

Stricken language would be deleted from and underlined language would be added to the law as it existed  
prior to this session of the General Assembly.  
Act 257 of the Regular Session

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1475

5 By: Representative Powers  
6  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE JURISDICTION OF JUVENILE  
10 COURTS TO ENSURE THAT A FELONY OR MISDEMEANOR  
11 THAT IS COMMITTED BY A JUVENILE BEFORE THE  
12 JUVENILE IS EIGHTEEN (18) YEARS OF AGE MAY BE  
13 PROSECUTED IN THE JUVENILE DIVISION OF CIRCUIT  
14 COURT WHEN THE JUVENILE IS EIGHTEEN (18) YEARS OF  
15 AGE OR OLDER; AND FOR OTHER PURPOSES.  
16

## Subtitle

17 TO AMEND THE JURISDICTION OF JUVENILE  
18 COURTS TO ENSURE THAT A FELONY OR  
19 MISDEMEANOR THAT IS COMMITTED BY A  
20 JUVENILE BEFORE THE JUVENILE IS EIGHTEEN  
21 (18) YEARS OF AGE MAY BE PROSECUTED IN  
22 THE JUVENILE DIVISION OF CIRCUIT COURT.  
23  
24  
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 9-27-306(a)(1)(A), regarding jurisdiction  
29 of the juvenile division of the circuit court, is amended to read as follows:

30 (a)(1) The circuit court shall have exclusive original jurisdiction of  
31 and shall be the sole court for the following proceedings governed by this  
32 subchapter, including but not limited to:

33 (A)(i) Proceedings in which a juvenile is alleged to be  
34 delinquent as defined in this subchapter, including juveniles ten (10) to  
35 eighteen (18) years of age.



1 (ii) ~~However, the~~ The court may retain jurisdiction  
2 of a juvenile delinquent up to twenty-one (21) years of age if the juvenile  
3 ~~was adjudicated delinquent~~ committed the delinquent act prior to eighteen  
4 (18) years of age;

5  
6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
7 General Assembly of the State of Arkansas that juveniles who have committed  
8 an offense prior to eighteen (18) years of age are not charged in the  
9 juvenile division of circuit court because an adjudication in the juvenile  
10 division of circuit court cannot always be scheduled before the juvenile  
11 turns eighteen (18) years of age, despite the fact that the juvenile division  
12 of circuit court can continue jurisdiction up to twenty-one (21) years of  
13 age; that, as a result, juveniles who would normally be charged in the  
14 juvenile division of circuit court are being charged in the criminal division  
15 of circuit court; and that this act is immediately necessary because under  
16 current law, a juvenile who commits a misdemeanor has no legal consequence  
17 because the prosecutor does not have the authority to charge a juvenile  
18 misdemeanor in the criminal division of circuit court. Therefore, an  
19 emergency is declared to exist and this act being necessary for the  
20 preservation of the public peace, health, and safety shall become effective  
21 on:

22 (1) The date of its approval by the Governor;

23 (2) If the bill is neither approved nor vetoed by the Governor,  
24 the expiration of the period of time during which the Governor may veto the  
25 bill; or

26 (3) If the bill is vetoed by the Governor and the veto is  
27 overridden, the date the last house overrides the veto.

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29 APPROVED: 3/9/2007