
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

SB 74 Original

DIGEST
2025 Regular Session

Seabaugh

Present law provides that special juvenile courts have jurisdiction over all criminal matters involving juveniles in their respective jurisdictions. Present law further provides that parish and city courts each have concurrent jurisdiction for their territorial limits with their respective district courts over criminal matters involving juveniles unless a separate juvenile court, with exclusive original jurisdiction, has been established for the respective parish.

Proposed law provides that district courts have jurisdiction over felony cases involving a juvenile when the delinquent act is alleged to have been committed when the juvenile was 15 years of age or older.

Proposed law further provides that special juvenile courts have juvenile jurisdiction for all misdemeanor cases and felony cases involving a juvenile who was under 15 years of age or older when the alleged delinquent act was committed.

Proposed law provides that juvenile courts immediately transfer all pending felony cases involving a juvenile who was under 15 years of age when the alleged delinquent act was committed to the appropriate district court for further proceedings.

Proposed law otherwise retains present law.

Present law provides that a juvenile is subject to the exclusive jurisdiction of the juvenile court if he was 15 years of age or older prior to allegedly committing certain felonies until either an indictment is returned or the juvenile court holds a continued custody hearing and finds probable cause that he committed the alleged offense. Present law also provides that the district attorney has discretion to proceed under either the Children's Code or the Code of Criminal Procedure.

Proposed law removes the district attorney's discretion and provides that a juvenile who is 15 years of age or older at the time of allegedly committing certain felonies is subject to the Code of Criminal Procedure if either an indictment charging one of the specified offenses is returned or the district court holds a continued custody hearing and finds probable cause that one of those offenses has been committed.

Proposed law otherwise retains present law.

Present law provides that a district attorney has discretion to initiate prosecution against a juvenile who is at least 15 years of age at the time he is alleged to have committed certain enumerated felonies under either the Children's Code or the Code of Criminal Procedure. Present law also

provides that juvenile court has exclusive jurisdiction over these cases until either an indictment charging one of the enumerated offenses is returned or the juvenile court holds a continued custody hearing and finds probable cause that one of the certain offenses has been committed.

Proposed law removes the district attorney's discretion and provides that a juvenile who is at least 15 years of age at the time he is alleged to have committed an enumerated felony be tried according to the Code of Criminal Procedure if either an indictment is returned or the district court holds a continued custody hearing and finds probable cause that he committed the alleged offense.

Proposed law otherwise retains present law.

Effective August 1, 2025.

(Amends Ch.C. Arts. 302, 305, and 412(A) and (E)(2)(a))