

2019 Regular Session

HOUSE BILL NO. 386

BY REPRESENTATIVE HILFERTY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

JUVENILE PROCEDURE: Provides relative to the release of a child taken into custody for commission of a delinquent act

1 AN ACT

2 To amend and reenact Children's Code Article 817(A), relative to release of a child from  
3 custody; to provide relative to the release of a child who is taken into custody for  
4 commission of a delinquent act; to require the court to consider certain information  
5 in determining whether release of the child is appropriate; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Children's Code Article 817(A) is hereby amended and reenacted to read  
9 as follows:

10 Art. 817. Release from custody

11 A. As soon as practicable after a child is received by a juvenile detention  
12 center or shelter care facility, the court or a probation officer employed and  
13 authorized by the court, upon determining it to be appropriate, shall release the child  
14 to the care of his parents or other relatives upon their written promise to bring him  
15 to court at such times as may be fixed by the court. In determining whether release  
16 of the child is appropriate, the court or the probation officer authorized by the court  
17 shall consider the child's prior delinquency record; whether the child has previously  
18 committed, or has engaged in a pattern of activity involving, the same or a similar  
19 delinquent act for which the child is currently in custody; and whether the instant or  
20 any prior delinquent act committed by the child involves a firearm or is based upon

