2022 Regular Session

HOUSE BILL NO. 223

1

BY REPRESENTATIVES MARCELLE AND MARINO

2	To amend and reenact R.S. 13:5401(B)(1)(f), (g), (h), and (i) and to repeal R.S.
3	13:5401(B)(1)(d), relative to reentry courts; to provide for participation in workforce
4	development sentencing programs; to provide for eligibility; to provide relative to
5	certain exceptions; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 13:5401(B)(1)(f), (g), (h), and (i) are hereby amended and reenacted
8	to read as follows:
9	§5401. District courts; reentry courts; subject matter
10	* * *
11	B. Participation in the workforce development sentencing program as
12	authorized by the provisions of this Section shall be subject to the following
13	provisions:
14	(1) The court may recommend that a defendant participate in the workforce
15	development sentencing program if all of the following criteria are satisfied:
16	* * *

AN ACT

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CODING: Words in struck through type are deletions from existing law; words $\underline{\text{underscored}}$ are additions.

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1	(f) The crime before the court shall not be a crime of violence as defined in
2	R.S. 14:2(B), including domestic violence-; however, the provisions of this
3	Subparagraph shall not apply to any of the following crimes of violence:
4	(i) Aggravated battery (R.S. 14:34).
5	(ii) Second degree battery (R.S. 14:34.1).
6	(iii) Battery of a police officer (R.S. 14:34.2).
7	(iv) Disarming of a peace officer (R.S. 14:34.6).
8	(v) Aggravated assault (R.S. 14:37).
9	(vi) Aggravated assault with a firearm (R.S. 14:37.4).
10	(vii) Simple kidnapping (R.S. 14:45).
11	(viii) False imprisonment; offender armed with dangerous weapon (R.S.
12	<u>14:46.1).</u>
13	(ix) Aggravated arson (R.S. 14:51).
14	(x) Aggravated criminal damage to property (R.S. 14:55).
15	(xi) Home invasion (R.S. 14:62.8).
16	(xii) Second degree robbery (R.S. 14:64.4).
17	(xiii) Simple robbery (R.S. 14:65).
18	(xiv) Purse snatching (R.S. 14:65.1).
19	(xv) Aggravated flight from an officer (R.S. 14:108.1).
20	(g) The defendant cannot be sentenced as a multiple offender in the present
21	charge pursuant to R.S. 15:529.1.
22	(h) Other criminal proceedings alleging commission of a crime of violence
23	as defined in R.S. 14:2(B), except those listed in, shall not be pending against the
24	defendant.
25	(i) (h) The crime before the court shall not be a charge of any crime that
26	resulted in the death of a person.
27	

1	(i) The district attorney or appropriate prosecuting authority of the charge
2	for which a defendant may be considered for re-entry court consents to participation
3	by the defendant in all cases wherein the defendant is convicted of an eligible violent
1	crime pursuant to R.S. 14:2.
5	* * *
	Section 2. R.S. 13:5401(B)(1)(d) is hereby repealed in its entirety.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: _____