

1 HB139
2 125641-2
3 By Representative Payne
4 RFD: Judiciary
5 First Read: 03-MAR-11

1 trial by jury would otherwise be available to ~~him~~ the
2 defendant. If the defendant consents and the court so decides,
3 no further action shall be taken on the indictment or
4 information unless otherwise ordered by the court as provided
5 in subsection (b) ~~of this section~~.

6 "(b) After such investigation and examination, the
7 court, in its discretion, may direct that the defendant be
8 arraigned as a youthful offender, and no further action shall
9 be taken on the indictment or information; or the court may
10 decide that the defendant shall not be arraigned as a youthful
11 offender, whereupon the indictment or information shall be
12 deemed filed.

13 "(c) Notwithstanding the provisions of subsections
14 (a) and (b), a person may not be granted youthful offender
15 status and arraigned as a youthful offender if the person is
16 charged with a crime which contains as an element of the crime
17 or an allegation related to the charge that the defendant
18 intentionally inflicted serious physical injury or
19 intentionally killed the victim intentionally caused any
20 victim to receive a serious physical injury or die in the
21 commission of the crime."

22 Section 2. This act shall become effective on the
23 first day of the third month following its passage and
24 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Judiciary 03-MAR-11

Read for the second time and placed
on the calendar 1 amendment 31-MAR-11

Read for the third time and passed
as amended..... 24-MAY-11

Yeas 92, Nays 7, Abstains 1

Greg Pappas
Clerk