

RÉSUMÉ DIGEST

ACT 98 (HB 204)

2017 Regular Session

Billiot

Existing law (C.Cr.P. Art. 883.1) authorizes the court to allow a defendant convicted of an offense in this state to serve a sentence concurrently with a sentence imposed by a federal court or a court of another state.

Prior law required the court to provide a certified copy of the court minutes and court order to the Dept. of Public Safety and Corrections (DPS&C) in every case where a sentence at hard labor is imposed under this provision of existing law.

New law removes the requirement that the court provide a copy of the court minutes to DPS&C in these cases, and instead requires the court to provide a certified copy of the Uniform Sentencing Commitment Order in the format authorized by the La. Supreme Court. Further authorizes DPS&C to request from the court any information about the sentence not provided in the Uniform Sentencing Commitment Order.

In cases where existing law requires the sheriff to prepare a statement indicating the amount of time a defendant has spent in custody prior to conviction when such defendant is committed to the custody of DPS&C, prior law required the clerk of court to prepare the following documents to be sent to the officer in charge of the department or penal institution to which the defendant has been sentenced:

- (1) A copy of the indictment under which the defendant was convicted.
- (2) A copy of the sentence as recorded in the minutes of the court.
- (3) A copy of the Uniform Sentencing Commitment Order in the format authorized by the La. Supreme Court.

New law removes the requirement that the court provide a copy of the sentence as recorded in the minutes of the court, and further authorizes DPS&C to request from the court any information relating to the sentence not provided in the Uniform Sentencing Commitment Order.

Effective December 1, 2017.

(Amends C.Cr.P. Arts. 883.1 and 892(A) and (B)(1))