

2020 Regular Session

HOUSE BILL NO. 473

BY REPRESENTATIVE DUPLESSIS

COURTS: Provides relative to drug courts

1 AN ACT

2 To amend and reenact R.S. 13:5304(B)(3)(b), relative to drug court; to provide relative to
3 the drug division probation program; to eliminate the twelve-month mandatory
4 minimum period of supervision of defendants who elect to undergo treatment while
5 participating in the program; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:5304(B)(3)(b) is hereby amended and reenacted to read as
8 follows:

9 §5304. The drug division probation program

10 * * *

11 B. Participation in probation programs shall be subject to the following
12 provisions:

13 * * *

14 (3) In offering a defendant the opportunity to request treatment, the court
15 shall advise the defendant of the following:

16 * * *

17 (b) If the defendant requests to undergo treatment and is accepted, the
18 defendant will be placed under the supervision of the drug division probation
19 program for a period of not less than twelve months.

20 * * *

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 473 Original

2020 Regular Session

Duplessis

Abstract: Eliminates the 12-month mandatory minimum supervision period for defendants who elect to undergo treatment while participating in a drug division probation program.

Present law provides for the establishment of a drug division probation program in a district court which allows a defendant to choose to undergo treatment as part of participating in the program.

Present law provides that in offering a defendant the opportunity to request treatment, the court shall advise the defendant that if he requests to undergo treatment and is accepted, he will be placed under the supervision of the drug division probation program for a period of not less than twelve months.

Proposed law removes the 12-month mandatory minimum supervision period for defendants who elect to undergo treatment in the drug division probation program.

(Amends R.S. 13:5304(B)(3)(b))