

**HOUSE SUMMARY OF SENATE AMENDMENTS**

House Bill No. 230 by Representative Moreno

JUVENILE PROCEDURE: Amends provisions relative to dismissal of delinquency proceedings

**Synopsis of Senate Amendments**

1. Amended provision relative to motions to dismiss to provide that the court shall order that a petition be dismissed upon a finding of grounds to dismiss.

**Digest of Bill as Finally Passed by Senate**

Present law provides that all objections to the proceedings, including objections based on defects in the petition and defenses capable of determination as a matter of law, may be raised by motion to dismiss.

Proposed law retains present law and provides that upon a finding of grounds to dismiss as provided for in present law the court shall order that the petition be dismissed.

Present law provides that the court may, if good cause is shown, dismiss a delinquency petition on its own motion, on the motion of the child, or on motion of the petitioner, and further provides that the court shall dismiss a petition on the motion of the district attorney.

Proposed law deletes present law provision which allows a court to dismiss a delinquency petition for good cause shown and retains all other provisions of present law.

(Amends Ch.C. Arts. 875 and 876)