

Regular Session, 2011

HOUSE BILL NO. 217

BY REPRESENTATIVE BARRAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact Code of Criminal Procedure Article 900(A)(6)(c)(vi), relative to probation; to  
3 provide relative to violations of probation; to amend definition of "technical  
4 violation"; to include failure to report to probation officer as a technical violation of  
5 probation; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 900(A)(6)(c)(vi) is hereby enacted  
8 to read as follows:

9 Art. 900. Violation hearing; sanctions

10 A. After an arrest pursuant to Article 899, the court shall cause a defendant  
11 who continues to be held in custody to be brought before it within thirty days for a  
12 hearing. If a summons is issued pursuant to Article 899, or if the defendant has been  
13 admitted to bail, the court shall set the matter for a violation hearing within a  
14 reasonable time. The hearing may be informal or summary. If the court decides that  
15 the defendant has violated, or was about to violate, a condition of his probation it  
16 may:

17 \* \* \*

18 (6)

19 \* \* \*

20 (c) A "technical violation", as used in this Paragraph, means any violation  
21 except it shall not include any of the following:

22 \* \* \*

1                    (vi) At the discretion of the court, failing to report to the probation officer  
2                    for more than one hundred twenty consecutive days.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_