2018 Regular Session

HOUSE BILL NO. 253

BY REPRESENTATIVE CONNICK

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

| 1 | AN ACT |
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| 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)]

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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.

<u>Present law</u> ("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 <u>present law</u>.

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

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