

2015 Regular Session

HOUSE BILL NO. 272

BY REPRESENTATIVE BILLIOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VETERANS: Amends eligibility requirements to participate in the Veterans Court program

1 AN ACT

2 To amend and reenact R.S. 13:5366(B)(9), relative to the Veterans Court program; to
3 expand eligibility for participation in the Veterans Court program; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5366(B)(9) is hereby amended and reenacted to read as follows:

7 §5366. The Veterans Court program

8 * * *

9 B. Participation in probation programs shall be subject to the following
10 provisions:

11 * * *

12 (9) In order to be eligible for the Veterans Court program, the defendant
13 must satisfy each of the following criteria:

14 (a) The defendant cannot have any prior felony convictions for any offenses
15 defined as ~~crimes of violence in R.S. 14:2(B)~~ a homicide as defined in R.S. 14:29.

16 (b) The crime before the court cannot be ~~a crime of violence as any offense~~
17 defined as a homicide in R.S. 14:29 or any sex offense requiring registration under
18 R.S. 15:540 et seq. in R.S. 14:2(B).

19 (c) Other criminal proceedings alleging commission of ~~a crime of violence~~
20 as any offense defined in R.S. 14:2(B) cannot be pending against the defendant as
21 a homicide in R.S. 14:29 or any sex offense requiring registration under R.S. 15:540
22 et seq. cannot be pending against the defendant.

- 1 (d) The crime before the court cannot be a charge of driving under the
2 influence of alcohol or any other drug or drugs that resulted in the death of a person.

3 * * *

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 272 Engrossed

2015 Regular Session

Billiot

Abstract: Provides relative to the eligibility requirements for the Veterans Court program.

Present law excludes a defendant from participating in the Veterans Court program if the defendant's crime being considered before the court is a crime of violence as defined in present law or if the defendant has a prior felony offense or other pending criminal proceedings alleging commission of a crime of violence.

Proposed law expands participation in the Veterans Court program by excluding only those defendants whose crime before the court is a homicide or sex offense requiring registration as defined in present law or if the defendant has prior felony convictions or other pending criminal proceedings alleging commission of a homicide or sex offense.

Present law prohibits the defendant from participating in the program if the crime before the court involves driving under the influence of alcohol or any other drug or drugs that resulted in the death of a person.

Proposed law retains present law.

(Amends R.S. 13:5366(B)(9))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Change proposed law reference regarding prohibitions for the defendant to participate in the program from "controlled dangerous substance" to "any other drug or drugs".