2016 Regular Session

1

HOUSE BILL NO. 1141 (Substitute for House Bill No. 408 by Representative Hazel)

BY REPRESENTATIVES HAZEL, ARMES, BAGLEY, BERTHELOT, BILLIOT, CHAD BROWN, GARY CARTER, ROBBY CARTER, CHANEY, COUSSAN, COX, CROMER, DAVIS, DWIGHT, EDMONDS, FOIL, GAROFALO, GISCLAIR, HAVARD, HILFERTY, HODGES, HOFFMANN, HORTON, HOWARD, MIKE JOHNSON, JONES, MACK, MAGEE, MORENO, JAY MORRIS, POPE, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SHADOIN, SIMON, THIBAUT, AND WILLMOTT AND SENATORS CARTER, MILLS, MORRELL, PETERSON, GARY SMITH, AND TARVER

AN ACT

2	To amend and reenact R.S. 13:5366(B)(9) and (10), relative to the Veterans Court program;
3	to provide relative to eligibility for the program; to provide for additional
4	requirements and restrictions for certain eligible participants; and to provide for
5	related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 13:5366(B)(9) and (10) are hereby amended and reenacted to read
8	as follows:
9	§5366. The Veterans Court program
10	* * *
11	B. Participation in probation programs shall be subject to the following
12	provisions:
13	* * *
14	(9) In order to be eligible for the Veterans Court program, the defendant
15	must satisfy each of the following criteria:
16	(a) The defendant cannot have any a prior felony convictions conviction for
17	any offenses an offense defined as crimes of violence in R.S. 14:2(B) a homicide in
18	R.S. 14:29 or as a sex offense in R.S. 15:541(24), or any pending criminal
19	proceeding alleging commission of an offense defined as a homicide in R.S. 14:29
20	or as a sex offense in R.S. 15:541(24).

HB NO. 1141 **ENROLLED** 1 (b) The crime before the court cannot be a crime of violence as defined in 2 R.S. 14:2(B). 3 (c) Other criminal proceedings alleging commission of a crime of violence 4 as defined in R.S. 14:2(B) cannot be pending against the defendant. 5 (d) The crime before the court cannot be a charge of driving under the 6 influence of alcohol or any other drug or drugs that resulted in the death of a person. 7 (c) If the crime before the court is domestic abuse battery as defined in R.S. 8 14:35.3 or domestic abuse aggravated assault as defined in R.S. 14:37.7, the 9 defendant shall comply with the following additional requirements as conditions of 10 eligibility in the Veterans Court program: 11 (i) Completion of a court-monitored domestic abuse intervention program 12 as defined by R.S. 14:35.3. 13 (ii) No ownership or possession of a firearm while under the supervision of 14 the Veterans Court program or court-ordered probation. 15 (10) A defendant previously convicted or adjudicated a delinquent for the 16 offense of simple battery shall not be deemed ineligible for the Veterans Court 17 program on the sole basis of such status. Notwithstanding any provision of law to 18 the contrary, the defendant may be considered for participation in the Veterans Court 19 program even if the defendant is not otherwise eligible for probation due to the 20 defendant's criminal history. 21 SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: ____