
DIGEST

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HB 306 Reengrossed

2019 Regular Session

Jefferson

Abstract: Provides relative to the time period within which a continued custody hearing is required to be held when a child is not released to the care of his parents after the commission of a delinquent act.

Present law (Ch.C. Art. 819) provides if a child is not released to the care of his parents, a hearing shall be held by the court within three days after the child's entry into the juvenile detention center or shelter care facility. If the hearing is not held, the child shall be released unless the hearing is continued at the request of the child.

In addition, present law (Ch.C. Art. 114) provides that all Saturdays and Sundays are also considered as legal holidays.

Proposed law amends present law (Ch.C. Art. 819) to provide that if a child is not released to the care of his parents, the court shall set and hold a hearing within the time period set forth in present law.

Proposed law further provides that the three-day period includes any day that is included as a legal holiday under present law (Ch.C. Art. 114). When the last day of the three-day period is a legal holiday, proposed law requires the hearing to be set and held on the next business day that is not a legal holiday.

(Amends Ch.C. Art. 819)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove the proposed law provision that prohibited the time period for holding the continued custody hearing from exceeding four days, including legal holidays.

The House Floor Amendments to the engrossed bill:

1. Make technical corrections.
2. Specify that when the last day of the three-day period is a legal holiday, the hearing shall

be set and held on the next business day that is not a legal holiday.