
DIGEST

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HB 180 Reengrossed

2016 Regular Session

Jefferson

Abstract: Provides for credit for time served pending a probation revocation hearing and requires the court to specify whether a subsequent sentence shall run concurrently or consecutively.

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.

Proposed law provides that when the new conviction is a Louisiana conviction, the court shall specify in the minutes whether the sentence shall run consecutively or concurrently with the sentence for the new conviction.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Changes the language from mandatory to permissive regarding a sentence running concurrently unless the judge orders that the sentence run consecutively.

The House Floor Amendments to the engrossed bill:

1. Changes language regarding sentences to require court to specify in minutes whether the sentence shall run consecutively or concurrently.