

HOUSE COMMITTEE AMENDMENTS

2023 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 523 by Representative LaCombe

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 15:1110(H)" and before the comma "," insert "and Children's
3 Code Articles 305(B)(4) and 306(B)(2)"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "facilities;" and before "and" insert "to provide relative to the pre-
6 adjudication detention of juveniles;"

7 AMENDMENT NO. 3

8 On page 1, after line 18, add the following:

9 "Section 2. Children's Code Articles 305(B)(4) and 306(B)(2) are hereby
10 amended and reenacted to read as follows:

11 Art. 305. Divestiture of juvenile court jurisdiction; original criminal court
12 jurisdiction over children

13 * * *

14 B.

15 * * *

16 (4) If an indictment is returned or a bill of information is filed, the child is
17 subject to the exclusive jurisdiction of the appropriate court exercising criminal
18 jurisdiction for all subsequent procedures, including the review of bail applications,
19 and the district court ~~may~~ shall order that the child be transferred to the appropriate
20 adult facility for detention prior to his trial as an adult.

21 * * *

22 Art. 306. Places of detention; juveniles subject to criminal court jurisdiction

23 * * *

24 B. If a detention facility for juveniles is not available, he may be held in an
25 adult jail or lockup for identification or processing procedures or while awaiting
26 transportation only as long as necessary to complete these activities for up to six
27 hours, except that in nonmetropolitan areas, he may be held for up to ~~twenty-four~~
28 forty-eight hours if all of the following occur:

29 * * *

30 (2) A continued custody hearing in accordance with Articles 820 and 821 is
31 held within ~~twenty-four~~ forty-eight hours after his arrest.

32 * * *"