

2026 Regular Session

HOUSE BILL NO. 158

BY REPRESENTATIVE HORTON

PROBATION: Provides relative to technical violations of probation

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 900(A)(6)(b), relative to
3 probation; to provide relative to technical violations of probation; to provide for
4 penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 900(A)(6)(b) is hereby amended and
7 reenacted to read as follows:

8 Art. 900. Violation hearing; sanctions

9 A.

10 * * *

11 (6)

12 * * *

13 (b) Notwithstanding the provisions of Subparagraph (5) of this Paragraph,
14 any defendant who has been placed on probation by the court for the conviction of
15 an offense other than a crime of violence as defined in R.S. 14:2(B) or of a sex
16 offense as defined by R.S. 15:541, and who has been determined by the court to have
17 committed a technical violation of his probation, may be required to serve a sentence
18 of not more than ninety days without diminution of sentence. If the sentence is to
19 be served in a custodial substance abuse treatment program, the defendant may be
20 required to serve a sentence of not more than one hundred eighty days without
21 diminution of sentence.

22 * * *

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 158 Reengrossed

2026 Regular Session

Horton

Abstract: Provides relative to the maximum amount of time certain defendants can be imprisoned for a technical violation of probation.

Present law provides for violations of probation.

Proposed law retains present law.

Present law provides that any defendant who has been placed on probation for an offense other than a crime of violence or a sex offense and who has been determined by the court to have committed a technical violation of his probation may be required to serve a sentence of not more than 90 days without diminution of sentence.

Proposed law retains present law and provides that if the sentence is to be served in a custodial substance abuse treatment program, the defendant may be required to serve a sentence of not more than 180 days without diminution of sentence.

(Amends C.Cr.P. Art. 900(A)(6)(b))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Restore the present law maximum sentence of 90 days for a technical violation of probation for a defendant convicted of a crime that is not a violent crime or sex offense.
2. Provide that if the sentence for a technical violation of probation is to be served in a custodial substance abuse treatment program, the defendant may be required to serve a sentence of not more than 180 days without diminution of sentence.