

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB2312</b>
<b>Version:</b>	<b>SAHB</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Rep. Lawson/Sen. Haste</b>
<b>Date:</b>	<b>4/26/2021</b>
<b>Impact:</b>	<b>No impact</b>

**Research Analysis**

The Senate amendment to HB 2312 adds that the Office of Juvenile Affairs may file a motion to intervene to raise the issue of a child's competency. The Senate amendment also restores original language which removes the Office of Juvenile Affairs on behalf of a child in their custody to have reasonable bias that a child is incompetent to participate in a proceeding.

HB 2312 modifies the competency evaluation process to include youthful offenders in addition to delinquency. The measure also adds language that a copy of the child's petition or information is presented to the court. The measure also modifies who may file a motion for determination of competency to state that the district attorney or the child's attorney shall file this motion under a reasonable basis. At any time prior to or during delinquency or youthful offender proceedings, the Office of Juvenile Affairs may file a Motion to Intervene to raise issues of competency.

Prepared By: Suzie Nahach

**Fiscal Analysis**

The Senate amendment to HB2312 has no fiscal or revenue considerations to the state.

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**Other Considerations**

None.