

2nd Sub. H.B. 239 JUVENILE JUSTICE AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 24, 2017 10:31 AM

Representative V. Lowry Snow proposes the following amendments:

1. Page 70, Line 2164 through Page 71, Line 2167:

2164 (2) If the commission designates an entity under Subsection (1)(r), the commission
2165 shall ensure that the membership of the entity include representation from the three branches of
2166 government and, as determined by the commission, representation from relevant stakeholder
2167 groups across all parts of the juvenile justice system **including county representation** .

2. Page 75, Lines 2312 through 2319:

2312 (8) (a) The commission shall establish guidelines, including sanctions and incentives,
2313 to appropriately respond to negative and positive behavior of juveniles who are:
2314 (i) nonjudicially {~~adjudicated~~} **adjusted** ;
2315 (ii) placed on diversion;
2316 (iii) placed on probation;
2317 (iv) placed on community supervision;
2318 (v) placed in an out-of-home placement; or
2319 (vi) placed in a secure care facility.

3. Page 102, Lines 3147 through 3150:

3147 (d) [~~If the court finds at a detention hearing that it is not safe to release the minor, the]~~
3148 The judge or commissioner may only order [~~the~~] a minor to be held in the facility or be placed
3149 in another appropriate facility, subject to further order of the court, if the court finds {~~and makes~~
3150 a record} at a detention hearing that:

4. Page 145, Lines 4460 through 4464:

4460 (c) (i) Notwithstanding Subsection (2)(b), the probation department may conduct a
4461 validated risk and needs assessment, and if the results of that assessment indicate the youth is
4462 high risk, the probation department may request that the prosecutor review the referral **pursuant to**
4463 **Subsection (2)(g)** to
4464 determine whether to dismiss the referral or file a petition instead of offering a nonjudicial
4464 adjustment.

5. Page 146, Lines 4490 through 4492:

4490 (f) If a minor fails to substantially comply with the conditions agreed upon as part of
4491 the nonjudicial closure. **or if a minor is not offered or declines a nonjudicial adjustment pursuant to**
Subsection (2)(b) or (2)(c)(ii). the prosecutor shall review the case and take one of the following
4492 actions: