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The original instrument was prepared by Whitney Kauffeld. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jacob Wilson.

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SB 89 Reengrossed

DIGEST  
2022 Regular Session

Morris

Present law provides that after conviction and before sentencing, bail must be allowed if the maximum sentence which may be imposed is imprisonment for five years or less.

Proposed law retains present law, except when the crime of conviction is an offense punishable by death or life imprisonment, both a crime of violence and sex offense, or a felony committed upon a family member, household member or dating partner, as defined by present law, or punishable by imprisonment for thirty years or more, in which case bail will be denied.

Present law provides that bail may be allowed pending sentence if the maximum sentence which 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.

Proposed law retains present law, except when the crime of conviction is an offense punishable by death or life imprisonment, both a crime of violence and sex offense, or a felony committed upon a family member, household member or dating partner, as defined by present law, or punishable by imprisonment for thirty years or more.

Proposed law provides for an effective date contingent upon whether the proposed amendment to Article I, Section 18 of the Constitution of Louisiana contained in the Act which originated as Senate Bill No. 4 of this 2022 Regular Session of the Legislature is adopted at the statewide election to be held on November 8, 2022, and becomes effective.

(Amends C.Cr.P. Art. 312(E), (F), and (G))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Provides that a person will be denied bail when the crime of conviction is punishable by death or life imprisonment, is both a crime of violence and sex offense, is a felony committed upon a family member, household member, or dating partner, or punishable by imprisonment for 30 years or more.
2. Deletes proposed law relative to delay for sentencing after conviction.

##### Senate Floor Amendments to engrossed bill

1. Provides for an effective date contingent upon whether the proposed amendment to Article I, Section 18 of the Constitution of Louisiana contained in the Act which originated as Senate Bill No. 4 of this 2022 Regular Session of the Legislature is adopted at the statewide election to be held on November 8, 2022, and becomes effective.