

2016 Regular Session

HOUSE BILL NO. 1022

BY REPRESENTATIVE EDMONDS

COURTS/DISTRICT: Provides for the suspension of certain sentences upon completion of reentry court

1 AN ACT

2 To amend and reenact R.S. 13:5401(B)(7)(c), relative to reentry courts; to provide for
3 conditions and procedures for the suspension of sentences upon completion of the
4 Offender Rehabilitation and Workforce Development Program; to provide for
5 exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:5401(B)(7)(c) is hereby amended and reenacted to read as
8 follows:

9 §5401. District courts; reentry courts; subject matter

10 * * *

11 B. Participation in the workforce development sentencing program as
12 authorized by the provisions of this Section shall be subject to the following
13 provisions:

14 * * *

15 (7)

16 * * *

17 (c) If the defendant successfully completes the Offender Rehabilitation and
18 Workforce Development Program and successfully completes all other requirements
19 of the workforce development sentencing program, he may petition the court to
20 suspend the remainder of his sentence and be placed on probation under the intensive

1 supervision of the reentry division of court, notwithstanding any other provision of
 2 law to the contrary which provides that any minimum mandatory sentence is to be
 3 imposed without the benefit of probation, parole, or suspension of sentence unless
 4 the crime before the court is the use or possession of a firearm or other dangerous
 5 weapon while committing or attempting to commit a crime of violence pursuant to
 6 the provisions of R.S. 14:95(E).

7 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1022 Reengrossed

2016 Regular Session

Edmonds

Abstract: Allows a minimum mandatory sentence that is usually imposed without the benefit of probation, parole, or suspension of sentence to be suspended and the defendant placed on probation through the reentry court division, with some exceptions.

Present law provides that if a defendant successfully completes the Offender Rehabilitation and Workforce Development Program and all other requirements of the workforce development sentencing program, the defendant can petition the court to suspend the remainder of his sentence and be placed on probation under the intensive supervision of the reentry court.

Proposed law retains present law and further provides that a minimum mandatory sentence that is generally imposed without the option of probation, parole, or suspension of sentence may be suspended if the defendant is placed on probation under the supervision of the reentry court unless the crime before the court involves a firearm or dangerous weapon during the commission of a crime of violence pursuant to R.S. 14:95(E) (illegal carrying of weapons).

(Amends R.S. 13:5401(B)(7)(c))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add a provision that restricts eligibility if the crime before the court involves a firearm or dangerous weapon during the commission of a crime of violence pursuant to R.S. 14:95(E) (illegal carrying of weapons).
2. Make technical amendments.