
SENATE FLOOR AMENDMENTS

2018 Regular Session

Amendments proposed by Senator Morrell to Engrossed Senate Bill No. 102 by Senator Morrell

1 AMENDMENT NO. 1

2 On page 1, line 2, after "906" delete "and"

3 AMENDMENT NO. 2

4 On page 1, line 3, delete "901(B)" and insert "901(A) and (B), the introductory paragraph
5 of (C),"

6 AMENDMENT NO. 3

7 On page 1, delete line 4 and insert "paragraph of (D), (E), and (F), and 910(C), to enact R.S.
8 15:906(C), Children's Code Article 897.1(D), (E), (F), and (G),"

9 AMENDMENT NO. 4

10 On page 1, line 13, after "reenacted" insert "and R.S. 15:906(C) is hereby enacted"

11 AMENDMENT NO. 5

12 On page 3, delete lines 1 through 6 and insert the following:

13 **"B. C.** In cases governed by Children's Code Article 897.1, it is hereby
14 declared to be the public policy of this state that commitment of a juvenile to the
15 custody of the Department of Public Safety and Corrections for confinement in
16 secure placement without benefit of parole, probation, suspension of imposition or
17 execution of sentence, or modification of sentence, is necessary and proper because
18 for these very serious offenses the protection of society is the primary objective. **The**
19 **goal of such confinement is rehabilitative, as rehabilitation furthers public**
20 **safety.**"

21 AMENDMENT NO. 6

22 On page 3, line 8, delete "901(B)" and insert "901(A), (B), the introductory paragraph of
23 (C),"

24 AMENDMENT NO. 7

25 On page 3, line 9, delete "897.1(D) and (E)" and insert "897.1(D), (E), (F), and (G)"

26 AMENDMENT NO. 8

27 On page 5, before line 1, insert the following:

28 **"D. Juveniles in secure care for an adjudication for a violation of R.S.**
29 **14:42 or R.S. 14:44 shall be eligible for modification after serving thirty-six**
30 **months of the disposition. Juveniles in secure care for an adjudication for a**
31 **violation of R.S. 14:64 shall be eligible for modification after serving thirty-six**
32 **months of the disposition or, if the disposition is less than thirty-six months,**
33 **two-thirds of the disposition.**

34 **E. A motion for modification of a disposition shall be filed pursuant to**
35 **Article 910 et seq and a contradictory hearing shall be set no sooner than thirty**
36 **days from the date of notice to the district attorney. To grant a motion for**

1 **modification of disposition, the court must find that the child poses a reduced**
2 **risk to the community based on the following considerations:**

3 **(1) The most recent risk assessment conducted by the office of juvenile**
4 **justice.**

5 **(2) The recommendation of the office of juvenile justice.**

6 **(3) A reentry plan that includes an appropriate placement to conduct**
7 **supervision and achieve aftercare goals.**

8 **(4) Any additional evidence provided by the child, the state, or the office**
9 **of juvenile justice."**

10 AMENDMENT NO. 9

11 On page 5, line 1, change "D." to "F."

12 AMENDMENT NO. 10

13 On page 5, line 7, change "E." to "G."

14 AMENDMENT NO. 11

15 On page 5, delete line 12 and insert the following:

16 "A. ~~In~~ **Except as provided in Article 897.1, in** considering dispositional
17 options, the court shall not remove a child from the custody of his parents unless his
18 welfare or the safety and protection of the public cannot, in the opinion of the court,
19 be adequately safeguarded without such removal."

20 AMENDMENT NO. 12

21 On page 5, between lines 16 and 17 insert the following:

22 "C. ~~Commitment~~ **Except as provided in Article 897.1, commitment** of the
23 child to the custody of the Department of Public Safety and Corrections may be
24 appropriate if any of the following exists:"

25 AMENDMENT NO. 13

26 On page 6, between lines 3 and 4, insert the following:

27 " * * *
28 Art. 910. Modification procedure; generally applicable
29 * * *

30 C. ~~When~~ **Except as provided in Article 897.1, when** the motion to modify
31 seeks the imposition of less restrictive conditions, the court may modify a judgment
32 without a contradictory hearing.

33 * * *"