

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)(introductory paragraph) and (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, line 13, after "pre-adjudication" and before "juvenile" delete "and
9 post-adjudication"

10 AMENDMENT NO. 4

11 On page 1, line 15, after "costs" and before "to local" insert "when it is determined that the
12 economic impact is sufficiently great to make compliance impractical"

13 AMENDMENT NO. 5

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

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

17 Art. 305. Divestiture of juvenile court jurisdiction; original criminal court
18 jurisdiction over children

19 * * *

20 B.

21 * * *

22 (4) If an indictment is returned or a bill of information is filed, the child is
23 subject to the exclusive jurisdiction of the appropriate court exercising criminal
24 jurisdiction for all subsequent procedures, including the review of bail applications,
25 and the district court ~~may~~ shall order that the child, upon reaching eighteen years of
26 age, be transferred to the appropriate adult facility for detention prior to his trial as
27 an adult.

28 * * *

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

30 * * *

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

36 * * *

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

39 * * *"