

2025 Regular Session

HOUSE BILL NO. 23

BY REPRESENTATIVE MUSCARELLO

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

CRIMINAL/PROCEDURE: Provides relative to post-sentence statements and documents

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AN ACT

To amend and reenact Code of Criminal Procedure Article 892(C) and to enact R.S. 15:1228.10, relative to post-sentence statements and documents; to provide for the submission of certain statements to the Department of Public Safety and Corrections; to authorize the adoption of standards and policies adopted by the Integrated Criminal Justice Information System Policy Board for the electronic transmission of criminal justice data; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 892(C) is hereby amended and reenacted to read as follows:

Art. 892. Post-sentence statement by sheriff; accompanying documents

* * *

C.(1) All statements and documents required by this Article shall physically accompany any defendant when said defendant is transferred to a penal institution or a mental institution or mental hospital. Said documents and statements shall be tendered to the officer in charge of the institution at the time that the defendant is presented for admittance thereto.

(2) For defendants who have been convicted of a felony conviction and committed to the Department of Public Safety and Corrections, all statements and

1 documents required by this Article shall be submitted electronically in accordance
2 with R.S. 15:1228.10.

3 * * *

4 Section 2. R.S. 15:1228.10 is hereby enacted to read as follows:

5 §1228.10. Electronic submission of criminal justice data; ICJIS broker system

6 A. Any criminal justice agency required to submit criminal justice data shall
7 do so electronically through the Integrated Criminal Justice Information System
8 broker system, hereinafter referred to as "ICJIS".

9 B. All electronic data transmissions shall comply with the standards,
10 protocols, and policies adopted by the ICJIS Policy Board, including technical
11 specifications, security requirements, and certification procedures.

12 C. Until such time as the ICJIS broker system is fully operational for a
13 particular data exchange pathway, each agency shall retain discretion regarding the
14 method of transmission for its data submissions. Agencies shall, however, make
15 reasonable and continuous efforts to conform interim practices to ICJIS standards
16 and prepare for full integration upon broker system readiness.

17 D. Each agency is responsible for ensuring the accuracy, completeness, and
18 timeliness of the criminal justice data it submits. In the event errors or omissions are
19 discovered by the receiving agency or by ICJIS, the submitting agency shall correct
20 and resubmit the data without undue delay, consistent with ICJIS standards.

21 E. Any agency that is unable to comply with ICJIS data submission
22 requirements shall submit a report to the ICJIS Policy Board in accordance with
23 ICJIS promulgated policies and standards. The ICJIS Policy Board shall monitor
24 compliance and may recommend technical support or, if necessary, suspension of
25 electronic data exchange privileges pending remediation.

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 23 Engrossed

2025 Regular Session

Muscarello

Abstract: Provides that when a person is convicted of a felony, the criminal justice agency required to submit criminal justice data shall do so electronically through the Integrated Criminal Justice Information System (ICJIS).

Present law requires a sheriff to prepare a statement showing how long a defendant has spent in custody prior to a conviction.

Present law requires the clerk of court to prepare a copy of the indictment and a copy of the Uniform Sentencing Commitment Order and send them to the sheriff of the parish where the defendant is sentenced.

Proposed law requires the law enforcement agency that had custody of the defendant to submit the documents required by present law (C.Cr.P. Art. 892) electronically using ICJIS.

(Amends C.Cr.P. Art. 892(C); Adds R.S. 15:1228.10)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.
2. Require the law enforcement agency to use ICJIS to electronically submit the documents required by C.Cr.P. Art. 892.