

RÉSUMÉ DIGEST

ACT 484 (SB 208)

2018 Regular Session

Hewitt

Prior law provided that after conviction and before sentence, bail is to be allowed if the maximum sentence that may be imposed is imprisonment for five years or less. New law retains prior law.

Prior law provided that bail may be allowed pending sentence if the maximum sentence that may be imposed is imprisonment exceeding five years, except when the court has reason to believe, based on competent evidence, that the release of the person convicted will pose a danger to any other person or the community, or that there is a substantial risk that the person convicted might flee. New law retains prior law.

Prior law provided that after conviction of a capital offense, a defendant cannot be allowed bail.

New law retains prior law and adds that after conviction of any crime punishable by imprisonment for 25 years or more that is both a sex offense and a crime of violence, there exists a rebuttable presumption that the release of the person convicted will pose a danger to another person or the community and that there is a substantial risk that the person convicted might flee.

New law defines "sex offense" as any offense that requires registration and notification pursuant to prior law relative to sex offender registration and notification.

New law defines "crime of violence" as any offense defined or enumerated as a crime of violence in prior law.

Effective upon signature of the governor (May 25, 2018).

(Amends C.Cr.P. Art. 312(G))