

Senate Bill 341

By: Senators Jackson of the 2nd, Stoner of the 6th, Ramsey, Sr. of the 43rd, James of the 35th and Paris of the 26th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 7 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia  
2 Annotated, relating to delinquent and unruly children, so as to clarify the definition of the  
3 term "designated felony"; to increase the maximum detention period for children adjudicated  
4 for delinquent acts; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 7 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,  
9 relating to delinquent and unruly children, is amended by revising division (a)(2)(B)(vii) of  
10 Code Section 15-11-63, relating to designated felony acts, as follows:

11 "(vii) Any other act which, if done by an adult, would be a felony, if the child  
12 committing the act has three times previously been adjudicated delinquent in this state  
13 or any other state for acts which, if done by an adult, would have been felonies;"

14 **SECTION 2.**

15 Said part is further amended by revising paragraph (2) of subsection (b) of Code Section  
16 15-11-66, relating to disposition of delinquent children, as follows:

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

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

20 (ii) An offense that would be a misdemeanor of a high and aggravated nature if  
21 committed by an adult and involving bodily injury or harm or substantial likelihood  
22 of bodily injury or harm, in addition to any other treatment or rehabilitation,  
23 order the child to serve up to a maximum of ~~30~~ 90 days in a youth development center,  
24 or after assessment and with the court's approval, in a treatment program provided by  
25 the Department of Juvenile Justice or the juvenile court.

26 (B) A child ordered to a youth development center under this paragraph and detained  
27 in a secured facility pending placement in the youth development center shall be given  
28 credit for time served in the secured facility awaiting placement. ~~On and after July 1,~~  
29 ~~2013, the maximum number of days that the court may order a child to serve in a youth~~  
30 ~~development center under this paragraph shall be increased to 60 days."~~

31 **SECTION 3.**

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