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HOUSE FLOOR AMENDMENTS

2026 Regular Session

Amendments proposed by Representative Cox to Engrossed House Bill No. 140 by Representative Cox

1 AMENDMENT NO. 1

2 On page 1, line 2, after "Articles" and before "815.1(D)" insert "813(C),"

3 AMENDMENT NO. 2

4 On page 1, line 3, delete "through 877.3"

5 AMENDMENT NO. 3

6 On page 1, line 4, after "proceedings;" and before "to" insert "to provide relative to the
7 taking of a child into custody;"

8 AMENDMENT NO. 4

9 On page 1, at the end of line 6, delete "interruption,"

10 AMENDMENT NO. 5

11 On page 1, line 7, after "suspension" delete the comma ","

12 AMENDMENT NO. 6

13 On page 1, line 9, after "Articles" and before "815.1(D)" insert "813(C),"

14 AMENDMENT NO. 7

15 On page 1, line 10, delete "through 877.3"

16 AMENDMENT NO. 8

17 On page 1, between lines 16 and 17, insert the following:

18 "Art. 813. Taking child into custody with a court order; filing of verified complaint;
19 execution

20 * * *

21 C. An order directing that a child be taken into custody may be executed by
22 a peace officer or the child's probation officer having territorial jurisdiction over the
23 child. The officer shall promptly notify the child's parents that their child has been
24 taken into custody and promptly notify the district attorney in the jurisdiction where
25 any court order for the child to be taken into custody was issued that the child has
26 been taken into custody. Notification to the district attorney is required even if the
27 court order is issued from a different jurisdiction than the one where the child is
28 taken into custody. The officer shall also promptly conduct the child to the
29 appropriate facility in accordance with Article 815.

30 * * *

1 AMENDMENT NO. 9

2 On page 3, line 1, change "one hundred twenty" to "ninety"

3 AMENDMENT NO. 10

4 On page 3, line 4, change "ninety" to "forty-five"

5 AMENDMENT NO. 11

6 On page 3, line 6, change "one hundred eighty" to "one hundred twenty"

7 AMENDMENT NO. 12

8 On page 3, delete lines 8 through 13 in their entirety and insert the following:

9 ~~"C. If the hearing has not been commenced timely, upon motion of the child,~~
10 ~~the court shall release a child continued in custody and shall dismiss the petition.~~

11 ~~D. For good cause, the court may extend such period. Upon the expiration~~
12 ~~of the time limitations established by this Article and upon written motion to dismiss~~
13 ~~that is filed by the child with certification of notice provided to the district attorney,~~
14 ~~the court shall commence a contradictory hearing with the district attorney where the~~
15 ~~court shall dismiss the petition if good cause for the delay is not shown. This right~~
16 ~~of dismissal is waived unless the motion to dismiss is made prior to adjudication.~~

17 ~~D. If the petition is dismissed pursuant to this Article, there shall be no~~
18 ~~further proceedings against the child for the same or a lesser offense based on the~~
19 ~~same facts."~~

20 AMENDMENT NO. 13

21 On Page 3, line 14, change "Interruption" to "Suspension"

22 AMENDMENT NO. 14

23 On page 3, line 15, change "interrupted" to "suspended"

24 AMENDMENT NO. 15

25 On page 3, line 17, change "juvenile" to "child"

26 AMENDMENT NO. 16

27 On page 3, delete lines 20 through 22 in their entirety and insert the following:

28 "(2) The child cannot be adjudicated because of a finding that the child lacks
29 the mental capacity to proceed and restoration services are ordered pursuant to
30 Article 837(B)(3) or (4), or the matter is continued in accordance with Article
31 837(D)(3)."

32 AMENDMENT NO. 17

33 On page 3, delete lines 25 through 29 in their entirety and on page 4, delete lines 1 through
34 26 in their entirety and insert the following:

35 "(4) The child cannot be adjudicated because of the inability to obtain his
36 presence through legal process, or for any other cause beyond the control of the state.

37 B. The running of the time limitations established in Article 877 shall resume
38 as follows:

1 (1) If suspended under Subparagraphs (A)(1) or (A)(3) of this Article, when
2 the child is either taken into custody or appears in person in open court where the
3 petition on the original charge is pending, or the district attorney adjudicating the
4 original charge has notice of the child's custodial location. For purposes of this
5 Paragraph, "notice" means either of the following:

6 (a) Filing in the court record where the petition on the original charge is
7 pending by either the child or the child's counsel advising the court of the child's
8 custodial location with a copy provided to the district attorney and certification of
9 notice provided to the district attorney.

10 (b) Filing in the court record where the petition on the original charge is
11 pending by an officer, as provided in Article 813, advising the court of the child's
12 custodial location with a copy provided to the district attorney and certification of
13 notice provided to the district attorney.

14 (2) If suspended under Subparagraph (A)(2) of this Article, when the court
15 finds the child has the mental capacity to proceed with delinquency proceedings.

16 (3) If suspended under Subparagraph (A)(4) of this Article, when the cause
17 beyond the state's control that was preventing the child from being adjudicated no
18 longer exists.

19 C. After the time limitations established in Article 877 resume pursuant to
20 Paragraph B of this Article, the adjudication proceedings shall commence within
21 either the time period that remained before the Article 877 time limitation was
22 suspended or within thirty days, whichever time period is longer."