

2026 Regular Session

HOUSE BILL NO. 191

BY REPRESENTATIVE VILLIO

CRIMINAL/SENTENCING: Provides relative to credit for prior custody

1

AN ACT

2 To enact Code of Criminal Procedure Article 880(F) and (G), relative to credit for time
3 served in actual custody; to provide for limitations; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 880(F) and (G) are hereby enacted
7 to read as follows:

8 Art. 880. Credit for prior custody; limitations

9 * * *

10 F. A defendant shall not receive overlapping jail credit when consecutive
11 sentences are imposed for multiple counts or charges, regardless if the sentence
12 imposed is subsequently corrected pursuant to Article 881.5. Credit for time spent
13 in actual custody shall be applied to only one of the consecutive sentences imposed.

14 G. Any overlapping jail credit that is awarded in violation of this Article is
15 null, void, and of no effect.

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 191 Original

2026 Regular Session

Villio

Abstract: Provides relative to credit for prior time served in actual custody.

Present law provides for credit toward service of a defendant's sentence for time spent in actual custody prior to the imposition of sentence.

Proposed law retains present law.

Proposed law prohibits a defendant from receiving overlapping jail credit when consecutive sentences are imposed for multiple counts or charges, regardless if the sentence imposed is subsequently corrected pursuant to present law (C.Cr.P. Art. 881.5). Further provides that credit for time spent in actual custody shall be applied to only one of the consecutive sentences imposed.

Proposed law provides that any overlapping jail credit that is awarded in violation of present law (C.Cr.P. Art. 880) is null, void, and of no effect.

(Adds C.Cr.P. Art. 880(F) and (G))