

2016 Regular Session

HOUSE BILL NO. 748

BY REPRESENTATIVE IVEY

JUVENILES/DELINQUENTS: Provides with respect to juvenile delinquency records

1 AN ACT

2 To enact Children's Code Article 412.2, relative to delinquency records; to make records of  
3 delinquency available to the court and district attorneys; to prohibit the use of the  
4 records for certain purposes; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Children's Code Article 412.2 is hereby enacted to read as follows:

7 Art. 412.2. Delinquent acts constituting crimes of violence; availability of records  
8 to courts and district attorneys

9 A. Notwithstanding the provisions of Article 412 of this Code or any other  
10 provision of law to the contrary, the existence of a juvenile record involving a  
11 delinquent act shall be made accessible to the district attorney or to the district court.

12 B. The juvenile record shall not be used for the purposes of charging an  
13 offender as an habitual offender or for the purposes of enhanced criminal penalties  
14 for any acts committed as an adult.

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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)]

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HB 748 Original

2016 Regular Session

Ivey

**Abstract:** Provides that certain juvenile records be made available to the court and district attorneys.

Present law provides for proceedings, records, and reports before juvenile courts to be confidential, except for certain delinquency proceedings, child support proceedings, traffic violations in East Baton Rouge Parish, and certain misdemeanor trials of adults.

Proposed law retains present law and provides that the existence of a juvenile record involving a delinquent act shall be made accessible to the district attorney or to the district court.

Proposed law further provides that the juvenile record shall not be used for the purposes of charging an offender as an habitual offender or for the purposes of enhanced criminal penalties for any acts committed as an adult.

(Adds Ch.C. Art. 412.2)