

2025 Regular Session

HOUSE BILL NO. 146

BY REPRESENTATIVE WILEY

1 AN ACT

2 To amend and reenact R.S. 15:529.1(C)(1) and (2), relative to the habitual offender law; to
3 provide relative to the time period between the current and prior offense for the
4 habitual offender law to apply; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:529.1(C)(1) and (2) are hereby amended and reenacted to read as
7 follows:

8 §529.1. Sentences for second and subsequent offenses; certificate of warden or clerk
9 of court in the state of Louisiana as evidence

10 * * *

11 C.(1) Except as provided in Paragraphs (2) and (3) of this Subsection, the
12 current offense shall not be counted as, respectively, a second, third, fourth, or higher
13 offense if more than five years have elapsed between the date of the commission of
14 the current offense or offenses and the ~~expiration of the correctional supervision, or~~
15 ~~term of imprisonment if the offender is not placed on supervision following~~
16 ~~imprisonment,~~ date of the completion of sentence, probation, parole, or suspension
17 of sentence for the previous conviction or convictions, or between the ~~expiration of~~
18 ~~the correctional supervision, or term of imprisonment if the offender is not placed~~
19 ~~on supervision following imprisonment,~~ date of the completion of sentence,
20 probation, parole, or suspension of sentence for each preceding conviction or
21 convictions alleged in the multiple offender bill and the date of the commission of
22 the following offense or offenses. ~~In computing the intervals of time as provided in~~

1 ~~this Paragraph, any period of parole, probation, or incarceration by a person in a~~
2 ~~penal institution, within or without the state, shall not be included in the computation~~
3 ~~of any of the five-year periods between the expiration of the correctional supervision,~~
4 ~~or term of imprisonment if the offender is not placed on supervision following~~
5 ~~imprisonment, and the next succeeding offense or offenses. The following shall not~~
6 ~~be included in the computation of any of the five-year periods provided in this~~
7 ~~Paragraph:~~

8 (a) Any period of time during which the offender was incarcerated in a penal
9 institution in this state or any other state.

10 (b) Any period of time during which the offender was under probation or
11 parole supervision in this state or any other state.

12 (2) Except as provided in Paragraph (3) of this Subsection, the current
13 offense shall not be counted as, respectively, a second, third, fourth, or higher
14 offense if more than ten years have elapsed between the date of the commission of
15 the current offense or offenses and the ~~expiration of correctional supervision, or term~~
16 ~~of imprisonment if the offender is not placed on supervision following~~
17 ~~imprisonment, date of the completion of sentence, probation, parole, or suspension~~
18 ~~of sentence for the previous conviction or convictions if the current offense or~~
19 ~~offenses or the previous conviction or convictions are for a crime of violence as~~
20 ~~defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or between the~~
21 ~~expiration of correctional supervision, or term of imprisonment if the offender is not~~
22 ~~placed on supervision following imprisonment, date of the completion of sentence,~~
23 ~~probation, parole, or suspension of sentence for each preceding conviction or~~
24 ~~convictions alleged in the multiple offender bill ~~for~~ and the date of the commission~~
25 ~~of the following offense or offenses if the preceding conviction or convictions or the~~
26 ~~following offense or offenses are a crime of violence as defined in R.S. 14:2(B) or~~
27 ~~a sex offense as defined in R.S. 15:541 and the date of the commission of the~~
28 ~~following offense or offenses. In computing the intervals of time as provided in this~~
29 ~~Paragraph, any period of parole, probation, or incarceration by a person in a penal~~
30 ~~institution, within or without the state, shall not be included in the computation of~~

1 ~~any of the ten-year periods between the expiration of correctional supervision, or~~
 2 ~~term of imprisonment if the offender is not placed on supervision following~~
 3 ~~imprisonment, for a crime of violence as defined in R.S. 14:2(B) or a sex offense as~~
 4 ~~defined in R.S. 15:541 and the next succeeding offense or offenses.~~ The following
 5 shall not be included in the computation of any of the ten-year periods provided in
 6 this Paragraph:

7 (a) Any period of time during which the offender was incarcerated in a penal
 8 institution in this state or any other state.

9 (b) Any period of time during which the offender was under probation or
 10 parole supervision in this state or any other state.

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____