SLS 10RS-745

ORIGINAL

Regular Session, 2010

SENATE BILL NO. 234

BY SENATOR HEITMEIER

EVIDENCE. Provides for clarifying language relative to confession evidence. (8/15/10)

| 1 | AN ACT |
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| 2 | To amend and reenact R.S. 15:451, relative to confession evidence in a criminal proceeding; |
| 3 | to make technical corrections; and to provide for related matters. |
| 4 | Be it enacted by the Legislature of Louisiana: |
| 5 | Section 1. R.S. 15:451 is hereby amended and reenacted to read as follows: |
| 6 | §451. Condition precedent to use of confession; free and voluntary rule |
| 7 | Before what purposes1 purports to be a confession can be introduced in |
| 8 | evidence, it must be affirmatively shown that it was free and voluntary, and not made |
| 9 | under the influence of fear, duress, intimidation, menaces, threats, inducements or |
| 10 | promises. |

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Heyward Jeffers.

DIGEST

Present law uses "purposes" in regard to allowing a confession into evidence.

<u>Proposed law</u> makes technical correction by changing "purposes" to "purports" in regard to allowing a confession into evidence.

Effective August 15, 2010.

(Amends R.S. 15:451)