2025 Regular Session

HOUSE BILL NO. 214

BY REPRESENTATIVE VILLIO

ENROLLED ACT NO. 72

1	AN ACT
2	To amend and reenact Code of Criminal Procedure Articles 900(A)(6)(e)(i)(bb) and 901(A)
3	and to enact Code of Criminal Procedure Article 901(D), relative to probation; to
4	provide relative to revocation of probation; to provide relative to a technical
5	violation of probation; to provide for an exception; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. Code of Criminal Procedure Articles 900(A)(6)(e)(i)(bb) and 901(A) are
9	hereby amended and reenacted and Code of Criminal Procedure Article 901(D) is hereby
10	enacted to read as follows:
11	Art. 900. Violation hearing; sanctions
12	A. After an arrest pursuant to Article 899, the court shall cause a defendant
13	who continues to be held in custody to be brought before it within thirty days for a
14	hearing. If a summons is issued pursuant to Article 899, or if the defendant has been
15	admitted to bail, the court shall set the matter for a violation hearing within a
16	reasonable time. The hearing may be informal or summary. The defendant may
17	choose, with the court's consent, to appear at the violation hearing and stipulate the
18	revocation by simultaneous audio-visual transmission in accordance with the

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1	provisions of Article 562. If the court decides that the defendant has violated, or was
2	about to violate, a condition of his probation, it may:
3	* * *
4	(6)
5	* * *
6	(e) None of the following, unless deemed a technical violation by the court
7	when its discretion is permitted, shall be considered a technical violation nor
8	addressed by administrative sanctions:
9	(i) Being arrested for, charged with, or convicted of any of the following:
10	* * *
11	(bb) A violation of any provision of Title 40 of the Louisiana Revised
12	Statutes of 1950, except for misdemeanor possession of marijuana, or
13	tetrahydrocannabinol, or chemical derivatives thereof; as provided in R.S.
14	40:966(C)(2) or any prohibited act involving drug paraphernalia as provided in R.S.
15	40:1023, which shall be considered a "technical violation".
16	* * *
17	Art. 901. Revocation for commission of another offense
18	A. In addition to the grounds for revocation of probation enumerated in
19	Louisiana Code of Criminal Procedure Article 900, when a defendant who is on
20	probation for a felony who subsequently commits or and is convicted of a felony
21	under the laws of this state, or under the laws of another state, the United States, or
22	the District of Columbia, or is convicted of a misdemeanor under the provisions of
23	Title 14 of the Louisiana Revised Statutes of 1950, or is convicted of a misdemeanor
24	under the provisions of the Uniform Controlled Dangerous Substances Law
25	contained in Title 40 of the Louisiana Revised Statutes of 1950, and which if
26	committed in this state would be a felony, shall have his probation may be revoked
27	as of the date of the commission of the felony or final conviction of the felony or
28	misdemeanor.
29	* * *

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1	D. The provisions of this Article shall not apply to a defendant who, as an
2	additional condition for the violation of his probation, has been ordered to complete
3	a drug or specialty court program. A defendant who is eligible for revocation of
4	probation pursuant to Paragraph A of this Article and does not successfully complete
5	such court-ordered drug or specialty court program shall have his probation revoked
6	as of the date of the commission of the felony or final conviction of the felony.
7	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____