

2017 Regular Session

HOUSE BILL NO. 190

BY REPRESENTATIVE DWIGHT

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 892(A) and (B)(2), relative to  
3 post-sentence statements by sheriffs; to provide relative to statements prepared by  
4 the sheriff indicating the amount of time a defendant has spent in custody prior to  
5 conviction; to provide for the cases in which such statements must be prepared; to  
6 provide with respect to the duties of the clerk of court relative to the sheriff's  
7 statement and other documents; to provide relative to the dissemination of the  
8 sheriff's statement and other documents; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Code of Criminal Procedure Article 892(A) and (B)(2) are hereby  
11 amended and reenacted to read as follows:

12 Art. 892. Post-sentence statement by sheriff; accompanying documents

13 A. The sheriff shall prepare a statement indicating the amount of time a  
14 defendant has spent in custody prior to conviction when ~~such the~~ defendant has been  
15 convicted of a felony and is committed to the Department of Public Safety and  
16 Corrections, has been convicted of a misdemeanor and sentenced for a term of one  
17 year or more to any penal institution, or has been ordered committed to any mental  
18 institution or mental hospital. The sheriff shall retain a copy of the statement and  
19 submit the original to the ~~officer in charge~~ sheriff of the ~~institution or department~~  
20 parish to which the defendant is sentenced.

21 B.

22 \* \* \*

23 (2) The clerk shall retain a copy of the statement and documents and send  
24 the original to the ~~officer in charge~~ sheriff of the ~~department or penal institution~~

