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

DIGEST

SB 146 Original | 2017 Regular Session | Claitor

Present law provides a 10-year "cleansing period" for prior convictions for purposes of present law (Habitual Offender Law).

Proposed law decreases the "cleansing period" from 10 years to five years for prior convictions that are not convictions for crimes of violence as defined in present law or sex offenses as defined in present law. The "cleansing period" for crimes of violence and sex offenses remains 10 years.

Proposed law otherwise retains present law.

Present law provides that any sentence imposed under the provisions the Habitual Offender Law are to be at hard labor without benefit of probation or suspension of sentence.

Proposed law retains present law but adds that if the court finds that a sentence imposed under the provisions of the Habitual Offender Law would be excessive under the totality of the circumstances, then the court may suspend the imposition or execution of not more than one-half of the sentence prescribed. Proposed law further provides that if the court suspends the imposition or execution of any portion of the sentence, it must state for the record the reasons for such suspension.

Effective August 1, 2017.

(Amends R.S. 15:529.1(C) and (G))