Regular Session, 2014

ACT No. 386

SENATE BILL NO. 293

BY SENATOR MARTINY

1 AN ACT

2 To amend and reenact R.S. 14:98(F)(2), relative to operating a vehicle while intoxicated; to

3   provide relative to prior convictions for operating while intoxicated; and to provide

4   for related matters.

5 Be it enacted by the Legislature of Louisiana:

6   Section 1. R.S. 14:98(F)(2) is hereby amended and reenacted to read as follows:

7   §98. Operating a vehicle while intoxicated

8   *   *   *

9   F.(1)   *   *   *

10   (2) For purposes of this Section, a prior conviction shall not include a

11   conviction for an offense under this Section, under R.S. 14:32.1, R.S. 14:39.1, or

12   R.S. 14:39.2, or under a comparable statute or ordinance of another jurisdiction, as

13   described in Paragraph (1) of this Subsection, if committed more than ten years prior

14   to the commission of the crime for which the defendant is being tried and such

15   conviction shall not be considered in the assessment of penalties hereunder.

16   However, periods of time during which the offender was awaiting trial, **under an**

17   **order of attachment for failure to appear, or** on probation or parole for an offense

18   described in Paragraph (1) of this Subsection, ~~under an order of attachment for~~

19   ~~failure to appear,~~ or **periods of time during which an offender was** incarcerated in

20   a penal institution in this or any other state **for any offense, including an offense**

21   **described in Paragraph (1) of this Subsection,** shall be excluded in computing the

22   ten-year period.

23   *   *   *

1   Section 2. This Act shall become effective upon signature by the governor or, if not

2 signed by the governor, upon expiration of the time for bills to become law without signature

3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

4 vetoed by the governor and subsequently approved by the legislature, this Act shall become

5 effective on the day following such approval.

_____

PRESIDENT OF THE SENATE

_____

SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.