

SENATE BILL NO. 2

BY SENATORS CLOUD AND MORRIS AND REPRESENTATIVE VILLIO

1 A JOINT RESOLUTION

2 Proposing to amend Article V, Section 19 of the Constitution of Louisiana, relative to
3 special juvenile proceedings; to provide relative to crimes committed by juveniles;
4 to allow adult prosecution for certain felony offenses specified by the legislature; and
5 to specify an election for submission of the proposition to electors and provide a
6 ballot proposition.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8 elected to each house concurring, that there shall be submitted to the electors of the state, for
9 their approval or rejection in the manner provided by law, a proposal to amend Article V,
10 Section 19 of the Constitution of Louisiana, to read as follows:

11 §19. Special Juvenile Procedures

12 Section 19. The determination of guilt or innocence, the detention, and the
13 custody of a person who is alleged to have committed a crime prior to his
14 seventeenth birthday shall be pursuant to special juvenile procedures which shall be
15 provided by law. However, the legislature may (1) by a two-thirds vote of the elected
16 members of each house provide that special juvenile procedures shall not apply to
17 juveniles arrested for ~~having committed first or second degree murder, manslaughter,~~
18 ~~aggravated rape, armed robbery, aggravated burglary, aggravated kidnapping,~~
19 ~~attempted first degree murder, attempted second degree murder, forcible rape, simple~~
20 ~~rape, second degree kidnapping, a second or subsequent aggravated battery, a second~~
21 ~~or subsequent aggravated burglary, a second or subsequent offense of burglary of an~~
22 ~~inhabited dwelling, or a second or subsequent felony-grade violation of Part X or~~
23 ~~X-B of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, involving~~
24 ~~the manufacture, distribution, or possession with intent to distribute controlled~~
25 ~~dangerous substances~~ **certain felony offenses provided by law**, and (2) by
26 two-thirds vote of the elected members of each house lower the maximum ages of
27 persons to whom juvenile procedures shall apply, and (3) by two-thirds vote of the

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1 elected members of each house establish a procedure by which the court of original
2 jurisdiction may waive special juvenile procedures in order that adult procedures
3 shall apply in individual cases. The legislature, by a majority of the elected members
4 of each house, shall make special provisions for detention and custody of juveniles
5 who are subject to the jurisdiction of the district court pending determination of guilt
6 or innocence.

7 Section 2. Be it further resolved that this proposed amendment shall be submitted to
8 the electors of the state of Louisiana at the statewide election to be held on March 29, 2025,
9 or a statewide election authorized by law, whichever occurs first.

10 Section 3. Be it further resolved that on the official ballot to be used at said election
11 there shall be printed a proposition, upon which the electors of the state shall be permitted
12 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
13 follows:

14 Do you support an amendment to provide the legislature the authority to
15 determine which felony crimes, when committed by a person under the age
16 of seventeen, may be transferred for criminal prosecution as an adult?

17 (Amends Article V, Section 19)

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES