
The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ridge.

CONFERENCE COMMITTEE REPORT DIGEST

SB 159

2023 Regular Session

Cathey

Keyword and summary of the bill as proposed by the Conference Committee

JUVENILE JUSTICE. Provides relative to the definition of "child" for purposes of delinquency proceedings. (8/1/23)

Report rejects House amendments which would have:

1. Defined "child", for delinquent acts committed before March 1, 2019 and after July 31, 2023, as any person under the age of 21, including an emancipated minor, who committed the delinquent act before attaining 17 years of age.
2. Defined "child", for delinquent acts committed between March 1, 2019 and June 30, 2020, as any person under the age of 21, including an emancipated minor, who committed the delinquent act that is not a crime of violence, before attaining 18 years of age.
3. Defined "child", for delinquent acts committed between July 1, 2020 and July 31, 2023, as any person under the age of 21, including an emancipated minor, who committed the delinquent act before attaining 18 years of age.
4. Provided that any person alleged to have committed a crime prior to attaining the age of 17 will meet the definition of "child".

Report amends the bill to:

1. Define "child", for delinquent acts committed before March 1, 2019, as any person under the age of 21, including an emancipated minor, who committed the delinquent act before attaining 17 years of age.
2. Define "child", for delinquent acts committed between March 1, 2019 and June 30, 2020, as any person under the age of 21, including an emancipated minor, who committed the delinquent act that is not a crime of violence, before attaining 18 years of age.
3. Define "child", for delinquent acts committed between July 1, 2020 and July 31, 2023, as any person under the age of 21, including an emancipated minor, who committed the delinquent act before attaining 18 years of age.

4. Define "child", for delinquent acts committed on and after August 1, 2023, as any person under the age of 21, including an emancipated minor, who committed the delinquent act, provide it is not a crime of violence, before attaining 18 years of age.
5. Define "child" to include any person alleged to have committed any delinquent act prior to attaining 17 years of age.

Digest of the bill as proposed by the Conference Committee

Present law defines "child", for the purposes of delinquency proceedings, as any person under the age of 21, including an emancipated minor, who commits a delinquent act on or after July 1, 2020, and before the person attains 18 years of age. Provides, however, a child who has attained the age of 17 shall be subject to criminal court jurisdiction as provided in present law.

Proposed law terminates application of present law on July 31, 2023, and provides that beginning August 1, 2023, "child" means any person under the age of 21, including an emancipated minor, who commits a delinquent act on or after August 1, 2023, when the act is not a crime of violence, and the act occurs before the person attains 18 years of age.

Proposed law defines "child" to include any person alleged to have committed any delinquent act prior to his 17th birthday.

Effective August 1, 2023.

(Amends Ch.C. Art. 804(1))