

2017 Regular Session

HOUSE BILL NO. 141

BY REPRESENTATIVE GREGORY MILLER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

JUVENILES/DELINQUENTS: Provides relative to the submission of delinquency records to certain officials of the school where the child is enrolled

1 AN ACT

2 To enact Children's Code Article 412.2, relative to delinquency records; to make records of
3 delinquency available to certain school officials where the child is enrolled; to
4 provide for the use of the records for certain purposes; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Article 412.2 is hereby enacted to read as follows:

8 Art. 412.2. Delinquent acts; availability of records to school superintendents

9 A. Notwithstanding the provisions of Article 412 of this Code or any other
10 provision of law to the contrary, an arrest record of a child taken into custody
11 pursuant to the provisions of Title VIII of this Code for the commission of a felony
12 grade delinquent act as well as the adjudication of that child shall be submitted by
13 the court to the superintendent of the school district or the administrative head of any
14 other public school where that child is enrolled.

15 B. The juvenile record shall include the identity of the child, the cause of the
16 arrest, and the adjudication of that child. The information shall not be a public
17 record and shall be kept separate from the official school record of that child. The
18 information shall be used solely by the superintendent of the school district or the
19 administrative head of any other public school where the child is enrolled for the

1 educational or safety interests of the child, other students, victims of the delinquent
2 act, and employees of the school district.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 141 Original

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Gregory Miller

Abstract: Provides that certain juvenile records be made available to certain administrative officials of the school where the child is enrolled.

Present law provides for proceedings, records, and reports before juvenile courts to be confidential, except for certain delinquency proceedings, child support proceedings, traffic violations in East Baton Rouge Parish, and certain misdemeanor trials of adults.

Proposed law retains present law and provides that an arrest record of a child taken into custody for the commission of a felony-grade delinquent act and the adjudication of that child shall be submitted by the court to the superintendent of the school district or the administrative head of any other public school where that child is enrolled solely for the educational or safety interests of the child, other students, victims of the delinquent act, and employees of the school district.

Proposed law further provides that the juvenile record shall not be a public record and shall not be a part of the child's official school record.

(Adds Ch.C. Art. 412.2)