

SB 46 -- Redline

Engrossed to Enrolled -- CRIME/PUNISHMENT: Creates the crime of unlawful operation of a group home. (8/1/26) (EN SEE FISC NOTE GF EX)

Deletions ~~struck~~ · Insertions underlined

~~SLS 26RS-266 REENGROSSED~~ Regular Session ENROLLED SENATE BILL NO.

46 BY SENATORS REESE, ABRAHAM, BARROW, CLOUD, KLEINPETER, MIGUEZ AND MORRIS

~~CRIME/PUNISHMENT. Create the crime of unlawful operation of a group home. (8/1/26)~~ AND REPRESENTATIVE KNOX AN ACT
To enact R.S.

14:93.6, relative to offenses affecting the health and safety of persons with

~~infirmities; to create the crime of unlawful operation of a group home; to provide for~~ infirmities; to create the crime of unlawful operation of a group home; to provide for elements of the crime;

It shall be unlawful for any person or entity to ~~operate~~ operate an ~~an~~ unlicensed group home.

Page (4) 1 "Residents" means nonrelated individuals who reside in a single dwelling and receive assistance with the activities of their daily living.

(5) "Unlicensed group home" means any residence not licensed or permitted by any state or local licensing or permitting authority that houses two or more residents over whom the operator exercises control in any manner, or control over the residents' assets.

A showing that the operator or an affiliate of the operator has obtained power of attorney over any resident's assets, is the payee or otherwise directly or indirectly receives any federal or state government benefits on behalf of any resident, or is any resident's responsible Page 1 of 2 Coding:

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46 ~~(4)~~ ENROLLED ~~"Residents" party, means responsible nonrelated representative, individual or who representative reside payee in on any single government dwelling benefit and received receive on assistance behalf with of the activities resident, of is their sufficient daily to living, prove the operator exercises control over the resident or his assets.~~

~~(5) "Unlicensed group home" means any residence not licensed or permitted by any state or local licensing or permitting authority that houses two or more residents over whom the operator exercises control in any manner, or control over the residents' assets.~~

~~A showing that the operator or an affiliate of the operator has obtained power of attorney over any resident's assets, is the payee or otherwise directly or indirectly receives any federal or state government benefits on behalf of any resident, or is any resident's responsible party, responsible representative, or representative payee on any government benefit received on behalf of the resident, is sufficient to prove the operator exercises control over the resident or his assets.~~

Page PRESIDENT 20F of THE 3 SENATE Coding: SPEAKER OF THE HOUSE OF REPRESENTATIVES GOVERNOR OF THE STATE OF LOUISIANA APPROVED:

Words Page which 2 are of struck 2 through Coding: ~~are deletions from existing law; words in boldface type and underscored are additions.~~

~~SLS 26RS-266 REENGROSSED~~ SB NO.

~~46 The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services.~~

~~The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent.~~

~~[R.S.~~

~~1:13(B) and 24:177(E)] DIGEST SB 46 Reengrossed 2026 Regular Session Reese Proposed law creates the crime of unlawful operation of a group home and defines "affiliate", "nonrelated individuals", "operator", "residents", and "unlicensed group home".~~

~~Proposed law provides that an offender will be sentenced as follows:~~

~~(1) If the conditions in the unlicensed group home would not lead to unjustifiable pain or suffering, the offender will be fined not more than \$1,000, or imprisoned for up to six months, or both.~~

~~(2) Where the conditions in the unlicensed group home would likely lead to or actually caused unjustifiable pain, malnourishment, or suffering while a resident resided in the home, the offender will be fined not more than \$10,000, or imprisoned, with or without hard labor, for not more than 10 years, or both.~~

~~At least one year of the sentence imposed must be served without the benefit of parole, probation, or suspension of sentence.~~

~~(3) Where the conditions in the home contributed to a resident's death, the offender will be imprisoned, at hard labor, for not less than five years nor more than 40 years.~~

~~At least three years of the sentence imposed must be served without benefit of probation or suspension of sentence.~~

~~Effective August 1, 2026.~~

~~(Adds R.S.~~

~~14:93.6) Summary of Amendments Adopted by Senate Senate Floor Amendments to engrossed bill 1.
Exclude certain rental payments and security deposits from being counted as assets in the definition of
"unlicensed group home".~~

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