

2024 Regular Session

SENATE BILL NO. 222

BY SENATOR JACKSON-ANDREWS

JUVENILES. Provides relative to sentencing of a juvenile tried as an adult for certain felony-grade acts. (gov sig)

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Art. 894.1(B)(33) and to enact Code of  
3 Criminal Procedure Art 894.1(B)(34) and (G), relative to sentencing guidelines; to  
4 provide relative to factors for sentencing certain juveniles; to provide that offender  
5 age shall be considered for sentence suspension or probation for juveniles; to provide  
6 for dual sentencing of a juvenile for certain offenses; to provide that dual sentencing  
7 shall apply only to juveniles tried as adults; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Code of Criminal Procedure Art. 894.1(B)(33) is hereby amended and  
10 reenacted and Code of Criminal Procedure Art. 894.1(B)(34) and (G) are hereby enacted to  
11 read as follows:

12 Art. 894.1. Sentencing guidelines; generally

13 \* \* \*

14 B. \* \* \*

15 (33) ~~Any other relevant mitigating circumstance~~ **The defendant's age at the**  
16 **time of sentencing.**

17 **(34) Any other relevant mitigating circumstance.**

\* \* \*

**G. Notwithstanding any other provision of law to the contrary, the court shall order a dual sentence for any person under the age of seventeen convicted of a felony. The juvenile portion shall be served in accordance with Children's Code Article 897.1 and the adult portion shall be served immediately upon the defendant turning twenty-one years of age.**

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jonathon Wagner.

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DIGEST

SB 222 Original                      2024 Regular Session                      Jackson-Andrews

Present law provides factors that the court must consider in determining if a sentence should be suspended or be eligible for probation.

Proposed law retains present law and provides that the age of the defendant at the time of sentencing will be considered by the court when determining if a sentence should be suspended or be eligible for probation.

Present law provides that the court may sentence a person under the age of 18 convicted of a felony as an adult.

Proposed law provides that the court will order a dual sentence for any person under the age of 17 convicted as an adult for a felony offense.

Proposed law provides that the juvenile portion of a dual sentence be served in accordance with present law Children's Code, relative to disposition after adjudication of certain felony-grade delinquent acts, and that the adult portion begin immediately upon the defendant turning 21 years of age.

Proposed law otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends C.Cr.P. Art.894.1(B)(33); adds 894.1(B)(34) and (G))