2018 Regular Session

HOUSE BILL NO. 879

## BY REPRESENTATIVE SMITH

# PUBLIC SFTY/CORRECTIONS: Provides relative to the eligibility requirements for the inmate rehabilitation and workforce development program

1	AN ACT
2	To amend and reenact R.S. 15:1199.7(C)(2) and to enact R.S. 15:1199.7(D), relative to the
3	inmate rehabilitation and workforce development program; to provide relative to the
4	eligibility requirements for the program; to authorize persons convicted of certain
5	crimes of violence to participate in the program; to provide relative to participation
6	in the program by persons convicted of a violation of the Uniform Controlled
7	Dangerous Substances Law; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 15:1199.7(C)(2) is hereby amended and reenacted and R.S.
10	15:1199.7(D) is hereby enacted to read as follows:
11	§1199.7. Inmate eligibility for program; prohibitions
12	* * *
13	C. An inmate convicted of any of the following offenses shall not be eligible
14	for participation in the program:
15	* * *
16	(2) A crime of violence as defined in R.S. 14:2(B). First degree murder
17	(R.S. 14:30), second degree murder (R.S. 14:30.1), manslaughter (R.S. 14:31),
18	second degree or forcible rape (R.S. 14:42.1), aggravated arson (R.S. 14:51), armed
19	robbery (R.S. 14:64), attempted first degree murder (R.S. 14:27 and 30), attempted

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1	second degree murder (R.S. 14:27 and 30.1), or attempted armed robbery (R.S. 14:27		
2	<u>and 64).</u>		
3	* * *		
4	D. Any inmate convicted of producing, manufacturing, distributing, or		
5	dispensing or possessing with intent to produce, manufacture, distribute, or dispense		
6	a controlled dangerous substance classified in R.S. 40:964 shall be eligible to		
7	participate in the program if the inmate is otherwise in compliance with the standards		
8	for the program.		

### 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 879 Engrossed	2018 Regular Session	Smith
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Abstract: Provides relative to eligibility to participate in the inmate rehabilitation and workforce development program by persons convicted of certain crimes of violence and violations of the Uniform Controlled Dangerous Substances Law.

<u>Present law</u> provides for the inmate rehabilitation and workforce development program operated by the Dept. of Public Safety and Corrections.

<u>Present law</u> prohibits certain persons from participating in the program if the person has been convicted of any of the following:

- (1) A sex offense as defined in present law (R.S. 15:541).
- (2) A crime of violence as defined in present law (R.S. 14:2(B)).
- (3) A habitual offender sentenced in accordance with <u>present law</u> (R.S. 15:529.1).

<u>Proposed law</u> amends the <u>present law</u> eligibility requirements to authorize persons convicted of certain crimes of violence to participate in the program, but prohibits persons convicted of the following <u>present law</u> offenses from participating in the program:

- (1) First degree murder.
- (2) Second degree murder.
- (3) Manslaughter.
- (4) Second degree or forcible rape.
- (5) Aggravated arson.
- (6) Armed robbery.
- (7) Attempted first degree murder.

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- (8) Attempted second degree murder.
- (9) Attempted armed robbery.

<u>Proposed law</u> further provides that any inmate convicted of producing, manufacturing, distributing, or dispensing or possessing with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance shall be eligible to participate in the program if the inmate is otherwise in compliance with the standards for the program.

(Amends R.S. 15:1199.7(C)(2); Adds R.S. 15:1199.7(D))