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## DIGEST

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HB 110 Original

2017 Regular Session

Billiot

**Abstract:** Provides procedures whereby the district attorney makes a written recommendation to the court that certain crimes are not to be designated as crimes of violence, and provides that without such recommendation, the offense shall be designated as a crime of violence as a matter of law.

Present law (R.S. 14:2(B)) provides that certain offenses can be defined as, or are specifically enumerated as, a crime of violence. Proposed law retains present law.

Present law authorizes the court, upon the written recommendation of the district attorney, to designate in the court minutes that an offense is a crime of violence only for the purpose of determining whether the defendant is eligible for suspension or deferral of sentence or for participation in a drug division probation program.

Proposed law provides that in the absence of the written recommendation by the district attorney to the court, the crime in question will be designated in the court minutes as a crime of violence as a matter of law.

Present law provides for a list of crimes always designated by the court as crimes of violence in the court minutes and thus are not eligible for suspension or deferral of sentence or participation in a drug division probation program. Proposed law retains present law.

(Amends C.Cr.P. Art. 890.3)