
DIGEST

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HB 208 Original

2023 Regular Session

Seabaugh

Abstract: Changes the age for consideration of a person as a child.

Present law provides for three different definitions of "child" as follows:

- (1) Any person under the age of 21, including an emancipated minor, who commits a delinquent act before that person attains 17 years of age.
- (2) Any person under the age of 21, including an emancipated minor, who commits a delinquent act that is not a crime of violence as defined in present law (R.S. 14:2) on or after March 1, 2019, before that person attains 18 years of age.
- (3) Any person under the age of 21, including an emancipated minor, who commits a delinquent act after June 30, 2020, on or after July 1, 2020, before that person attains 18 years of age.

Proposed law amends the present law definitions of child to provide for the following time frames:

- (1) Any person under the age of 21, including an emancipated minor, who commits a delinquent act either before March 1, 2019, or after July 31, 2023, before that person attains 17 years of age.
- (2) Any person under the age of 21, including an emancipated minor, who commits a delinquent act that is not a crime of violence as defined in present law (R.S. 14:2) either on or after March 1, 2019, and until June 30, 2020, before that person attains 18 years of age.
- (3) Any person under the age of 21, including an emancipated minor, who commits a delinquent act on or after July 1, 2020, and until July 31, 2023, before that person attains 18 years of age.

Present law provides that a child who has attained the age of 17 shall be subject to criminal jurisdiction pursuant to present law (Ch.C. Art. 305 or 857). Proposed law removes this provision of present law.

(Amends Ch.C. Art. 804(1)(a), (b), and (c))