

---

**SENATE COMMITTEE AMENDMENTS**

2022 Regular Session

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 89  
by Senator Morris

---

1 AMENDMENT NO. 1

2 On page 1, line 2, after "312(E)" delete "and 873" and insert ", (F), and (G)"

3 AMENDMENT NO. 2

4 On page 1, line 4, delete "to provide relative to the delay for sentencing for certain offenses;"

5 AMENDMENT NO. 3

6 On page 1, line 7, after "312(E)" delete "and 873" and insert ", (F), and (G)"

7 AMENDMENT NO. 4

8 On page 1, delete lines 11 to 17 and insert the following:

9 "E. ~~After~~ **(1) Except as provided in Paragraph G of this Article, after**  
10 conviction and before sentence, bail shall be allowed if the maximum sentence which  
11 may be imposed is imprisonment for five years or less. ~~Bail~~ **Except as provided in**  
12 **Paragraph G of this Article, bail** may be allowed pending sentence if the maximum  
13 sentence which may be imposed is imprisonment exceeding five years, except when  
14 the court has reason to believe, based on competent evidence, that the release of the  
15 person convicted will pose a danger to any other person or the community, or that  
16 there is a substantial risk that the person convicted might flee.

17 F. ~~After~~ **Except as provided in Paragraph G of this Article, after** sentence  
18 and until final judgment, bail shall be allowed if a sentence of five years or less is  
19 actually imposed. ~~Bail~~ **Except as provided in Paragraph G of this Article, bail**  
20 may be allowed after sentence and until final judgment if the sentence actually  
21 imposed exceeds imprisonment for five years, except when the court has reason to  
22 believe, based on competent evidence, that the release of the person convicted will  
23 pose a danger to any other person or the community, or that there is a substantial risk  
24 that the person convicted might flee.

25 G. ~~(1) After conviction of a capital offense, a defendant shall not be allowed~~  
26 ~~bail.~~

27 ~~(2)(a) After conviction of any crime punishable by imprisonment for twenty-~~  
28 ~~five years or more that is both a sex offense and a crime of violence, there shall be~~  
29 ~~a rebuttable presumption that the release of the person convicted will pose a danger~~  
30 ~~to another person or the community and that there is a substantial risk that the person~~  
31 ~~convicted might flee.~~

32 ~~(b) For purposes of this Paragraph:~~

33 ~~(i) "Crime of violence" means any offense defined or enumerated as a crime~~  
34 ~~of violence in R.S. 14:2(B).~~

35 ~~(ii) "Sex offense" means any offense that requires registration and~~  
36 ~~notification pursuant to R.S. 15:540 et seq.~~

37 **Notwithstanding any other provision of law to the contrary, after**  
38 **conviction of any of the following offenses, a defendant shall not be allowed bail:**

39 **(1) Any offense punishable by death or life imprisonment.**

40 **(2) Any offense that is both a crime of violence as defined in R.S. 14:2(B)**  
41 **and a sex offense as defined in R.S. 15:541.**

42 **(3) Any offense that is a felony committed upon a family member,**  
43 **household member, or dating partner, as those terms are defined by R.S.**  
44 **46:2132, for which the defendant is in whole or in part not eligible for**  
45 **probation.**

1                   **(4) Any other offense punishable by imprisonment for thirty years or**  
2                   **more.**  
3                                   \*       \*       \*"

4    AMENDMENT NO. 5

5    Delete page 2.