

RÉSUMÉ DIGEST

SB 142

2022 Regular Session

Morris

Present law prohibits a court from waiving the minimum mandatory sentence for sex offenses defined in present law or for any crime of violence enumerated present law.

Proposed law would prohibit a court from waiving the minimum mandatory sentence for all crimes of violence but otherwise would retain present law.

Present law provides enhanced penalties for second and subsequent felony convictions under certain circumstances (Habitual Offender Law).

Proposed law would provide that a defendant who has a second or subsequent felony offense, except those sentenced to life imprisonment, when the defendant has a prior crime of violence or sex offense, or the current conviction is a crime of violence or sex offense, will serve an additional term of imprisonment for five years consecutive to the second or subsequent felony sentence.

Proposed law would otherwise retains prior law.

Would have become effective August 1, 2022.

(Proposed to amends C.Cr.P. Art. 890.1(D); proposed to add R.S. 15:529.1(A)(5))

VETO MESSAGE:

"Please allow this letter to inform you that I have vetoed Senate Bill 142 of the 2022 Regular Session.

If enacted, this bill would eliminate the discretion the courts, prosecutors, and criminal defendants currently have to enter into negotiated plea agreements and post-conviction sentencing agreements for certain crimes of violence that would allow a sentence to be imposed that is less than the minimum term of confinement provided for by the penalty provisions for those offenses.

Further, the bill seeks to provide for an enhancement of the enhanced penalties already provided for in the habitual offender law for convictions of crimes of violence and sex offenses. For these reasons, Senate Bill 142 will not become law."