

RÉSUMÉ DIGEST

ACT 124 (HB 232)

2021 Regular Session

Marino

Existing law relative to misdemeanor convictions, provides that dismissal of prosecution shall have the same effect as an acquittal, except that the conviction may be considered as a prior offense and provide the basis for subsequent prosecution of the party as a multiple offender.

Prior law provided that such discharge and dismissal may occur only once with respect to any person during a five-year period.

New law removes the restriction that discharge and dismissal may occur only once with respect to any person during a five-year period.

Existing law also provides that dismissal for the offense of operating a vehicle while intoxicated may occur only once with respect to any person during a 10-year period.

New law adds that discharge under existing law for the offense of operating a vehicle while intoxicated may occur only once with respect to any person during a 10-year period.

Effective August 1, 2021.

(Amends C.Cr.P. Art. 894(B)(2))