

2018 Regular Session

HOUSE BILL NO. 249

BY REPRESENTATIVE BACALA

CRIMINAL/HABIT OFFENDERS: Provides relative to the application of the habitual offender law

1 AN ACT

2 To enact R.S. 15:529.1(K), relative to the habitual offender law; to provide relative to the  
3 application of the habitual offender law; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 15:529.1(K) is hereby enacted to read as follows:

6 §529.1. Sentences for second and subsequent offenses; certificate of warden or clerk  
7 of court in the state of Louisiana as evidence

8 \* \* \*

9 K. Notwithstanding any provision of law to the contrary, the court shall  
10 apply, in its entirety, the provisions of this Section that were in effect on the date that  
11 the defendant's instant offense was committed.

---

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 249 Original

2018 Regular Session

Bacala

**Abstract:** Provides that a defendant shall be subject to the version of the habitual offender law that was in effect on the date that the defendant's instant offense was committed.

Present law ("habitual offender law") provides that any person who, after having been convicted of a felony, thereafter commits any subsequent felony within La., upon conviction shall be subject to certain enhanced penalties set forth in present law.

Proposed law retains present law and provides the court shall apply to the defendant the provisions of present law that were in effect on the date that the defendant's instant offense was committed.

(Adds R.S. 15:529.1(K))