

SENATE BILL NO. 208

BY SENATOR HEWITT

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

Art. 312. Right to bail before and after conviction

\* \* \*

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

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

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

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

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

\* \* \*

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.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_