

RÉSUMÉ DIGEST

ACT 3 (SB 2)

2024 Third Extraordinary Session

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Proposed constitutional amendment retains existing constitutional provisions requiring that the determination of guilt or innocence, the detention, and the custody of a person who is alleged to have committed a crime prior to his 17th birthday be pursuant to special juvenile procedures as provided by law.

Prior constitution authorizes the legislature, by a 2/3rds vote of each house, to provide that special juvenile procedures not apply to juveniles arrested for having committed any of the following offenses:

- (1) 1st or 2nd degree murder.
- (2) Manslaughter.
- (3) Aggravated rape.
- (4) Armed robbery.
- (5) Aggravated burglary.
- (6) Aggravated kidnapping.
- (7) Attempted 1st degree murder.
- (8) Attempted 2nd degree murder.
- (9) Forcible rape.
- (10) Simple rape.
- (11) 2nd degree kidnapping.
- (12) A second or subsequent aggravated battery.
- (13) A second or subsequent aggravated burglary.
- (14) A second or subsequent offense of burglary of an inhabited dwelling.
- (15) A second or subsequent felony-grade violation of the Uniform Controlled Dangerous Substances Law or prohibited transactions in drug-related objects, involving the manufacture, distribution, or possession with intent to distribute controlled dangerous substances.

Proposed constitutional amendment removes the specific list of offenses contained in existing constitution and provides that special juvenile procedures shall not apply to juveniles arrested for certain felony offenses which may be provided by law enacted by 2/3 vote of each house of the legislature.

Proposed constitutional amendment retains the constitutional authorization for the legislature, by 2/3rds vote of each house, to lower the maximum ages of persons to whom juvenile procedures apply.

Proposed constitutional amendment retains constitutional authorization for the legislature, by 2/3rds vote of each house, to establish a procedure by which the court of original jurisdiction may waive special juvenile procedures in order that adult procedures apply in individual cases.

Proposed constitutional amendment retains constitutional authorization for the legislature, by a majority vote of each house, to make special provisions for detention and custody of juveniles who are subject to the jurisdiction of the district court pending determination of guilt or innocence.

Provides for submission of the proposed amendment to the voters at the statewide election to be held on March 29, 2025.

(Amends Const. Art. V, Sec. 19)