

2025 Regular Session

HOUSE BILL NO. 11

BY REPRESENTATIVE BOYER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/SENTENCING: Provides relative to sentencing for certain offenses

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 817(B) and to enact Chapter 2-A
3 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.
4 15:524, relative to sentencing for certain offenses; to provide for penalties; to
5 provide for the submission of certain facts to the jury; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 2-A of Title 15 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 15:524, is hereby enacted to read as follows:

10 CHAPTER 2-A. VIOLENT OFFENDERS

11 §524. Sentencing of violent offenders

12 Unless the district attorney files an information accusing the person of a
13 previous conviction pursuant to the Habitual Offender Law as set forth in R.S.
14 15:529.1, a person convicted of a felony crime of violence as defined in R.S. 14:2(B)
15 shall be punished as follows:

16 (1) For a third conviction, the offender shall be sentenced to not less than
17 fifty percent of the maximum sentence prescribed for a first conviction.

18 (2) For a fourth or subsequent conviction, the offender shall be sentenced to
19 not less than seventy-five percent of the maximum sentence prescribed for a first
20 conviction.

21 Section 2. Code of Criminal Procedure Article 817(B) is hereby amended and
22 reenacted to read as follows:

1 Art. 817. Qualifying verdicts

2 * * *

3 B. Notwithstanding any other provision of law to the contrary, in addition
4 to a specification of the offense as to which the verdict is found pursuant to
5 Paragraph A of this Article, any fact that increases the maximum or mandatory
6 minimum penalty for a crime, ~~other than the fact of a prior conviction~~, may be
7 submitted to the jury, and the verdict may include a specific finding of fact as to that
8 issue.

9 Section 3. This Act shall be cited and referred to as "The Segus Jolivette Act".

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 11 Original

2025 Regular Session

Boyer

Abstract: Provides relative to the sentencing of violent offenders.

Proposed law provides that unless the district attorney files an information accusing the person of a previous conviction pursuant to the Habitual Offender Law as set forth in present law (R.S. 15:529.1), a person convicted of a felony crime of violence as defined in present law (R.S. 14:2(B)) shall be punished as follows:

- (1) For a third conviction, the offender shall be sentenced to not less than 50% of the maximum sentence prescribed for a first conviction.
- (2) For a fourth or subsequent conviction, the offender shall be sentenced to not less than 75% of the maximum sentence prescribed for a first conviction.

Present law (C.Cr.P. Art. 817) provides for qualifying verdicts.

Proposed law retains present law.

Present law (C.Cr.P. Art. 817(B)) provides that in addition to a specification of the offense as to which the verdict is found pursuant to present law (C.Cr.P. Art. 817(A)), any fact that increases the maximum or mandatory minimum penalty for a crime, other than the fact of a prior conviction, may be submitted to the jury, and the verdict may include a specific finding of fact as to that issue.

Proposed law amends present law to provide that a fact of a prior conviction may be submitted to the jury, and the verdict may include a specific finding of fact as to that issue.

Proposed law shall be cited and referred to as "The Segus Jolivette Act".

(Amends C.Cr.P. Art. 817(B); Adds R.S. 15:524)