

RÉSUMÉ DIGEST

ACT 104 (HB 241)

2019 Regular Session

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Prior to March 1, 2019, delinquency provisions applied only to persons under the age of 17. Existing 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.

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

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

Prior law provided that juvenile detention home districts may own, operate, or maintain facilities for the housing, care, supervision, maintenance, and education of juveniles under the age of 17 and for juveniles 17 years of age and over who were under 17 years of age when they committed an alleged offense.

Prior law provided that the two juvenile court judges for the parish of East Baton Rouge have exclusive jurisdiction over certain proceedings in the interest of children 17 years of age alleged to be delinquent, and all proceedings in the interest of children under 18 years of age alleged to be in need of supervision or in need of care.

New law amends these existing and prior law provisions to conform with the changes made by Act No. 654 of the 2018 R.S. by changing references of persons over or under the age of 17 to individuals over or under the age of 18.

Effective August 1, 2019.

(Amends R.S. 13:1621(A)(1), R.S. 14:40.7(D)(2), 73.10(C)(2), 92.3(A), and 95.8(A) and (C)(intro. para.), R.S. 15:1031, 1096.2(A), 1098.3, and 1099.3, and R.S. 46:1933(B))