

SENATE BILL NO. 208

BY SENATOR HEWITT

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:**

18 **(i) "Sex offense" means any offense that requires registration and**
19 **notification pursuant to R.S. 15:540 et seq.**

20 **(ii) "Crime of violence" means any offense defined or enumerated as a**
21 **crime of violence in R.S. 14:2(B).**

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1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____