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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 590 Original

2024 Regular Session

Jordan

**Abstract:** Provides relative to inmates within the custody of DPS&C who are held past their release dates.

Proposed law provides that all documents that present law (C.Cr.P. Art. 892(B)) requires a clerk to prepare and submit to a sheriff shall be submitted on the date of sentencing.

Proposed law provides that all statements and documents that (C.Cr.P. Art. 892) requires a sheriff to prepare and submit to the DPS&C shall be submitted within one day of sentencing.

Proposed law provides that the DPS&C shall be liable to any person sentenced to the custody of the department who was incarcerated more than one day past the end of his sentence.

Proposed law provides that a sheriff shall be liable to any person sentenced to the custody of the sheriff who was incarcerated more than one day past the end of his sentence. Further provides that a sheriff shall be liable to any person if the sheriff fails to comply with proposed law.

Proposed law provides that liability pursuant to proposed law shall include general and special damages in an amount not less than \$1,000 per day of incarceration past one day after the end of a sentence. Further provides that in addition to damages, a prevailing plaintiff shall also be awarded court costs and reasonable attorney fees and that any prohibition on the seizure of assets to enforce a judgment pursuant to proposed law shall be waived.

Proposed law provides that liability under proposed law shall not apply to any period of incarceration prior to sentencing and shall not limit any other source of liability elsewhere in the law.

Proposed law provides that failure to comply with the provisions of proposed law shall not affect the validity of a prosecution, conviction, or sentence.

(Adds R.S. 15:834)