
DIGEST

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HB 180 Original

2016 Regular Session

Jefferson

Abstract: Provides for credit for time served pending a probation revocation hearing and provides that subsequent sentences be served concurrently for those on probation.

Present law provides that offenders may be placed on probation and provides for revocation hearings for violations of probation due to the commission of a second offense.

Present law provides that no credit shall be allowed for time spent on probation or for the time elapsed during suspension of the sentence.

Proposed law provides that the defendant shall be given credit for time served prior to the revocation hearing for time served in actual custody while being held for a probation violation in a local detention facility, state institution, or out-of-state institution.

Present law provides that when the new conviction is a Louisiana conviction, the sentence shall run consecutively with the sentence for the new conviction, unless the court originally imposing the suspension or probation specifically orders that the sentences are to be served concurrently, in which case the court minutes shall reflect the date from which the sentences are to run concurrently.

Proposed law changes present law to provide that the presumption is that the sentence runs concurrently unless specified by the court to run consecutively.

(Amends C.Cr.P. Art 901(C))