

2021 Regular Session

HOUSE BILL NO. 106

BY REPRESENTATIVE CARPENTER

1 AN ACT

2 To enact Code of Criminal Procedure Article 556.1(A)(5), relative to pleas in criminal cases;
3 to provide relative to pleas of guilty or nolo contendere in felony cases; to provide
4 relative to duties of the court or defense counsel; to require the court or defense
5 counsel to inform a defendant of additional consequences as a result of a guilty plea
6 or nolo contendere; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 556.1(A)(5) is hereby enacted to read
9 as follows:

10 Art. 556.1. Plea of guilty or nolo contendere in felony cases; ~~duty~~ duties of the court
11 and defense counsel

12 A. In a felony case, the court shall not accept a plea of guilty or nolo
13 contendere without first addressing the defendant personally in open court and
14 informing him of, and determining that he understands, all of the following:

15 * * *

16 (5) That if he pleads guilty or nolo contendere, he may be subject to
17 additional consequences or waivers of constitutional rights in the following areas as
18 a result of his plea to be informed as follows:

19 (a) Defense counsel or the court shall inform him regarding:

20 (i) Potential deportation, for a person who is not a United States citizen.

21 (ii) The right to vote.

22 (iii) The right to bear arms.

23 (iv) The right to due process.

