ENROLLED

Regular Session, 2011

HOUSE BILL NO. 122

BY REPRESENTATIVE WOOTON

AN ACT

To enact Code of Criminal Procedure Article 875(A)(4), relative to sentencing; to provide relative to presentence investigations; to provide for fees; to provide for the use of the fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 875(A)(4) is hereby enacted to read as follows:

Art. 875. Presentence investigation; juvenile records; drug screening

A.

* * *

(4)(a) If the court orders a presentence investigation to be conducted, the court shall simultaneously order the defendant to pay to the department an amount not to exceed one hundred fifty dollars to defray the cost of conducting the presentence investigation and preparing presentence investigation reports. The order to pay shall be included in the judgment.

(b) The amount to be paid by the defendant pursuant to this Subparagraph shall be determined by the Department of Public Safety and Corrections and shall be based on the defendant's ability to pay. In making this determination, the department may consider such factors as the defendant's income, property owned by the

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defendant, outstanding obligations of the defendant, and the number and ages of any dependents of the defendant.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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