

FOR OFFICE USE ONLY

HOUSE FLOOR AMENDMENTS

2026 Regular Session

Amendments proposed by Representative Carpenter to Engrossed House Bill No. 276 by Representative Carpenter

1 AMENDMENT NO. 1

2 On page 1, delete lines 2 through 4 in their entirety and insert "To amend and reenact Code  
3 of Criminal Procedure Article 313(A)(2), relative to bail; to provide relative to contradictory  
4 bail hearings; to provide for certain offenses that authorize the setting of a contradictory bail  
5 hearing; and to provide for related matters."

6 AMENDMENT NO. 2

7 On page 1, delete lines 6 through 18 in their entirety and delete page 2 in its entirety and  
8 insert the following:

9 "Section 1. Code of Criminal Procedure Article 313(A)(2) is hereby amended and  
10 reenacted to read as follows:

11 Art. 313. Gwen's Law; bail hearings; detention without bail

12 A.

13 \* \* \*

14 (2)(a) A contradictory bail hearing, as provided for in this Paragraph, may  
15 be held prior to setting bail for a person in custody who is charged with any of the  
16 following offenses:

17 (i) First degree rape (R.S. 14:42), when committed against a child under the  
18 age of eighteen.

19 (ii) Second degree rape (R.S. 14:42.1), when committed against a child under  
20 the age of eighteen.

21 (iii) Third degree rape (R.S. 14:43), when committed against a child under  
22 the age of eighteen.

23 (iv) Sexual battery (R.S. 14:43.1), when committed against a child under the  
24 age of eighteen.

25 (v) Oral sexual battery (R.S. 14:43.3), when committed against a child under  
26 the age of eighteen.

27 (vi) Human trafficking (R.S. 14:46.2), when committed against a child under  
28 the age of eighteen.

29 (vii) Child sexual abuse materials (R.S. 14:81.1), when committed against  
30 a child under the age of eighteen.

31 (viii) Molestation of a juvenile or a person with a physical or mental  
32 disability (R.S. 14:81.2), when committed against a child under the age of eighteen.

33 (ix) Aggravated crime against nature (R.S. 14:89.1), when committed against  
34 a child under the age of eighteen.

35 (x) ~~domestic~~ Domestic abuse battery; (R.S. 14:35.3).

36 (xi) ~~violation~~ Violation of protective orders; (R.S. 14:79).

37 (xii) ~~stalking~~ Stalking; (R.S. 14:40.2).

38 (xiii) ~~or any~~ Any felony offense involving the use or threatened use of force  
39 or a deadly weapon upon any of the following:

40 (aa) ~~the~~ The defendant's family member; as defined in R.S. 46:2132 or upon  
41 the.

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(bb) The defendant's household member as defined in R.S. 14:35.3, ~~or upon~~  
~~the.~~

(cc) The defendant's dating partner; as defined in R.S. 46:2151.

(b) If the court orders a contradictory hearing, the hearing shall be held within five days from the date of determination of probable cause, exclusive of weekends and legal holidays. At the contradictory hearing, the court shall determine the conditions of bail or whether the defendant should be held without bail pending trial. If the court decides not to hold a contradictory hearing, it shall notify the prosecuting attorney prior to setting bail.

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