

Regular Session, 2012

SENATE BILL NO. 647

BY SENATOR BROWN

DWI. Provides relative to the sentencing of certain DWI offenders. (8/1/12)

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AN ACT

To enact R.S. 14:98(L), relative to operating a vehicle while intoxicated; to provide for minimum sentencing guidelines for subsequent offenses operating a vehicle while intoxicated under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:98(L) is hereby enacted to read as follows:

§98. Operating a vehicle while intoxicated

* * *

L. Notwithstanding any other provision of law to the contrary, upon a subsequent conviction, if the offender was not sentenced to any term of imprisonment for any prior conviction, then not less than the minimum term of imprisonment provided for by this Section for the subsequent conviction shall be imposed.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Present law provides for the crime of operating a vehicle while intoxicated, including sentencing guidelines for first and subsequent offenses.

Proposed law retains present law and adds that, notwithstanding any provision of present law to the contrary, upon a subsequent conviction of operating a vehicle while intoxicated, if the offender was not sentenced to any term of imprisonment for any prior conviction, then not less than the minimum term of imprisonment provided for by present law for the subsequent conviction must be imposed.

Effective August 1, 2012.

(Adds R.S. 14:98(L))