

SENATE BILL NO. 431

BY SENATOR CLOUD

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AN ACT

To enact Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.241 and 100.242, relative to juvenile detention facility funding and other nonrecurring criminal justice system priority projects; to create the Criminal Justice Priority Funding Commission; to provide for membership of the commission; to provide for the implementation and administration of the Criminal Justice Priority Funding Commission Program; to provide relative to a grant application process for construction of juvenile detention centers and for other nonrecurring criminal justice system priority projects; to create the Criminal Justice Priority Fund; to provide for oversight and approval of use of funds by the Joint Legislative Committee on the Budget; to provide for audits; to provide relative to terms, conditions, requirements, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39, comprised of R.S. 39:100.241 and 100.242, is hereby enacted to read as follows:

SUBPART CC. CRIMINAL JUSTICE PRIORITY FUNDING COMMISSION

PROGRAM AND CRIMINAL JUSTICE PRIORITY FUND

§100.241. Criminal Justice Priority Funding Commission Program

A. As used in this Subpart, the following terms shall have the following

meanings:

(1) "Commission" means the Criminal Justice Priority Funding

Commission.

(2) "Committee" means the Joint Legislative Committee on the Budget.

(3) "Division" means the division of administration.

1 (4) "Fund" means the Criminal Justice Priority Fund.

2 (5) "Program" means the Criminal Justice Priority Funding
3 Commission Program.

4 (6) "Regional juvenile detention center authority" means any regional
5 juvenile detention center authority created in Title 15 of the Louisiana Revised
6 Statutes of 1950 or as provided in criteria established in the guidance
7 promulgated pursuant to this Section.

8 B.(1) The commission is hereby established to review applications
9 submitted to the program as provided in this Section and make
10 recommendations for funding to the Joint Legislative Committee on the Budget.

11 (2) The commission shall be comprised of the following twelve members:

12 (a) The president of the Senate or his designee.

13 (b) A member of the Senate Committee on Judiciary B appointed by the
14 president of the Senate.

15 (c) A member of the Senate Committee on Finance appointed by the
16 president of the Senate.

17 (d) A member of the Senate Committee on Revenue and Fiscal Affairs
18 appointed by the president of the Senate.

19 (e) The speaker of the House of Representatives or his designee.

20 (f) A member of the House Committee on Administration of Criminal
21 Justice appointed by the speaker of the House of Representatives.

22 (g) A member of the House Committee on Appropriations appointed by
23 the speaker of the House of Representatives.

24 (h) A member of the House Committee on Ways and Means appointed
25 by the speaker of the House of Representatives.

26 (i) The commissioner of administration or his designee.

27 (j) The secretary of the Department of Public Safety and Corrections or
28 his designee.

29 (k) The secretary of the Department of Revenue or his designee.

30 (l) One member appointed by the governor.

1 **(3) The commissioner of administration shall serve as chairman of the**
2 **commission.**

3 **(4) A quorum of the commission shall be seven members. Any**
4 **recommendations made by the commission shall require the affirmative vote of**
5 **a majority of the commission provided a quorum is present.**

6 **(5) The members of the commission shall serve without compensation.**
7 **The appointed members of the commission who are state employees may receive**
8 **the same reimbursement of travel expenses for attending the meetings as is**
9 **allowed for state employees' travel. The appointed members of the commission**
10 **who are not state employees may receive the same reimbursement of travel**
11 **expenses for attending the meetings as is allowed for state employees' travel,**
12 **except all legislative members of the commission shall receive the same per diem**
13 **and travel expenses for attending meetings of the commission or any meeting**
14 **thereof as is normally provided for members of the legislature.**

15 **(6) The staffs of the Senate, House of Representatives, and the legislative**
16 **fiscal office shall provide staff support and otherwise assist the commission as**
17 **required by the commission.**

18 **C.(1) The program is hereby established to provide funding for the**
19 **following:**

20 **(a) Grants to nonstate entities for the design, construction, site purchase,**
21 **refurbishment, site work, and other necessary items or materials for the**
22 **building, repair, or refurbishment of fully operational juvenile detention centers**
23 **to house both pre-adjudicated and post-adjudicated juveniles.**

24 **(b) The office of juvenile justice for the design, construction, site**
25 **purchase, refurbishment, site work, and other necessary items or materials for**
26 **the building, repair, or refurbishment of fully operational juvenile detention**
27 **centers to house both pre-adjudicated and post-adjudicated juveniles.**

28 **(c) Immediate and necessary building and repairs to facilities owned by**
29 **the office of juvenile justice.**

30 **(d) Grants to nonstate entities for the design, construction, site purchase,**

1 refurbishment, site work, and other necessary items or materials for the
2 building, repair, or refurbishment of adult correctional and detention facilities.

3 (e) Grants to parish sheriffs for the design, construction, site purchase,
4 refurbishment, site work, and other necessary items or materials for the
5 building, repair, or refurbishment of necessary law enforcement facilities in the
6 custody and control of the sheriff.

7 (f) The Department of Public Safety and Corrections for the design,
8 construction, site purchase, refurbishment, site work, and other necessary items
9 or materials for the building, repair, or refurbishment of adult correctional and
10 detention facilities.

11 (g) Grants to nonstate entities and funding for state entities for other
12 criminal justice priorities, including but not limited to statewide or regional
13 crime labs for repairs, construction, or equipment necessary to fully operate
14 such entities; immediate and necessary funding to the Integrated Criminal
15 Justice Information System Policy Board as well as to the relevant state and
16 local public entities for the purpose of facilitating the statewide integration of
17 data and information necessarily generated by and shared across law
18 enforcement, court systems, and statewide databases in this state; and other
19 criminal justice funding priorities as deemed appropriate and necessary by the
20 commission.

21 (2) The division of administration shall administer the program in
22 consultation with relevant state agencies and other stakeholders. The division
23 shall establish a working panel comprised of employees of the division and state
24 and local public agencies or entities and stakeholders, as provided in the
25 guidance promulgated pursuant to the provisions of this Section. The working
26 panel shall review and rate applications submitted by any entity deemed eligible
27 by the commission or otherwise eligible pursuant to the provisions of this
28 Section and submit recommendations for funding to the commission.

29 D.(1) The division shall promulgate guidance for the administration of
30 the program. The guidance shall include application requirements; application

1 period dates; deadlines for submissions and approval; criteria for ratings; and
2 a process for ensuring and prioritizing funding for juvenile detention facilities
3 in regions in this state lacking adequate resources and facilities for housing
4 juveniles from those regions, for adult correctional and detention facilities
5 owned and operated by one or more parish sheriffs for urgent and necessary
6 repairs and construction that include or will facilitate rehabilitative
7 programming, and for other criminal justice priorities that will assist in
8 expediting the processing of evidence and the criminal trial process. The
9 Administrative Procedure Act, R.S. 49:950 et seq., shall not apply to guidance
10 promulgated pursuant to this Section. No later than August 1, 2024, the division
11 shall submit the proposed guidance to the commission for review and approval.
12 Any changes to the guidance shall require approval by the commission.

13 (2) Prior to the application period, the division shall conduct outreach
14 and educational efforts for all relevant stakeholders and local governing
15 authorities to raise awareness regarding the program.

16 (3) The division shall post on its website a copy of the guidance
17 promulgated pursuant to this Section as well as any additional information
18 regarding the program, including the application process, procurement, or
19 scoring criteria upon request of the commission.

20 E. In addition to the guidance provided for in Subsection D of this
21 Section, the division shall submit a proposal outlining administrative costs for
22 the program to the commission for review and approval prior to implementing
23 the program. The commission shall review the proposed administrative costs
24 and make a recommendation to the Joint Legislative Committee on the Budget
25 for funding for administrative costs. The committee shall review the
26 recommendations submitted by the commission and approve administrative
27 costs for the program.

28 F. Notwithstanding any provision of law to the contrary, the division may
29 enter into consulting services, professional services, and information and
30 technology services contracts for the purpose of the procurement of any goods

1 or services necessary to implement and expedite the distribution of funds as
2 emergency procurements exempt from the provisions of the Louisiana
3 Procurement Code and corresponding rules and regulations. The cost of such
4 contracts shall be considered administrative costs.

5 G. The division shall begin accepting applications no later than
6 September 1, 2024.

7 H. Within forty-five days of the end of the application period, the
8 division shall submit the working panel's ratings of proposed projects and
9 recommendations for funding for the projects to the commission. The working
10 panel's recommendations to the commission shall include recommendations for
11 utilization of any existing funding sources known or available to an applicant.

12 I. The commission shall review the ratings and recommendations
13 submitted by the working panel. The commission shall submit its
14 recommendations for grant awards or funding to the Joint Legislative
15 Committee on the Budget.

16 J.(1) The committee shall review the recommendations submitted by the
17 commission and have final approval of projects that receive grant awards or
18 funding through the program.

19 (2) The commission may rescind any grant award or funding for a
20 project if the recipient fails to comply with the guidance approved by the
21 commission.

22 K. Beginning January 1, 2025, the division shall submit a quarterly
23 status update, including a construction progress report, for projects that
24 received funding approval to the commission and the Joint Legislative
25 Committee on the Budget.

26 L. Each recipient that receives funding pursuant to this Section shall
27 comply with the provisions of R.S. 24:513.

28 §100.242. Criminal Justice Priority Fund

29 A. There is hereby created in the state treasury, as a special fund, the
30 Criminal Justice Priority Fund.

1 **B. Monies appropriated or transferred to the fund shall be deposited by**
2 **the state treasurer after compliance with the requirements of Article VII,**
3 **Section 9(B) of the Constitution of Louisiana relative to the Bond Security and**
4 **Redemption Fund. Monies in the fund shall be invested in the same manner as**
5 **monies in the state general fund. Interest earned on the investment of monies**
6 **in the fund shall be deposited in and credited to the fund. All unexpended and**
7 **unencumbered monies in the fund at the end of the fiscal year shall remain in**
8 **the fund.**

9 **C. Monies in the fund shall be used to provide grant awards and funding**
10 **for the program pursuant to the provisions of this Subpart.**

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____