

2019 Regular Session

HOUSE BILL NO. 11

BY REPRESENTATIVES BACALA AND MARINO

1 AN ACT

2 To amend and reenact Children's Code Articles 814(B)(1) and 815(A) and to enact
3 Children's Code Article 814(B)(3), relative to taking a child into custody; to
4 authorize the release of a seventeen-year-old taken into custody for the commission
5 of a misdemeanor-grade delinquent act upon the issuance of a summons or upon his
6 written promise to appear; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Children's Code Articles 814(B)(1) and 815(A) are hereby amended and
9 reenacted and Children's Code Article 814(B)(3) is hereby enacted to read as follows:

10 Art. 814. Taking child into custody without a court order; duties of the officer;
11 duties of the court

12 * * *

13 B. If a child is taken into custody without a court order or warrant, the officer
14 shall have the responsibility to ~~either:~~ do any of the following:

15 (1) Counsel and release the child to the care of his parents upon their written
16 promise to bring the child to court ~~at such time as may be fixed~~ upon notice issued
17 by the court.

18 * * *

19 (3) If the child is seventeen years of age or older and has been taken into
20 custody for the commission of a misdemeanor-grade delinquent act, issue a summons
21 or counsel and release the child upon the child's written promise to appear in court
22 upon notice issued by the court.

23 * * *

1 Art. 815. Child taken into custody; place of detention

2 A. The peace officer or an appropriate representative of the arresting agency
3 shall have the authority and responsibility to transport the child to the appropriate
4 place of detention specified in Paragraphs B and C of this Article, unless the child
5 has been released ~~to the care of his parents~~ pursuant to Article 814(B)(1) or (3).

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____