

2026 Regular Session

HOUSE BILL NO. 1246 (Substitute for House Bill No. 264 by Representative
Glorioso)

BY REPRESENTATIVE GLORIOSO

DWI: Provides relative to operating a vehicle while impaired

1 AN ACT

2 To enact R.S. 14:98.9, relative to operating a vehicle while impaired; to provide for the
3 detention and release of persons arrested for operating while impaired; to provide for
4 exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:98.9 is hereby enacted to read as follows:

7 §98.9. "Jada's Law"; sober release requirement

8 A. This Section may be cited as "Jada's Law".

9 B. As used in this Section, "legal limit" means a blood alcohol concentration
10 of 0.08 percent for offenses in violation of R.S. 14:98 and 0.02 percent for offenses
11 in violation of R.S. 14:98.6.

12 C. Following an arrest for operating while impaired in violation of R.S.
13 14:98 or R.S. 14:98.6, the custodial agency shall hold an individual whose blood
14 alcohol concentration is above the legal limit for a minimum of eight hours. The
15 custodial agency has discretion to hold an individual for longer if a safe release is not
16 feasible.

17 D. Nothing in this Section shall be construed to deny or restrict the
18 entitlement of a person to bail pursuant to the Code of Criminal Procedure or limit
19 the authority of a court to impose additional conditions of release in accordance with
20 applicable law.

1 E. The provisions of this Section do not apply to any individual who is
2 seventeen years of age or younger.

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 1246 Original

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Glorioso

Abstract: Requires custodial law enforcement agencies to hold an arrested individual whose blood alcohol concentration is above the legal limit for at least eight hours after an arrest for operating while impaired.

Proposed law provides a definition for "legal limit".

Proposed law requires the arresting law enforcement agency to wait at least eight hours before releasing a person whose blood alcohol concentration is above the legal limit when the person was arrested for operating while impaired.

Proposed law does not restrict the person's entitlement to bail or limit the court's authority to impose conditions for bail.

Proposed law does not apply to individuals who are 17 years of age or younger.

(Adds R.S. 14:98.9)