

2022 Regular Session

SENATE BILL NO. 418

BY SENATOR CATHEY

JUVENILE JUSTICE. Provides relative to the age of juveniles. (8/1/22)

AN ACT

To amend and reenact Children's Code Art. 804(1), relative to juvenile court jurisdiction; to amend the definition of "child" for purposes of delinquency proceedings; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Art. 804(1) is hereby amended and reenacted to read as follows:

Art. 804. Definitions

As used in this Title:

(1)(a) ~~"Child"~~ **Before March 1, 2019, and after July 31, 2022, "child"**

means any person under the age of twenty-one, including an emancipated minor, who commits a delinquent act before attaining seventeen years of age.

(b) ~~Beginning~~ **From** March 1, 2019, **until June 30, 2020,** "child" means any person under the age of twenty-one, including an emancipated minor, who commits a delinquent act on or after March 1, 2019, **until June 30, 2020,** when the act is not a crime of violence as defined in R.S. 14:2, and occurs before the person attains eighteen years of age.

1 (c)(i) ~~After June 30, 2020~~ **From July 1, 2020, until July 31, 2022,** "child"
2 means any person under the age of twenty-one, including an emancipated minor,
3 who commits a delinquent act on or after July 1, 2020, **until July 31, 2022,** and
4 before the person attains eighteen years of age.

5 (ii) ~~Notwithstanding Item (i) of this Subparagraph, a child who has attained~~
6 ~~the age of seventeen shall be subject to criminal jurisdiction pursuant to Article 305~~
7 ~~or 857.~~

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

DIGEST

SB 418 Engrossed

2022 Regular Session

Cathey

Present law provides that for juvenile court jurisdiction for purposes of delinquency proceedings, the term "child" means any person under the age of 21, including an emancipated minor, who commits a delinquent act on or after July 1, 2020, and before the person attains 18 years of age.

Proposed law provides that a "child" means any person under the age of 21, including an emancipated minor, who commits a delinquent act before attaining 17 years of age.

Effective August 1, 2022.

(Amends Ch. C. Art. 804(1))