
DIGEST

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HB 241 Engrossed

2019 Regular Session

Mike Johnson

Abstract: Provides relative to the expanded application of delinquency provisions to seventeen-year-olds.

Prior to March 1, 2019, delinquency provisions applied only to persons under the age of 17. Present law (Act No. 654 of the 2018 R.S.) provides that beginning March 1, 2019, criminal acts that are not crimes of violence committed by 17-year-olds shall be governed by the provisions in the Children's Code regarding delinquency.

Present law provides for the following regarding persons subject to delinquency provisions in the Children's Code:

- (1) Provides for the establishment of parish schools for male youths who are adjudicated delinquent.
- (2) Provides preadjudicatory and postadjudicatory opportunities for juveniles adjudicated delinquent.

The present law crimes of cyberbullying, online impersonation, and retaliation by a minor against a parent, legal custodian, witness, or complainant provide that the offense can only be committed by persons under the age of 17.

The present law crime of illegal possession of a handgun by a juvenile provides that the offense can only be committed by persons 17 years of age or older.

Proposed law amends these present law provisions to conform with the changes made by Act No. 254 of 2018 R.S. by changing references of persons over or under the age of 17 to persons over or under the age of 18.

(Amends R.S. 14:40.7(D)(2), 73.10(C)(2), 92.3(A), 95.8(A) and (C)(intro. para.) and R.S. 15:1031, 1096.2(A), 1098.3, and 1099.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove from proposed law changes to the present law provision regarding the transfer of adjudicated juvenile delinquents.