Regular Session, 2014

HOUSE BILL NO. 732

BY REPRESENTATIVE KATRINA JACKSON

ENROLLED

ACT No. 634

1	AN ACT
2	To amend and reenact Code of Criminal Procedure Article 890.1(D), relative to waiver of
3	minimum mandatory sentences; to authorize the waiver of minimum mandatory
4	sentences for certain crimes of violence; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. Code of Criminal Procedure Article 890.1(D) is hereby amended and
7	reenacted to read as follows:
8	Art. 890.1. Waiver of minimum mandatory sentences; procedure; exceptions
9	* * *
10	D. Nothing in <u>The provisions of</u> this Article shall <u>not</u> apply to a crime of
11	violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 or to
12	any of the following crimes of violence:
13	(1) R.S. 14:28.1 (Solicitation for murder).
14	(2) R.S. 14:30 (First degree murder).
15	(3) R.S. 14:30.1 (Second degree murder).
16	(4) R.S. 14:31 (Manslaughter).
17	(5) R.S. 14:34.6 (Disarming of a peace officer).
18	(6) R.S. 14:34.7 (Aggravated second degree battery).
19	(7) R.S. 14:37.1 (Assault by drive-by shooting).
20	(8) R.S. 14:37.4 (Aggravated assault with a firearm).
21	(9) R.S. 14:42 (Aggravated rape).
22	(10) R.S. 14:42.1 (Forcible rape).
23	(11) R.S. 14:43 (Simple rape).
24	(12) R.S. 14:43.1 (Sexual battery).
25	(13) R.S.14:43.2 (Second degree sexual battery).

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(14) R.S. 14:43.5 (Intentional exposure to AIDS virus).
2	(15) R.S. 14:44 (Aggravated kidnapping).
3	(16) R.S. 14:44.1 (Second degree kidnapping).
4	(17) R.S. 14:46.2 (Human trafficking).
5	(18) R.S.14:46.3 (Trafficking of children for sexual purposes).
6	(19) R.S.14:51 (Aggravated arson).
7	(20) R.S. 14:62.8 (Home invasion).
8	(21) R.S. 14:64 (Armed robbery).
9	(22) R.S. 14:64.4 (Second degree robbery).
10	(23) R.S. 14:64.3 (Armed robbery; use of firearm).
11	(24) R.S. 14:64.2 (Carjacking).
12	(25) R.S. 14:78.1 (Aggravated incest).
13	(26) R.S. 14:93.2.3 (Second degree cruelty to juveniles).
14	(27) R.S.14:128.1 (Terrorism).
15	(28) R.S. 14:34 (Aggravated battery).
16	(29) R.S. 14:37 (Aggravated assault).
17	(30) R.S. 14:34.1 (Second Degree Battery)
18	(31) R.S. 14:35.3 (Domestic Abuse Battery)
19	(32) R.S. 14:40.2 (Stalking)
20	(33) R.S. 14:64.1 (First Degree Robbery)
21	(34) R.S. 14:32.5 (Feticide)
22	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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