
DIGEST

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Katrina Jackson

HB No. 732

Abstract: Authorizes the waiver of minimum mandatory sentences for certain crimes of violence.

Present law provides that if a felony or misdemeanor offense specifies a sentence with a minimum term of confinement or a minimum fine, or that the sentence shall be served without benefit of parole, probation, or suspension of sentence, the court, upon conviction, in sentencing the offender shall impose the sentence as provided in the penalty provisions for the offense unless either of the following occur:

- (1) The defendant enters a guilty plea pursuant to a negotiated plea agreement with the prosecution and the court which specifies that the sentence shall be served with benefit of parole, probation, or suspension of sentence or specifies a reduced fine or term of confinement.
- (2) The prosecution, the defendant, and the court enter into a post-conviction agreement, which specifies that the sentence shall be served with benefit of parole, probation, or suspension of sentence, or specifies a reduced fine or term of confinement.

Present law provides that these provisions shall not apply to a crime of violence or a sex offense.

Proposed law amends present law and authorizes the waiver of minimum mandatory sentences pursuant to present law for certain offenses that are defined by present law as a crime of violence.

(Amends C.Cr.P. Art. 890.1(D))

Summary of Amendments Adopted by House

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

1. Deleted the proposed law provision which authorized the waiver of mandatory minimum sentences pursuant to present law for sex offenses.
2. Added aggravated battery and aggravated assault to the list of offenses for which the minimum mandatory sentence may be waived.

House Floor Amendments to the engrossed bill.

1. Made technical corrections.