

SENATE BILL NO. 370

BY SENATOR HARRIS AND REPRESENTATIVE GAROFALO

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AN ACT

To amend and reenact Children's Code Articles 897(B)(2) and 899(B)(2)(c) and to enact Children's Code Article 899(B)(2)(h), relative to conditions for probation; to authorize the court to require the child and parent or legal guardian to participate in a court-approved decisionmaking course; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Articles 897(B)(2) and 899(B)(2)(c) are hereby amended and reenacted and Children's Code Article 899(B)(2)(h) is hereby enacted to read as follows:

Art. 897. Disposition after adjudication of a felony-grade delinquent act

* * *

B. As conditions of probation, if ordered pursuant to Subparagraph (A)(3) of this Article:

* * *

(2) The court may impose any other term and condition deemed in the best interests of the child and the public, including:

(a) A requirement that the child attend school, if the school admits the child.

(b) A requirement that the child perform court-approved community service activities.

(c) A requirement that the child and his parent or legal guardian cooperate in connection with any part of the disposition order, including but not limited to a court-approved decisionmaking course necessary for his rehabilitation.

(d) A requirement that the child make reasonable restitution to any victim for any personal or property damage caused by the child in the commission of the

1 delinquent act.

2 ~~(d)~~(e) A requirement that the child participate in any program of medical or
3 psychological or other treatment found necessary for his rehabilitation.

4 ~~(e)~~(f) A requirement suspending or restricting the child's driving privileges,
5 if any, for all or part of the period of probation. In such cases, a copy of the order
6 shall be forwarded to the Department of Public Safety and Corrections, which shall
7 suspend the child's driver's license or issue a restricted license in accordance with the
8 order of the court.

9 ~~(f)~~(g) A requirement prohibiting the child from possessing a firearm or
10 carrying a concealed weapon.

11 ~~(g)~~(h) A requirement that the child pay a supervision fee of not less than ten
12 nor more than one hundred dollars per month, payable to the Department of Public
13 Safety and Corrections or other supervising agency, to defray the costs of
14 supervision. The amount of the fee shall be based upon the financial ability of the
15 payor to pay such a fee. The court may order a parent, tutor, guardian, or other
16 person who is financially responsible for the care of the child to be responsible for
17 payment of all or part of any supervision fee imposed.

18 * * *

19 Art. 899. Disposition after adjudication of a misdemeanor-grade delinquent act

20 * * *

21 B. As conditions of probation, if ordered pursuant to Subparagraph A(3) of
22 this Article:

23 * * *

24 (2) The court may impose any other term and condition deemed in the best
25 interests of the child and the public, including:

26 * * *

27 (c) A requirement that the **adjudicated** child make reasonable restitution to
28 any victim for any personal or property damage caused by the child in the
29 commission of the delinquent act.

30 * * *

1 (h) A requirement that the child and his parent or legal guardian
2 cooperate in connection with any part of the disposition order, including but not
3 limited to a court-approved decisionmaking course necessary for his
4 rehabilitation.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____