

ACT No. 36

2017 Regular Session

HOUSE BILL NO. 190

BY REPRESENTATIVE DWIGHT

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AN ACT

To amend and reenact Code of Criminal Procedure Article 892(A) and (B)(2), relative to post-sentence statements by sheriffs; to provide relative to statements prepared by the sheriff indicating the amount of time a defendant has spent in custody prior to conviction; to provide for the cases in which such statements must be prepared; to provide with respect to the duties of the clerk of court relative to the sheriff's statement and other documents; to provide relative to the dissemination of the sheriff's statement and other documents; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 892(A) and (B)(2) are hereby amended and reenacted to read as follows:

Art. 892. Post-sentence statement by sheriff; accompanying documents

A. The sheriff shall prepare a statement indicating the amount of time a defendant has spent in custody prior to conviction when ~~such the~~ defendant has been convicted of a felony and is committed to the Department of Public Safety and Corrections, has been convicted of a misdemeanor and sentenced for a term of one year or more to any penal institution, or has been ordered committed to any mental institution or mental hospital. The sheriff shall retain a copy of the statement and submit the original to the ~~officer in charge~~ sheriff of the ~~institution or department~~ parish to which the defendant is sentenced.

B.

* * *

(2) The clerk shall retain a copy of the statement and documents and send the original to the ~~officer in charge~~ sheriff of the ~~department or penal institution~~

1 parish to which the defendant has been sentenced, where they shall be preserved.
 2 The documents, or copies thereof, shall be made available to the governor, the
 3 pardon board, and the parole committee.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____