

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.

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

A Bill

HOUSE BILL 1475

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5 By: Representative Powers
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For An Act To Be Entitled

8
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

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

36 (ii) ~~However, the~~ The court may retain jurisdiction



1 of a juvenile delinquent up to twenty-one (21) years of age if the juvenile
2 ~~was adjudicated delinquent~~ committed the delinquent act prior to eighteen
3 (18) years of age;

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

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

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

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

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