

House Bill 245 (AS PASSED HOUSE AND SENATE)

By: Representatives Willard of the 49th and Oliver of the 83rd

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 change provisions relating to
3 disposition of delinquent children; to provide for related matters; to provide an effective date;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 7 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,
8 relating to delinquent and unruly children, is amended by revising paragraph (1) of
9 subsection (b) of Code Section 15-11-66, relating to disposition of a delinquent child, as
10 follows:

11 "(b)(1) At the conclusion of the dispositional hearing provided in subsection (a) of Code
12 Section 15-11-65, if the child is found to have committed a delinquent act, the court may,
13 in addition to any other treatment or rehabilitation, suspend the driver's license of such
14 child for any period not to exceed the date on which the child becomes 18 years of age
15 or, in the case of a child who does not have a driver's license, prohibit the issuance of a
16 driver's license to such child for any period not to exceed the date on which the child
17 becomes 18 years of age. The court shall retain the driver's license for a period of
18 suspension and return it to the offender at the end of such period. The court shall notify
19 the Department of Driver Services of any such actions taken pursuant to this subsection.
20 If the child is adjudicated for the commission of a delinquent act, the court may in its
21 discretion in those cases involving: (A) a violation of probation involving another
22 adjudicated delinquent act and upon the court making a finding of fact that the child has
23 failed to respond to the graduated alternative sanctions set forth in paragraph (2) of this
24 subsection; (B) an offense that would be a felony if committed by an adult; or (C) an
25 offense that would be a misdemeanor of a high and aggravated nature if committed by

26 an adult and involving bodily injury or harm or substantial likelihood of bodily injury or
27 harm, in addition to any other treatment or rehabilitation, order the child to serve up to
28 a maximum of ~~60~~ 30 days in a youth development center, or after assessment and with
29 the court's approval, in a treatment program provided by the Department of Juvenile
30 Justice or the juvenile court. A child ordered to a youth development center under this
31 paragraph and detained in a secured facility pending placement in the youth development
32 center shall be given credit for time served in the secured facility awaiting placement.
33 On and after July 1, 2011, the maximum number of days that the court may order a child
34 to serve in a youth development center under this paragraph shall be increased to 60
35 days."

36 **SECTION 2.**

37 This Act shall become effective upon its approval by the Governor or upon its becoming law
38 without such approval.

39 **SECTION 3.**

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