
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)]

HB 128 Original

2025 Regular Session

Wilford Carter

Abstract: Provides relative to deviation from designated sentencing ranges.

Proposed law requires the court to deviate from the designated sentencing range when all of the following are present:

- (1) The penalty for the criminal offense consists of a mandatory minimum sentence.
- (2) Sufficient aggravating or mitigating circumstances are significantly present to differentiate the case from the typical case arising under the offense of conviction.

Proposed law requires that when deviating from the designated sentence range, the court shall do all of the following:

- (1) Pronounce a sentence which is proportional to the seriousness of the offense and the offender's criminal history.
- (2) State for the record the reasons for the deviation which shall specify the mitigating or aggravating circumstances and the factual basis thereof.

Proposed law defines the terms "aggravating circumstance" and "mitigating circumstance".

Proposed law requires the court to state for the record the considerations taken into account and the factual basis for imposing the sentence.

(Adds C.Cr.P. Art. 894.1.1)