

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 215  
by Senator Mount

1 AMENDMENT NO. 1

2 On page 1, line 2, after "(4)(b)," and before "relative" insert "and Code of Criminal  
3 Procedure Art. 893 (B),"

4 AMENDMENT NO. 2

5 On page 1, line 5, after "crime," insert "to provide for certain circumstances to apply  
6 probation in felony cases; to provide for substance abuse treatment; to provide for a specified  
7 probationary period;"

8 AMENDMENT NO. 3

9 On page 2, between lines 28 and 29, insert the following:

10 " Section 2. Code of Criminal Procedure Art. 893(B) is hereby amended and reenacted  
11 to read as follows:

12 Art. 893. Suspension and deferral of sentence and probation in felony cases  
13 \* \* \*

14 B. After third conviction of a noncapital felony for which a defendant could have his  
15 sentence suspended under Paragraph A of this Article if such conviction were for a first or  
16 second offense or for a violation of the Uniform Controlled Dangerous Substances Law, **or**  
17 **for a third conviction of operating a vehicle while intoxicated in violation of R.S. 14:98,**  
18 and when it appears that the best interest of the public and the defendant will be served, and  
19 with the consent of the district attorney, the court may suspend, in whole or in part, the  
20 imposition or execution of the sentence, provided the defendant enters and completes a drug  
21 court program as defined in R.S. 13:5301 et seq., **or enters and completes an established**  
22 **DWI court program pursuant to the agreement of the trial court and the district**  
23 **attorney, as set forth in R.S. 14:98(D)(1)(a), or if the defendant is sent by the trial court**  
24 **for a minimum period of one year to a facility which conforms to the Judicial Agency**  
25 **Referral Residential Facility Regulatory Act, R.S. 40:2852.** When suspension is allowed  
26 under this Paragraph, the defendant shall be placed on probation under the supervision of the  
27 division of probation and parole. The period of probation shall be specified and shall not be  
28 less than two years nor more than five years. The suspended sentence shall be regarded as  
29 a sentence for the purpose of granting or denying a new trial or appeal.

30 \* \* \*

31 AMENDMENT NO. 4

32 On page 2, at the beginning of line 29, change "Section 2." to "Section 3."