The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

DIGEST

SB 240 Original | 2022 Regular Session | Jackson

Present law provides that a defendant may be discharged from probation for a felony offense after one year in a felony under certain conditions, or in the case of a misdemeanor, at any time, under certain conditions.

Proposed law retains present law and provides that a defendant may be discharged from probation for a crime of violence after five years, if all of the following conditions are met:

(1) No convictions within the five-year period.

(2) No pending charges at the time of the motion.

(3) Gainful employment for a period of five years.

Present law provides that certain crimes of violence may be expunged after 10 years from completion of the sentence when certain conditions are met.

Proposed law deletes present law and provides that all crimes of violence may be expunged after five years from the date of sentencing or adjudication when all of the following conditions are met:

(1) No convictions within the five-year period.

(2) No pending charges at the time of the motion.

(3) Gainful employment for a period of five years.

Effective August 1, 2022.

(Amends C.Cr.P. Art. 978(E); adds C.Cr.P. Art 897(C))