

2017 Regular Session

HOUSE BILL NO. 94

BY REPRESENTATIVES JIMMY HARRIS, AMEDEE, BAGNERIS, CHAD BROWN,
GARY CARTER, ROBBY CARTER, COUSSAN, EDMONDS, GAINES,
GLOVER, HAZEL, HODGES, JACKSON, LEGER, LEOPOLD, MAGEE,
MARINO, JAY MORRIS, SHADOIN, AND ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 13:587.4(A) and 5401(A) and (B)(1) and (2) and to repeal R.S.
3 13:5401(C), relative to reentry courts; to authorize the creation of a reentry division
4 in all district courts; to remove the enumerated district courts authorized to create
5 reentry divisions; to require certain criteria for eligibility and suitability; to provide
6 for certain requirements of the court; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:587.4(A) and 5401(A) and (B)(1) and (2) are hereby amended and
9 reenacted to read as follows:

10 §587.4. District courts; specialized divisions or sections; subject matter

11 A. Respecting seniority and the requirement that all cases be assigned
12 randomly within multi-judge divisions or sections, the judges of any judicial district
13 court, by rule adopted by a majority vote of the judges sitting en banc, may designate
14 a certain division or section of the court as a specialized division or section having
15 criminal, civil, drug court, driving while intoxicated court, human trafficking court,
16 mental health court, misdemeanor, traffic, juvenile, violent crimes or homicides,
17 reentry court, or other specialized subject matter jurisdiction.

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CHAPTER 34. REENTRY COURTS

§5401. District courts; reentry courts; subject matter

A. ~~The Each~~ district courts court ~~as enumerated in Subsection C of this Section,~~ by rule, adopted by a majority vote of the judges sitting en banc, may assign a certain division of the court as a reentry division of court. Prior to the creation of a reentry division of court, each district court shall secure funding to establish and maintain a reentry division of court. However, failure to do so will have no effect upon any judgment, finding, or sentence. The reentry division of court shall establish a workforce development sentencing program, which shall establish guidelines for the issuance of sentences providing inmate rehabilitation and workforce development. The reentry division of court and sentencing program shall work in conjunction with the Louisiana Workforce Commission and all efforts shall be coordinated and consistent with the provisions of R.S. 23:1 et seq.

B. Participation in the workforce development sentencing program as authorized by the provisions of this Section shall be subject to the following provisions:

(1) The court may recommend that a defendant participate in the workforce development sentencing program if all of the following criteria are satisfied:

(a) The defendant meets the eligibility requirements for participation in the Offender Rehabilitation and Workforce Development Program as provided for in R.S. 15:1199.7(A) and (C).

(b) The defendant meets the suitability requirements as defined by best practices developed for the Offender Rehabilitation and Workforce Development Program as adopted by the Louisiana Supreme Court.

(c) The court determines that it is in the best interest of the community and in the interest of justice that the defendant be sentenced to the Offender Rehabilitation and Workforce Development Program.

~~(e)~~(d) The defendant is not sentenced to a term of incarceration which exceeds ten years.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

