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HOUSE FLOOR AMENDMENTS

2024 Second Extraordinary Session

Amendments proposed by Representative Butler to Engrossed House Bill No. 3 by Representative Butler

1 AMENDMENT NO. 1

2 On page 6, between lines 18 and 19, insert the following:

3 (2) For purposes of this Paragraph:

4 (a) "Compliance" means the full completion of the terms and conditions of
5 probation as imposed by the sentencing judge, except for inability to pay fines, fees,
6 or restitution.

7 (b) "Compliance report" means a report generated and signed by the division
8 of probation and parole that contains clear and concise information relating to the
9 defendant's performance relative to "earned compliance credits", and may contain
10 a recommendation as to early termination.

11 (3) After a review of the compliance report, if it is the recommendation of
12 the division of probation and parole that the defendant is in compliance with the
13 conditions of probation, in accordance with the compliance report, the court shall
14 grant "earned compliance credit" for the time, absent a showing of cause for a denial.

15 (4) The court may terminate probation at any time as "satisfactorily
16 completed" upon the final determination that the defendant is in compliance with the
17 terms and conditions of probation.

18 (5) If the court determines that the defendant has failed to successfully
19 complete the terms and conditions of probation, the court may extend the probation
20 for a period not to exceed two years, for the purpose of allowing the defendant
21 additional time to complete the terms of probation, additional conditions, the
22 extension of probation, or the revocation of probation.

23 (6) Absent extenuating circumstances, the court shall, within ten days of
24 receipt of the compliance report, make an initial determination as to the issues
25 presented and shall transmit the decision to the probation officer. The court shall
26 disseminate the decision to the defendant, the division of probation and parole, and
27 the prosecuting agency within ten days of receipt. The parties shall have ten days
28 from receipt of the initial determination of the court to seek an expedited
29 contradictory hearing for the purpose of challenging the court's determination. If no
30 challenge is made within ten days, the court's initial determination shall become final
31 and shall constitute a valid order of the court."