The original instrument was prepared by Angela Lockett De Jean. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alden A. Clement, Jr.

DIGEST

SB 208 Engrossed   2018 Regular Session   Hewitt

Present law provides that after conviction and before sentence, bail is to be allowed if the maximum sentence that may be imposed is imprisonment for five years or less.

Proposed law retains present law.

Present law provides that bail may be allowed pending sentence if the maximum sentence that may be imposed is imprisonment exceeding five years, except when the court has reason to believe, based on competent evidence, that the release of the person convicted will pose a danger to any other person or the community, or that there is a substantial risk that the person convicted might flee.

Proposed law retains present law.

Present law provides that after conviction of a capital offense, a defendant cannot be allowed bail.

Proposed law retains present law and adds that after conviction of any crime punishable by imprisonment for 25 years or more that is both a sex offense and a crime of violence, there exists a conclusive presumption that the release of the person convicted will pose a danger to another person or the community and that there is a substantial risk that the person convicted might flee.

Proposed law defines "sex offense" as any offense that requires registration and notification pursuant to present law relative to sex offender registration and notification.

Proposed law defines "crime of violence" as any offense defined or enumerated as a crime of violence in present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends C.Cr.P. Art. 312(G))

Summary of Amendments Adopted by Senate

    Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

    1.   Add provision relative to conclusive presumption against bail for defendants convicted of certain crimes.