

Regular Session, 2012

HOUSE BILL NO. 248

BY REPRESENTATIVE RICHARD

CRIMINAL/SENTENCING: Provides with respect to the Lafourche Parish Pretrial Home Incarceration Program

1 AN ACT

2 To amend and reenact R.S. 15:571.35.1(C)(2)(e), relative to the Lafourche Parish Pretrial
3 Home Incarceration Program; to authorize the earning of credit for time served
4 participating in the program under certain conditions; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:571.35.1(C)(2)(e) is hereby amended and reenacted to read as
8 follows:

9 §571.35.1. Pilot program; Lafourche Parish Pretrial Home Incarceration Program;
10 electronic monitoring

11 * * *

12 C.

13 * * *

14 (2) Such rules and regulations shall include but not be limited to the
15 following:

16 * * *

17 (e) ~~The defendant shall not receive credit for time served while participating~~
18 ~~in the pilot program.~~ Notwithstanding the provisions of Code of Criminal Procedure
19 Article 880, the defendant may receive credit for time served while participating in
20 the pilot program only with the approval of the sentencing court.

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)]

Richard

HB No. 248

Abstract: Provides that a defendant may receive credit for participation in the Lafourche Parish Pretrial Home Incarceration Program only with approval of the sentencing court.

Present law authorizes the Lafourche Parish Sheriff's Office to implement a pilot program using, as an alternative mode of incarceration to traditional imprisonment, active electronic monitoring of certain offenders who have not been convicted of crimes of violence or sex offenses.

Present law further provides that the Lafourche Parish Sheriff's Office shall develop criteria for participation in the program.

Proposed law retains these provisions of present law.

Present law provides that the defendant shall not receive credit for time served while participating in the pilot program.

Proposed law changes present law to provide that the defendant may receive credit for time served while participating in the pilot program only with the approval of the sentencing court.

(Amends R.S. 15:571.35.1(C)(2)(e))