

2016 Regular Session

HOUSE BILL NO. 463

BY REPRESENTATIVE BILLIOT AND SENATOR CARTER

VETERANS: Amends eligibility requirements to participate in the Veterans Court program

1 AN ACT

2 To amend and reenact R.S. 13:5366(B)(9)(a) and (b), relative to the Veterans Court  
3 program; to provide for eligibility for participation in the Veterans Court program;  
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

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

8 §5366. The Veterans Court program

9 \* \* \*

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

12 \* \* \*

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

15 (a) The defendant cannot have any prior felony convictions for any offenses  
16 defined as ~~crimes of violence~~ a homicide in R.S. 14:29 or any sex offense requiring  
17 registration under R.S. 15:540 et seq.

18 (b) The crime before the court cannot be ~~a crime of violence as defined in~~  
19 ~~R.S. 14:2(B).~~ any of the following:

20 (i) Any offense defined as a homicide in R.S. 14:29.

1            (ii) Any sex offense requiring registration pursuant to R.S. 15:540 et seq.  
2            (iii) A crime of violence as defined in R.S. 14:2(B), unless the entire  
3            sentence may be deferred or suspended pursuant to the provisions of Louisiana law.  
4            (iv) The defendant may be considered for participation in the Veterans Court  
5            Program even if the defendant is not otherwise eligible for probation due to the  
6            defendant's criminal history.

7    \*       \*       \*

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)]

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**Abstract:** Provides relative to the eligibility requirements for the Veterans Court program.

Present law excludes a defendant from participating in the Veterans Court program if the defendant's crime being considered before the court is a crime of violence as defined in present law or if the defendant has a prior felony offense or other pending criminal proceedings alleging commission of a crime of violence.

Proposed law expands participation in the Veterans Court program by excluding only those defendants whose crime before the court is a homicide, a sex offense requiring registration, or a crime of violence unless the entire sentence may be deferred or suspended.

Proposed law further excludes participation in the program if the defendant has prior felony convictions for any offenses defined as a homicide in present law or other pending criminal proceedings alleging commission of a homicide or sex offense.

Proposed law adds that a defendant may still be eligible for the Veterans Court program even if the defendant would not otherwise be eligible for probation due to his criminal history.

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