
DIGEST

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HB 44 Reengrossed

2017 Regular Session

Jenkins

Abstract: Provides for court jurisdiction of the juvenile court and district court in certain matters.

Present law provides a juvenile court with exclusive original jurisdiction to try an adult for the following present law offenses:

- (1) The crime of contributing to the delinquency of children (R.S. 14:92), except for cases when an adult entices, aids, solicits, or permits the child to perform any sexually immoral act.
- (2) The crime of contributing to the delinquency or dependency of children (R.S. 14:92.1).
- (3) Any other misdemeanor enacted for the protection of the physical, moral, or mental well-being of children.
- (4) Criminal neglect of family.
- (5) The crime of improper supervision of a minor by parent or legal custodian (R.S. 14:92.2).

Present law provides that if the defendant in any of these cases is entitled to trial by jury and does not waive that right, the court shall transfer the case to its criminal docket or to the appropriate court having criminal jurisdiction.

Present law also provides for the following exceptions relative to the juvenile court's jurisdiction over adults in cases defined in items (1) and (3) above:

- (1) In East Baton Rouge Parish and Jefferson Parish, original jurisdiction is vested in the district court.
- (2) In Orleans Parish, original jurisdiction is vested in the criminal district court for that parish or the Municipal and Traffic Court of New Orleans.

Proposed law vests courts with juvenile jurisdiction over adults charged with items (2), (4), and (5) above and all district courts in the state with jurisdiction to try an adult for the following present law offenses, except in Orleans Parish:

- (1) The crime of contributing to the delinquency of children (R.S. 14:92).

- (2) Any other misdemeanor enacted for the protection of the physical, moral, or mental well-being of children.

(Amends Ch.C. Art. 312(A) and (B))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove the proposed provision giving a district court jurisdiction to try an adult for the present law offenses of the crime of contributing to the delinquency of children (R.S. 14:92) or any other misdemeanor enacted for the protection of the physical, moral, or mental well-being of children with a population of 250,000 or more which includes East Baton Rouge, Jefferson, and Caddo parishes.
2. Gives all district courts in all parishes, except in Orleans Parish, the jurisdiction to try an adult for the present law offenses of the crime of contributing to the delinquency of children (R.S. 14:92) or any other misdemeanor enacted for the protection of the physical, moral, or mental well-being of children.