
DIGEST

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Katrina Jackson

HB No. 732

Abstract: Authorizes the waiver of minimum mandatory sentences for certain sex offenses and crimes of violence.

Present law provides that if a felony or misdemeanor offense specifies a sentence with a minimum term of confinement or a minimum fine, or that the sentence shall be served without benefit of parole, probation, or suspension of sentence, the court, upon conviction, in sentencing the offender shall impose the sentence as provided in the penalty provisions for the offense unless either of the following occur:

- (1) The defendant enters a guilty plea pursuant to a negotiated plea agreement with the prosecution and the court which specifies that the sentence shall be served with benefit of parole, probation, or suspension of sentence or specifies a reduced fine or term of confinement.
- (2) The prosecution, the defendant, and the court enter into a post-conviction agreement, which specifies that the sentence shall be served with benefit of parole, probation, or suspension of sentence or specifies a reduced fine or term of confinement.

Present law provides that these provisions shall not apply to a crime of violence or a sex offense.

Proposed law amends present law and authorizes the waiver of minimum mandatory sentences pursuant to present law for certain offenses that are defined by present law as either a sex offense or a crime of violence.

(Amends C.Cr.P. Art. 890.1(D))