Regular Session, 2011

HOUSE BILL NO. 230

BY REPRESENTATIVE MORENO

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

JUVENILE PROCEDURE: Amends provisions relative to dismissal of delinquency proceedings

AN ACT

To amend and reenact Children's Code Article 876, relative to delinquency proceedings; to provide relative to motions to dismiss a petition; to delete provision which authorizes a dismissal for good cause; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Article 876 is hereby amended and reenacted to read as follows:

Art. 876. Dismissal of petition

~~For good cause, the court may dismiss a petition on its own motion, on the motion of the child, or on motion of the petitioner.~~ The court shall dismiss a petition on the motion of the district attorney.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Moreno HB No. 230

Abstract: Deletes provision which authorizes the court to dismiss a delinquency petition for good cause.

Present law provides that the court may, if good cause is shown, dismiss a delinquency petition on its own motion, on the motion of the child, or on motion of the petitioner.

Proposed law deletes present law.

(Amends Ch.C. Art. 876)

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.