

SENATE BILL NO. 503

BY SENATOR CLAITOR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

To amend and reenact R.S. 15:1177(A)(1)(b), relative to judicial review of certain administrative actions; to provide that the Department of Public Safety and Corrections is the only proper party defendant involving the judicial review of department's administrative decisions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1177(A)(1)(b) is hereby amended and reenacted to read as follows:

§1177. Judicial review of administrative acts; exception

A. Any offender who is aggrieved by an adverse decision, excluding decisions relative to delictual actions for injury or damages, by the Department of Public Safety and Corrections or a contractor operating a private prison facility rendered pursuant to any administrative remedy procedures under this Part may, within thirty days after receipt of the decision, seek judicial review of the decision only in the Nineteenth Judicial District Court or, if the offender is in the physical custody of the sheriff, in the district court having jurisdiction in the parish in which the sheriff is located, in the manner hereinafter provided:

(1)

* * *

~~(b) In a judicial review of a disciplinary action taken against an offender by the Department of Public Safety and Corrections or a contractor operating a private prison facility, the only proper party defendant is the department.~~ **The only proper party defendant is the Department of Public Safety and Corrections when seeking judicial review of an administrative decision, excluding decisions**

1 relative to delictual actions for injury or damages, rendered pursuant to any
 2 administrative remedy procedures under this Part. For the purpose of this
 3 Section, the Department of Public Safety and Corrections means a correctional
 4 facility operated by the state of Louisiana or the Louisiana Correctional
 5 Facilities Corporation housing offenders sentenced to the custody of the
 6 Department of Public Safety and Corrections.

7 * * *

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____