

Representative Bordeaux of the 162nd moves to amend the Committee substitute to HB 170 by striking lines 21 through 26 of page 10 and inserting in lieu thereof the following:

"(d) Juvenile adjudications. An adjudication of delinquency in juvenile court shall be inadmissible against a defendant in a criminal case. An adjudication of delinquency in juvenile court shall be presumed to be inadmissible against a witness in a criminal case; however, this presumption may be rebutted only if it is shown that:

(1) The factual basis for the proven allegations of delinquency would have constituted a crime under the laws of the state of the juvenile court if committed by an adult at the time they were committed by the juvenile;

(2) The probative value of the evidence substantially outweighs the prejudicial effect of its admission; and

(3) The court finds that admission of the adjudication into evidence is necessary for a fair determination of the issue of guilt or innocence of the defendant."

\$\$AM 29 0349\$\$

ADOPTED