DIGEST

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Ligi HB No. 305

Abstract: Provides for the reduction of a criminal sentence for substantial assistance by the defendant in furtherance of the investigation or prosecution of another person.

Proposed law authorizes courts to reduce a defendant's sentence if the defendant provided substantial assistance in investigating or prosecuting another person.

Proposed law provides that if the court reduces the sentence to a time period which is less than the minimum sentence provided by law, that sentence shall not be imposed without the consent of the district attorney.

Proposed law defines "sentencing" as the oral announcement of the sentence.

(Adds C.Cr.P. Art. 881.6)

Summary of Amendments Adopted by House

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

1. Removed all references in proposed law to the time period within which the motion shall be made.

2. Deleted provision which provided for special procedures when a motion was made more than one year after sentencing.

3. Authorized the court to consider postsentence assistance when evaluating whether a defendant has provided substantial assistance.

4. Added provision which states that in no event shall the defendant be resentenced for a time period less than that recommended by the district attorney.

House Floor Amendments to the engrossed bill.

1. Deleted provision prohibiting the defendant from being resentenced to a time period less than that recommended by the district attorney.

2. Provided that if the court reduces the sentence to a time period which is less than the minimum sentence provided by law, that sentence shall not be imposed without the consent of the district attorney.