

2023 Regular Session

HOUSE BILL NO. 91

BY REPRESENTATIVE GOUDEAU

1 AN ACT

2 To enact Code of Criminal Procedure Article 883.2(E) and R.S. 14:32.1(E), relative to
3 operating a vehicle while intoxicated; to provide relative to the crime of vehicular
4 homicide; to provide relative to penalties of the crime of vehicular homicide; to
5 require certain restitution payments to the minor child of the victim; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 883.2(E) is hereby enacted to read
9 as follows:

10 Art. 883.2. Restitution to victim

11 * * *

12 E.(1) Whoever commits the crime of vehicular homicide may be ordered by
13 the court to pay restitution to the child of the victim until the child reaches eighteen
14 years of age. If the child reaches eighteen years of age and is enrolled in a program
15 of study which upon completion will entitle him to be issued a high school
16 equivalency diploma, then the restitution shall continue to be paid until he earns such
17 diploma or reaches the age of twenty-one, whichever first occurs.

18 (2) The court shall calculate the restitution payments using the guidelines set
19 forth under R.S. 9:315.

20 (3) If the court orders restitution under this Subsection and the surviving
21 parent or guardian brings a civil action against the offender and obtains a judgment
22 in his favor, the restitution order shall adopt the civil judgment.

23 Section 2. R.S. 14:32.1(E) is hereby enacted to read as follows:

24 §32.1. Vehicular homicide

25 * * *

1 E. In addition to the penalties provided in this Section, a person convicted
 2 of a violation of this Section may be ordered to make restitution as provided in Code
 3 of Criminal Procedure Article 883.2.
 4 Section 3. This Act shall be cited and referred to as "Cody's Law".

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____