

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 1145

2016 Regular Session

Lopinto

COURTS/DISTRICT: Provides sanctions for violations of drug division probation programs

Synopsis of Senate Amendments

1. Amendments adopted by the Senate Committee on Judiciary B were deleted by Senate Floor Amendments with the effect that the bill remains in the same posture as it left the House.

Digest of Bill as Finally Passed by Senate

Present law provides for the establishment of drug division probation courts in certain judicial districts.

Present law provides that defendants sentenced to drug division probation supervision shall be responsible for costs associated with that supervision such as drug testing, treatment programs, or other expenses.

Present law provides that if a defendant violates the terms of the drug division probation, the court may revoke probation and order that the defendant serve the sentence previously imposed or suspended or the court may revoke probation and order the defendant be committed to DPS&C for not more than six months to the intensive incarceration program.

Proposed law provides that if the court finds that the probationer has violated a condition of probation or a provision of the probation agreement, it may:

- (1) Reprimand and warn the defendant.
- (2) Order that the probationer perform community service.
- (3) Order that the probationer enter and participate in short-or-long term treatment.
- (4) Order that supervision be intensified.
- (5) Add additional conditions to the probation.
- (6) Order the probationer be required to serve a sentence of not more than 12 months without diminution of sentence in the DPS&C intensive incarceration program.

Proposed law provides that a court may sentence a defendant to incarceration for up to 180 days or impose sanctions provided by present law and extend probation and treatment for technical violations. Defines "technical violation".

(Amends R.S. 13:5304(B)(1)(b), (3)(f), (5), (6), and (11)(c),(D)(3), (E)(intro. para.), (J)(2) and (3), (L)(2), and (N))