

RÉSUMÉ DIGEST

ACT 130 (HB 318)

2018 Regular Session

Connick

Existing law (R.S. 13:1894.1) provides that prosecutions in any city, parish, or municipal court, based on or arising out of DWI, may be charged and prosecuted under the state law DWI provisions or under any applicable city, parish, or municipal ordinance that incorporates the standards, elements, and sentences of state DWI law. Prior law excluded the city, municipal, and traffic courts of the city of New Orleans from this provision of existing law.

New law removes the exception for New Orleans city, municipal, and traffic courts.

Existing law provides that when determining whether a defendant has a prior conviction for DWI, a conviction of vehicular homicide, third degree feticide, vehicular negligent injuring, first degree vehicular negligent injuring, or a similar law of any state or an ordinance of a municipality, town, or similar political subdivision of another state, shall constitute a prior conviction.

New law retains existing law and includes prosecutions under existing law, R.S. 13:1894.1.

Effective August 1, 2018.

(Amends R.S. 13:1894.1(A) and R.S. 14:98(C)(1)(e) and (3))