice chair of the SCR
13 council shall be elected by the members of the SCR council. The SCR council
14 may adopt any rules of procedure necessary to facilitate orderly conduct of its
15 business.

16 F. The SCR council shall meet as necessary to successfully fulfill its
17 mission. Meetings shall be held on the call of the chair. A majority of the SCR
18 council shall constitute a quorum for the transaction of business. All official
19 actions of the SCR council shall require the affirmative vote of a majority of the
20 quorum.

21 G. All departments, boards, agencies, officers, and institutions of the
22 state shall cooperate with the SCR council in carrying out its purposes pursuant
23 to Subsection B of this Section.

24 H. The SCR council shall issue a report of its findings at a frequency
25 determined by the Children's Cabinet and at least annually by the first day of
26 January to the legislature.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 170 Original

2022 Regular Session

Mizell

Proposed law provides for the Council on the State Central Registry of Child Abuse and Neglect (SCR council) as a subcommittee of the Children's Cabinet Advisory Board to study and make recommendations to the Children's Cabinet and legislature on state central registry reform.

Proposed law provides that the SCR council shall consider all state and national best practices regarding administration of a state central registry in conducting its analysis and recommendations for reform. Further provides that the SCR council shall monitor implementation of any reforms enacted by the legislature or adopted by the Dept. of Children and Family Services by rulemaking to ensure continued prioritization of child safety while also providing for due process and equal protection for those ultimately found to be innocent of child abuse or neglect allegations.

Proposed law provides for the members of the SCR council who shall serve four-year terms and shall not receive any compensation or reimbursement of expenses. Further provides for the filling of a vacancy and the election of officers.

Proposed law provides for the SCR council to meet as necessary to successfully fulfill its mission with meetings to be held on the call of the chair. Further provides that a majority of the SCR council shall constitute a quorum and that official actions of the SCR council shall require the affirmative vote of a majority of the quorum.

Proposed law provides for the SCR council to issue a report of its findings at a frequency determined by the Children's Cabinet and at least annually by the first day of January to the legislature.

Effective August 1, 2022.

(Adds R.S. 46:2605.7)