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## DIGEST

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HB 82 Original

2015 Regular Session

Chaney

**Abstract:** Authorizes the court to order the parents, tutor, guardian, or legal custodian of a child to pay restitution for damages caused by the delinquent act of a child.

Present law (Ch.C. Articles 897(B)(2)(c) and 899(B)(2)(c)) authorizes the court to order a child to pay restitution, as a condition of probation for the commission of a felony- or misdemeanor-grade delinquent act, for any personal or property damage caused by the child in the commission of the delinquent act.

Present law (C.C. Art. 2318) provides that in civil cases, the father and the mother are responsible for the damage occasioned by their minor child, unless the minor child has been emancipated by marriage or judgment.

Proposed law retains present law and provides that if a child is ordered to pay restitution as a condition of probation for the commission of a delinquent act and the child cannot personally make payment, the parents, tutor, guardian, or legal custodian of the child shall be liable for payment of the restitution. Proposed law authorizes the court to waive payment of the restitution, or any part thereof, upon a finding of good cause.

(Amends Ch.C. Arts. 897(B)(2)(c) and 899(B)(intro. para.) and (2)(c))