

2016 Regular Session

HOUSE BILL NO. 1141 (Substitute for House Bill No. 408 by Representative Hazel)

BY REPRESENTATIVES HAZEL, BILLIOT, CHAD BROWN, GARY CARTER,  
COUSSAN, DWIGHT, MIKE JOHNSON, MAGEE, JAY MORRIS, AND  
SHADOIN AND SENATOR CARTER

COURTS: Provides relative to eligibility and requirements of the Veterans Court program

1 AN ACT

2 To amend and reenact R.S. 13:5366(B)(9) and (10), relative to the Veterans Court program;  
3 to provide relative to eligibility for the program; to provide for additional  
4 requirements and restrictions for certain eligible participants; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:5366(B)(9) and (10) are hereby amended and reenacted to read  
8 as follows:

9 §5366. ~~The~~ Veterans Court program

10 \* \* \*

11 B. Participation in probation programs shall be subject to the following  
12 provisions:

13 \* \* \*

14 (9) In order to be eligible for the Veterans Court program, the defendant  
15 must satisfy each of the following criteria:

16 (a) The defendant cannot have ~~any a~~ prior felony ~~convictions~~ conviction for  
17 ~~any offenses~~ an offense defined as ~~crimes of violence in R.S. 14:2(B)~~ a homicide in  
18 R.S. 14:29 or as a sex offense in R.S. 15:541(24), or any pending criminal  
19 proceeding alleging commission of an offense defined as a homicide in R.S. 14:29  
20 or as a sex offense in R.S. 15:541(24).



- (2) Defendants who have a pending charge before the court for a crime of violence.
- (3) Defendants with other pending proceedings alleging commission of a crime of violence.
- (4) Defendants who have a pending charge of driving under the influence of alcohol or drugs that resulted in the death of a person.

Proposed law expands the scope of those defendants eligible to participate in the program by prohibiting only those defendants with a conviction of a homicide or sex offense, as well as defendants with a pending criminal charge of a homicide or sex offense. Retains the present law prohibition for defendants with a pending charge of driving under the influence of alcohol or drugs that results in the death of a person. Provides that a defendant may be considered for participation in the Veterans Court program even if the defendant is not otherwise eligible for probation due to the defendant's criminal history.

Proposed law provides that if the crime before the court is domestic abuse battery or domestic abuse aggravated assault, the defendant shall comply with the following additional requirements as conditions of eligibility in the Veterans Court program:

- (1) Completion of a court-monitored domestic abuse intervention program as defined by R.S. 14:35.3.
- (2) No ownership or possession of a firearm while under the supervision of the Veterans Court program or court-ordered probation.

(Amends R.S. 13:5366(B)(9) and (10))