

The House Committee on Judiciary Non-civil offers the following substitute to HB 1104:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-11-66 of the Official Code of Georgia Annotated, relating to the
2 disposition of delinquent children, so as to change provisions for the effective date for
3 increasing maximum dates of service that may be court ordered; to provide for related
4 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 15-11-66 of the Official Code of Georgia Annotated, relating to the disposition
8 of delinquent children, is amended by revising subsection (b) as follows:

9 "(b)(1) At the conclusion of the dispositional hearing provided in subsection (a) of Code
10 Section 15-11-65, if the child is found to have committed a delinquent act, the court may,
11 in addition to any other treatment or rehabilitation, suspend the driver's license of such
12 child for any period not to exceed the date on which the child becomes 18 years of age
13 or, in the case of a child who does not have a driver's license, prohibit the issuance of a
14 driver's license to such child for any period not to exceed the date on which the child
15 becomes 18 years of age. The court shall retain the driver's license for a period of
16 suspension and return it to the offender at the end of such period. The court shall notify
17 the Department of Driver Services of any such actions taken pursuant to this subsection.

18 (2) If the child is adjudicated for the commission of a delinquent act, the court may in
19 its discretion in those cases involving:

20 (A) A a violation of probation involving another adjudicated delinquent act and upon
21 the court making a finding of fact that the child has failed to respond to the graduated
22 alternative sanctions set forth in paragraph ~~(2)~~ (4) of this subsection;

23 (B) An an offense that would be a felony if committed by an adult; or

24 (C) An an offense that would be a misdemeanor of a high and aggravated nature if
25 committed by an adult and involving bodily injury or harm or substantial likelihood of
26 bodily injury or harm, in addition to any other treatment or rehabilitation,

27 order the child to serve up to a maximum of 30 days in a youth development center, or
28 after assessment and with the court's approval, in a treatment program provided by the
29 Department of Juvenile Justice or the juvenile court.

30 (3) A child ordered to a youth development center under this paragraph and detained in
31 a secured facility pending placement in the youth development center shall be given
32 credit for time served in the secured facility awaiting placement. On and after July 1,
33 ~~2011~~ 2013, the maximum number of days that the court may order a child to serve in a
34 youth development center under this paragraph shall be increased to 60 days.

35 ~~(2)~~(4) The Department of Juvenile Justice, in conjunction with the Council of Juvenile
36 Court Judges of Georgia, shall establish and monitor a graduated alternative sanctions
37 program for children on probation. The graduated alternative sanctions program shall be
38 implemented in each judicial circuit in consultation with the judge of the juvenile court.
39 The graduated alternative sanctions program may include, but shall not be limited to,
40 community service, electronic monitoring, increased reporting or intensive supervision,
41 home confinement, day or evening reporting centers, or treatment intervention."

42 **SECTION 2.**

43 This Act shall become effective on July 1, 2010.

44 **SECTION 3.**

45 All laws and parts of laws in conflict with this Act are repealed.