
DIGEST

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HB 168 Engrossed

2018 Regular Session

Mack

Abstract: Provides relative to the credit a defendant receives for time served while on probation when the defendant's probation is revoked.

Present law provides that when a defendant's sentence is suspended and the defendant is placed on probation, if the defendant's probation is subsequently revoked, the defendant shall serve the sentence suspended, with or without credit for the time served on probation at the discretion of the court.

Present law further provides that in the event of revocation for a defendant placed on probation for the conviction of an offense other than a crime of violence or a sex offense, the defendant shall serve the sentence suspended with credit for time served on probation.

Proposed law removes this provision of present law which required a defendant, whose probation has been revoked, to receive credit for time served while on probation for a non-violent, non-sex offense, and instead authorizes the court to determine whether the defendant shall receive such credit.

(Amends C.Cr.P. Art. 900(A)(5))