

2023 Regular Session

HOUSE BILL NO. 477

BY REPRESENTATIVE BACALA

1 AN ACT

2 To enact Code of Criminal Procedure Article 388, relative to prosecution of criminal
3 offenses; to provide relative to information provided when prosecuting offenses; to
4 require prosecuting agencies to include certain information in the indictment,
5 information, or affidavit; to provide relative to requirements for the booking agency;
6 to provide relative to requirements for the clerk of court; to authorize the supreme
7 court to report information to the Louisiana Bureau of Criminal Identification and
8 Information; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Code of Criminal Procedure Article 388 is hereby enacted to read as
11 follows:

12 Art. 388. Additional information provided when prosecuting offenses

13 A. When instituting the prosecution of an offense involving a violation of
14 any state law or local ordinance, the prosecuting agency, when authorized to provide
15 information, shall include the following information in the indictment, information,
16 or affidavit, if provided by the booking agency:

17 (1) Date of the offense.

18 (2) Date of arrest or summons, if a summons was issued in lieu of an arrest.

19 (3) The state identification number of the defendant, if one has been assigned
20 to the defendant for the offense or for any prior offenses.

21 (4) Defendant demographic data to include sex, race, and date of birth, if
22 known.

1 B. The information provided in Paragraph A of this Article may be provided
2 in a separate document submitted with the bill of information, bill of indictment, or
3 summons to the clerk of court.

4 C. The booking agency shall provide the information provided in Paragraph
5 A of this Article to the prosecuting agency.

6 D. The clerk of court shall report the information provided in Paragraph A
7 of this Article, along with the disposition and disposition date, to the supreme court.

8 E. The supreme court is authorized to report the information provided in
9 Paragraph A of this Article, along with the disposition and disposition date, to the
10 Louisiana Bureau of Criminal Identification and Information.

11 F. Failure to comply with the provisions of this Article shall not constitute
12 grounds for a motion to quash.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____