SLS 18RS-1885 **ORIGINAL** 

2018 Regular Session

SENATE BILL NO. 548

BY SENATOR BOUDREAUX

VETERANS. Creates a pretrial diversion program for veterans diagnosed with Post Traumatic Stress Disorder. (gov sig)

1	AN ACT
2	To enact R.S. 15:244, relative to criminal procedure; to provide for a diversion program for
3	current members and veterans of the military; to provide for an effective date; and
4	to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 15:244 is hereby enacted to read as follows:
7	§244. Military diversion program
8	A. The district attorney for each judicial district, alone or in conjunction
9	with the district attorney of an adjacent judicial district, shall create and
10	administer a diversion program for defendants charged with a nonviolent felony
11	or misdemeanor offense meeting the requirements of Subsection B of this
12	Section.
13	B. This Section shall apply whenever a case is before a court alleging the
14	commission of a nonviolent felony or misdemeanor offense, and both of the
15	following criteria are satisfied:
16	(1) The individual is a veteran as defined in R.S. 13:5364.
17	(2) The defendant has been diagnosed with Post Traumatic Stress

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## Disorder as a result of military service.

C. At the discretion of the district attorney, after costs associated with the administration of the program are paid, a portion of all remaining monies collected pursuant to this Section may be distributed to entities within the judicial district, or within the judicial districts participating in the program, that provide rehabilitative services and treatment to defendants.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

DIGEST 2018 Regular Session

Boudreaux

<u>Proposed law</u> creates a diversion program for defendants charged with a nonviolent misdemeanor offense that qualify as veterans diagnosed with PTSD.

<u>Proposed law</u> will apply whenever a case is before a court alleging the commission of a nonviolent felony or misdemeanor offense, and both of the following criteria are satisfied:

- (1) The individual is a veteran.
- (2) The defendant has been diagnosed with PTSD as a result of military service.

<u>Proposed law</u> provides that at the discretion of the district attorney, after costs associated with the administration of the program are paid, a portion of all remaining monies collected may be distributed to entities within the judicial district, or within the judicial districts participating in the program, that provide rehabilitative services and treatment to defendants.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 15:244)

SB 548 Original