

Regular Session, 2012

HOUSE BILL NO. 123

BY REPRESENTATIVE LOPINTO

CORRECTIONS: Provides for restitution for expenses incurred from an escape or attempted escape from any place where an offender is legally confined

1 AN ACT

2 To amend and reenact R.S. 15:875(B)(1) and to enact R.S. 15:875(B)(3), relative to the
3 imposition of restitution on offenders; to provide that restitution may be obtained
4 from an offender for expenses incurred for an escape or attempted escape from any
5 place where the offender is legally confined; to provide for applicability; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:875(B)(1) is hereby amended and reenacted and R.S.
9 15:875(B)(3) is hereby enacted to read as follows:

10 §875. Imposition of restitution on offenders; procedures

11 * * *

12 B.(1) Restitution may be obtained by corrections services from an offender
13 for expenses incurred by the department or any other law enforcement agency in any
14 escape or attempt to escape from the ~~custody of any facility of the department~~ legal
15 custody of a law enforcement officer, the Department of Public Safety and
16 Corrections, or from any place the offender is legally confined.

17 * * *

18 (3) The provisions of this Subsection shall be applicable to all penal,
19 correctional, community rehabilitation centers, transitional work programs, hospitals,
20 clinics, and any and all programs where offenders are legally assigned.

21 * * *

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)]

Lopinto

HB No. 123

Abstract: Provides for restitution for expenses incurred for an escape or attempted escape from any facility an offender is legally assigned.

Present law provides that restitution may be obtained by corrections services from an offender for expenses incurred by DPS&C or any other law enforcement agency in any escape or attempt to escape from the custody of any facility of the department.

Proposed law amends present law to provide that restitution may be obtained for an escape or attempted escape from any place where the offender is legally confined.

Present law provides that the amount of restitution shall be the actual costs incurred, including but not limited to property damage, staff transportation and lodging, salaries for the duration of the chase, and costs of return of the offender.

Proposed law retains present law. Further provides that proposed law is applicable to all penal, correctional, community rehabilitation centers, transitional work programs, hospitals, clinics, and any and all programs where offenders are legally assigned.

(Amends R.S. 15:875(B)(1); Adds R.S. 15:875(B)(3))