
DIGEST

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HB 477 Engrossed

2023 Regular Session

Bacala

Abstract: Provides relative to information provided when instituting the prosecution of criminal offenses.

Proposed law requires the prosecuting agency, when authorized to provide information, to include the following information in the indictment, information, or affidavit, if such information is provided by the booking agency:

- (1) Date of the offense.
- (2) Date of arrest or summons, if a summons was issued in lieu of an arrest.
- (3) The state identification number of the defendant, if one has been assigned to the defendant for the offense or for any prior offenses.
- (4) Defendant demographic data to include sex, race, and date of birth, if known.

Proposed law provides that the above proposed law information may be provided in a separate document submitted with the bill of information, bill of indictment, or summons to the clerk of court.

Proposed law further requires the booking agency to provide the information provided in proposed law to the prosecuting agency.

Proposed law requires the clerk of court to report the information provided in proposed law, along with the disposition and disposition date, to the supreme court.

Proposed law authorizes the supreme court to report the information provided in proposed law, along with the disposition and disposition date, to the La. Bureau of Criminal Identification and Information.

Proposed law provides that failure to comply with proposed law shall not constitute grounds for a motion to quash.

(Adds C.Cr.P. Art. 388)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Change proposed law references of district attorneys or city prosecutors to prosecuting agencies.
2. Require the date of arrest or summons, if a summons was issued in lieu of an arrest, to be included in the indictment, information, or affidavit.
3. Provide that defendant demographic data includes sex, race, and date of birth, if known.
4. Provide that the proposed law information may be provided in a separate document submitted with the bill of information, bill of indictment, or summons to the clerk of court.