

SENATE BILL NO. 187

BY SENATORS KOSTELKA AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 40:981.3(D) and to repeal R.S. 40:981.3(E), relative to
3 controlled dangerous substances; to allow enhanced sentencing for violations of the
4 Uniform Controlled Dangerous Substances Law occurring within a private residence
5 located in a drug free zone; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:981.3(D) is hereby amended and reenacted to read as follows:

8 §981.3. Violation of Uniform Controlled Dangerous Substances Law; drug free zone

9 * * *

10 ~~D. A violation of this Section within two thousand feet of school property,~~
11 ~~a drug treatment facility, religious building property, public housing authority~~
12 ~~property, or child day care facility property shall not include an act which occurs~~
13 ~~entirely within a private residence wherein no person seventeen years of age or under~~
14 ~~was present.~~

15 E. (1) Whoever violates a provision of this Section shall be punished by the
16 imposition of the maximum fine and be imprisoned for not more than one and one-
17 half times the longest term of imprisonment authorized by the applicable provisions
18 of R.S. 40:966 through 970.

19 (2) A sentence imposed for a violation of the provisions of this Section shall
20 not be subject to parole, probation, or suspension of sentence to the extent that the
21 minimum sentence for a violation of a felony provision of R.S. 40:966 through 970
22 is not subject to parole, probation, or suspension of sentence.

23 Section 2. R.S. 40:981.3(E) is hereby repealed in its entirety.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____