

HB 1255 -- JUVENILE COURT PROCEEDINGS

SPONSOR: Schroer

This bill changes "adult" to mean anyone 18 years old or older and "child" to mean anyone under the age of 18. The bill also requires children to be prosecuted in juvenile courts unless the child is certified as an adult or is being prosecuted for a traffic or curfew violation. Additionally, the bill specifies that no person under the age of 18 may be detained in an adult jail unless the person has been certified as an adult.

The bill also specifies that offenders under the age of 18 who have been certified as adults are eligible for dual jurisdiction of both criminal and juvenile codes, whereas the provision currently applies to such offenders under the age of 17 and one-half. Dual jurisdiction allows an offender who has been found guilty in an adult court to complete a juvenile sentence in a Division of Youth Services facility.

The bill has a delayed effective date of January 1, 2021.

This bill is the same as HCS HB 274 (2017).