
DIGEST

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HB 204 Engrossed

2017 Regular Session

Billiot

Abstract: Removes the requirement that the court provide a certified copy of the court minutes to the Dept. of Public Safety and Corrections in certain cases and instead requires other documentation to be provided.

Present law (C.Cr.P. Art. 883.1) authorizes the court to allow a defendant convicted of an offense in this state to serve a sentence concurrently with a sentence imposed by a federal court or a court of another state.

Present law further provides that in every case where a sentence at hard labor is imposed under this provision of present law, the court is required to provide a certified copy of the court minutes and court order to the Dept. of Public Safety and Corrections (DPS&C).

Proposed law removes the requirement that the court provide a copy of the court minutes to DPS&C in these cases, and instead requires the court to provide a certified copy of the Uniform Sentencing Commitment Order in the format authorized by the La. Supreme Court. Further authorizes DPS&C to request from the court any information about the sentence not provided in the Uniform Sentencing Commitment Order.

Present law (C.Cr.P. Art. 892) provides that in cases where a sheriff is required to prepare a statement indicating the amount of time a defendant has spent in custody prior to conviction when such defendant is committed to the custody of DPS&C, the clerk of court shall also prepare the following documents to be sent to the officer in charge of the department or penal institution to which the defendant has been sentenced:

- (1) A copy of the indictment under which the defendant was convicted.
- (2) A copy of the sentence as recorded in the minutes of the court.
- (3) A copy of the Uniform Sentencing Commitment Order in the format authorized by the La. Supreme Court.

Proposed law removes the requirement that the court provide a copy of the sentence as recorded in the minutes of the court, and further authorizes DPS&C to request from the court any information relating to the sentence not provided in the Uniform Sentencing Commitment Order.

Provides that proposed law shall become effective on Dec. 1, 2017.

(Amends C.Cr.P. Arts. 883.1 and 892(A) and (B)(1))

Summary of Amendments Adopted by House

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

1. Provide for a special effective date of Dec. 1, 2017.
2. Make technical corrections.