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

DIGEST

SB 370 Original | 2022 Regular Session | Harris

Present law provides that the father and the mother are responsible for the damage occasioned by their minor child, who resides with them or who has been placed by them under the care of other persons, reserving to them recourse against those persons. Present law further provides that the father and mother are not responsible for the damage occasioned by their minor child who has been emancipated by marriage, by judgment of full emancipation, or by judgment of limited emancipation that expressly relieves the parents of liability for damages occasioned by their minor child.

Proposed law retains present law.

Present law authorizes a court to order a child to pay restitution, as a condition of probation for the commission of a felony- or misdemeanor-grade delinquent act, for any personal or property damage caused by the child in the commission of the delinquent act.

Proposed law provides that court may require the child and his parent or legal guardian to participate in a court-approved decision making course necessary for his rehabilitation.

Proposed law adds that if a child is ordered to pay restitution as a condition of probation for the commission of a delinquent act and the child cannot make payment personally, then a parent, tutor, guardian, or other person who is financially responsible for the care of the child shall be responsible for payment of the restitution. Proposed law further authorizes the court to waive payment of the restitution, or any part thereof, upon a finding of good cause.

Effective August 1, 2022.

(Amends Ch.C. Art. 897(B)(2) and 899(B)(2)(b) and (c))