

SENATE BILL NO. 49

BY SENATORS MORRELL AND BARROW

1 AN ACT

2 To amend and reenact R.S. 15:833(A)(1), relative to inmate contact with persons outside of
3 a correctional institution; to provide that an inmate who has sustained serious bodily
4 injury is entitled to visitation with immediate family members under certain
5 circumstances; to provide definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:833(A)(1) is hereby amended and reenacted to read as follows:

8 §833. Inmate contact with persons outside institution; temporary release

9 A.(1)(a) The secretary of the Department of Public Safety and Corrections
10 may authorize visits and correspondence under reasonable conditions between
11 inmates and approved friends, relatives, and other persons.

12 **(b) If an inmate sustains serious bodily injury requiring admittance to**
13 **an intensive care unit or trauma center, the warden or other governing**
14 **authority of the correctional facility, jail, or other detention facility shall**
15 **attempt to notify the inmate's immediate family within eight hours of the**
16 **medical decision to transport the inmate to the intensive care unit or trauma**
17 **center.**

18 **(c)(i) Notwithstanding any other provision of law, if an inmate sustains**
19 **serious bodily injury requiring admittance to an intensive care unit or trauma**
20 **center, a member of the inmate's immediate family shall be granted visitation**
21 **with the inmate for the duration of the inmate's admission to the intensive care**
22 **unit or trauma center, unless the warden or other governing authority of the**
23 **inmate's correctional facility, jail, or other detention facility provides written**
24 **notice, within six hours of the inmate's admission to the intensive care unit or**
25 **trauma center, to any immediate family member seeking visitation why such**
26 **visitation cannot be granted. Notwithstanding the provisions of this Item to the**
27 **contrary, if the inmate's admission to the intensive care unit or trauma center**

1 occurs between the hours of 8:00 p.m. and 4:00 a.m. the correctional or
2 detention facility shall provide the required written notification within
3 twenty-four hours of the time the serious bodily injury occurred.

4 (ii) For purposes of this Paragraph, "serious bodily injury" means bodily
5 injury that involves unconsciousness, extreme physical pain or protracted and
6 obvious disfigurement, or protracted loss or impairment of the function of a
7 bodily member, organ, or mental faculty, or a substantial risk of death.

8 (iii) For purposes of this Paragraph, "immediate family" means a
9 spouse, child, parent, stepparent, sibling, stepsibling, grandchild, or
10 grandparent of the inmate.

11 (iv) The visitation provided for in this Subparagraph may be supervised.

12 (v) The visitation provided for in this Subparagraph may be revoked if
13 any immediate family member possesses any item of contraband during the
14 visitation.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____