
HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 705 by Representative Magee

1 AMENDMENT NO. 1**2** On page 1, delete line 2 in its entirety and insert the following:**3** "To amend and reenact R.S. 15:571.35.1(A), (B), (C)(1) and (2)(a) and (e),
4 (D), (E), (F), (G), and (H), to enact R.S. 15:571.35.1(C)(3), and to repeal R.S.
5 15:571.35.1(I), relative to home incarceration; to provide relative"**6** AMENDMENT NO. 2**7** On page 1, delete line 9 in its entirety and insert the following:**8** "Section 1. R.S. 15:571.35.1(A), (B), (C)(1) and (2)(a) and (e), (D), (E), (F),
9 (G), and (H) are hereby amended and reenacted and R.S. 15:571.35.1(C)(3)
10 is hereby enacted to read as follows:"**11** AMENDMENT NO. 3**12** On page 1, line 10, after "Parish" and before "Home" delete "Alternative" and insert
13 "Pretrial"**14** AMENDMENT NO. 4**15** On page 1, delete line 13 in its entirety and insert "may implement a ~~pilot~~ program using,
16 as an alternative mode of incarceration to"**17** AMENDMENT NO. 5**18** On page 1, line 14, after "monitoring of" and before "who" delete "inmates" and insert
19 "offenders"**20** AMENDMENT NO. 6**21** On page 1, line 16, after "Parish" and before "Home" delete "Alternative" and insert
22 "Pretrial"**23** AMENDMENT NO. 7**24** On page 1, delete lines 17 and 18 in their entirety and insert "B. A defendant may be eligible
25 for participation in the ~~pilot~~"**26** AMENDMENT NO. 8**27** On page 2, delete lines 1 through 3 in their entirety and insert the following:**28** "(1) No defendant who has been charged with a crime of violence as
29 defined in R.S. 14:2(B), or with a sex offense as defined in R.S. 15:541, shall
30 be eligible for the ~~pilot~~ program"**31** AMENDMENT NO. 9**32** On page 2, at the beginning of line 6, delete "inmate" and insert "defendant"

1 AMENDMENT NO. 10

2 On page 2, at the end of line 8, insert "defendant"

3 AMENDMENT NO. 11

4 On page 2, delete lines 9 through 11 in their entirety and insert the following:

5 "and has made a risk assessment determination that the defendant is eligible
6 for participation in the ~~pilot~~ program. The Lafourche Parish Sheriff's Office
7 shall forward the risk"8 AMENDMENT NO. 129 On page 2, line 18, after "(a)" and before "in the" delete "An inmate" and insert "A
10 defendant"11 AMENDMENT NO. 1312 On page 2, delete lines 22 and 23 in their entirety and insert "limitations of the defendant's
13 activities outside of the home."14 AMENDMENT NO. 14

15 On page 2, delete lines 24 through 29 in their entirety and insert asterisks "** * **"

16 AMENDMENT NO. 15

17 On page 3, delete lines 1 through 20 in their entirety and insert the following:

18 "(e) Notwithstanding the provisions of Code of Criminal Procedure
19 Article 880, the defendant may receive credit for time served while
20 participating in the ~~pilot~~ program only with the approval of the sentencing
21 court.22 (3) Participation in the program does not, in any way, negate nor
23 nullify the bail obligations as set by the court. At any time, a defendant may
24 post a legally sufficient authorized bail and become relieved of all conditions
25 of this program unless those conditions are specifically ordered by the court
26 or by law as a condition of bail.27 D.(1) No defendant shall be admitted to the ~~pilot~~ program prior to
28 court approval of the defendant's participation in the ~~pilot~~ program.29 (2) Notwithstanding any other provision of law to the contrary, the
30 court, at any time on its own motion, may prohibit or terminate a defendant's
31 initial or continued participation in the ~~pilot~~ program."32 AMENDMENT NO. 16

33 On page 3, line 28, after "indigent" delete the remainder of the line and insert "defendants."

34 AMENDMENT NO. 1735 On page 4, delete lines 7 through 29 in their entirety, delete page 5 in its entirety, and insert
36 the following:37 "F. The sheriff may terminate the participation of any defendant in
38 the ~~pilot~~ program who fails to comply with the terms of participation in the
39 program and require the physical return of any defendant terminated from
40 participation in the program to parish jail or such other facility as the sheriff
41 may deem appropriate for the purpose of continuing his pretrial detention.

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G. With respect to any defendant in the ~~pilot~~ program, neither the sheriff nor the parish shall be responsible for any medical costs or the provision of medical care, transportation costs or the provision of transportation, housing costs or the provision of housing, food costs or the provision of food, or clothing costs or the provision of clothing to the defendant.

H. Neither the sheriff of Lafourche Parish, nor his deputies and employees, nor the governing authority of Lafourche Parish or its elected or appointed officials, deputies, or employees, nor any party engaged in a cooperative endeavor agreement with the ~~pilot~~ program shall have any liability for the acts of any defendant who is admitted to participation during the time the defendant is participating in the ~~pilot~~ program.

Section 2. R.S. 15:571.35.1(I) is hereby repealed in its entirety."

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.