

2024 Regular Session

SENATE BILL NO. 309

BY SENATOR CLOUD

JUVENILES. Provides for the sentencing of a juvenile after adjudication. (8/1/24)

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AN ACT

To amend and reenact Children's Code Art. 897.1(A) and (E), relative to the sentencing of a juvenile after adjudication for certain offenses; to provide for sentencing of certain acts; to provide for modification of sentences; to provide relative to terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Art. 897.1(A) and (E) are hereby amended and reenacted to read as follows:

Art. 897.1. Disposition after adjudication of certain felony-grade delinquent acts

A. After adjudication of a felony-grade delinquent act based upon a violation of R.S. 14:30, first degree murder, or R.S. 14:30.1, second degree murder, the court shall commit the child who is fourteen years or older at the time of the commission of the offense to the custody of the Department of Public Safety and Corrections to be confined in secure placement until the child attains the age of twenty-one years without benefit of parole, probation, suspension of imposition or execution of sentence, or modification of sentence.

\* \* \*

1 E. A motion for modification of a disposition shall be filed pursuant to  
2 Article 910 et seq. and a contradictory hearing shall be set no sooner than thirty days  
3 from the date of notice to the district attorney. To grant a motion for modification of  
4 disposition, the court ~~must~~ **shall** find that the child poses a reduced risk to the  
5 community based on the following considerations:

6 (1) The most recent risk assessment conducted by the office of juvenile  
7 justice.

8 (2) The recommendation of the office of juvenile justice.

9 (3) A reentry plan that includes an appropriate placement to conduct  
10 supervision and achieve aftercare goals.

11 (4) Any additional evidence provided by the child, the state, or the office of  
12 juvenile justice.

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

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SB 309 Original DIGEST 2024 Regular Session Cloud

Present law provides for the disposition after adjudication of certain felony-grade delinquent acts.

Proposed law retains present law and makes technical changes.

Effective August 1, 2024.

(Amends Ch.C. Art. 897.1(A) and (E))