

ACT No. 450

2022 Regular Session

HOUSE BILL NO. 223

BY REPRESENTATIVES MARCELLE AND MARINO

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AN ACT

To amend and reenact R.S. 13:5401(B)(1)(f), (g), (h), and (i) and to repeal R.S. 13:5401(B)(1)(d), relative to reentry courts; to provide for participation in workforce development sentencing programs; to provide for eligibility; to provide relative to certain exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:5401(B)(1)(f), (g), (h), and (i) are hereby amended and reenacted to read as follows:

§5401. District courts; reentry courts; subject matter

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B. Participation in the workforce development sentencing program as authorized by the provisions of this Section shall be subject to the following provisions:

(1) The court may recommend that a defendant participate in the workforce development sentencing program if all of the following criteria are satisfied:

* * *

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 14:46.1).

- 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.

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