

2018 Regular Session

SENATE BILL NO. 208

BY SENATOR HEWITT

CRIMINAL PROCEDURE. Provides relative to bail after conviction. (gov sig)

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Art. 312(G), relative to bail; to provide  
3 relative to the right to bail after conviction of an offense that is both a sex offense  
4 and a crime of violence; to provide definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Art. 312(G) is hereby amended and reenacted  
7 to read as follows:

8 Art. 312. Right to bail before and after conviction

9 \* \* \*

10 G.(1) After conviction of a capital offense, a defendant shall not be allowed  
11 bail.

12 **(2)(a) After conviction of any crime punishable by imprisonment for**  
13 **twenty-five years or more that is both a sex offense and a crime of violence,**  
14 **there shall be a rebuttable presumption that the release of the person convicted**  
15 **will pose a danger to another person or the community and that there is a**  
16 **substantial risk that the person convicted might flee.**

17 **(b) For purposes of this Paragraph:**



(Amends C.Cr.P. Art. 312(G))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Add provision relative to conclusive presumption against bail for defendants convicted of certain crimes.

Senate Floor Amendments to engrossed bill

1. Changes conclusive presumption to rebuttal presumption.