

First Extraordinary Session, 2011

ACT No. 18

HOUSE BILL NO. 24

BY REPRESENTATIVE WOOTON

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AN ACT

To amend and reenact R.S. 15:81(F), 542(B), 542.1.2(A)(introductory paragraph), 545(A)(1), 571.7(A), 574.5(E), 574.15(A)(1), 643(A), and 645(B) and to repeal R.S. 15:804(C), relative to provisions of Title 15 (Criminal Procedure) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; to repeal provisions that are outdated or obsolete; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:81(F), 542(B), 542.1.2(A)(introductory paragraph), 545(A)(1), 571.7(A), 574.5(E), 574.15(A)(1), 643(A), and 645(B) are hereby amended and reenacted to read as follows:

§81. Bond for release for violation of municipal ordinances; parole or release of prisoners; penalty

* * *

F. In ~~cities having a population of more than three hundred thousand~~ the city of New Orleans, the parish parole officer of the state board of parole and each of the members of the jury commission of the parish in which the municipality is located shall have the power to parole and release persons arrested or detained for alleged violation of any of such municipalities' ordinances.

* * *

§542. Registration of sex offenders and child predators

* * *

1 §545. Duty of law enforcement

2 A.(1) It shall be the duty of the sheriff of every parish, the chief of police of
3 each municipality, and every chief officer of every other law enforcement agency
4 operating within this state to record the fingerprints of all persons held in or
5 remanded to their custody when convicted of any sex offense or any criminal offense
6 against a victim who is a minor for which the penalty of imprisonment might be
7 imposed and to disseminate and file such fingerprints in the same manner as those
8 recorded upon every arrest. The sheriff and the police chief or, if the residence is in
9 a ~~parish~~ municipality with a population in excess of ~~four hundred fifty~~ three hundred
10 thousand, the police department shall forward the fingerprints and information
11 obtained pursuant to R.S. 15:542 and 542.1, a copy of the criminal history of the
12 offender, and the text of the law defining the criminal offense which requires
13 registration to the Louisiana Bureau of Criminal Identification and Information
14 within three business days for inclusion into the State Sex Offender and Child
15 Predator Registry.

16 * * *

17 §571.7. Supervision upon release from parish prison after diminution of sentence for
18 good behavior; conditions of release; revocation

19 A. When a prisoner who has been sentenced to a parish prison in ~~a parish~~
20 ~~having a population in excess of four hundred seventy-five thousand people~~ Orleans
21 Parish is released because of diminution of sentence pursuant to this Part, he shall
22 be released as if released on parole.

23 * * *

24 §574.5. Intensive incarceration and parole supervision of persons held by sheriffs
25 in ~~eligible parishes~~ Orleans Parish

26 * * *

27 E. As used in this Section, "eligible parish" means ~~a parish with a population~~
28 ~~of four hundred seventy-five thousand persons as determined by the latest United~~
29 ~~States census~~ the parish of Orleans.

30 * * *

1 §574.15. Power of elected state, parochial, or municipal officials to parole persons
2 arrested for violation of municipal ordinances

3 A.(1) Every elected officer of the state or any parish or municipality in the
4 state shall have the power to parole a person who is under arrest and detention for the
5 violation of any criminal or quasi criminal ordinance, not enumerated in Paragraph
6 (2) of this Subsection, of any municipality in any parish, within the territorial
7 jurisdiction of the state or parish elected officer, and within the municipality wherein
8 the municipal officer exercises his ~~jurisdiction, whenever any municipality has a~~
9 ~~population of more than four hundred fifty thousand inhabitants according to the~~
10 ~~jurisdiction, whenever any municipality has a population of more than four hundred~~
11 ~~fifty inhabitants, according to the census of the United States for 1980 or any~~
12 ~~subsequent year~~ three hundred thousand persons, based on the latest federal
13 decennial census. Nothing in this Subsection shall prohibit or impede judges
14 exercising criminal jurisdiction in district, municipal, or traffic court to fix bail as
15 guaranteed and authorized by Louisiana Constitution Article I, Section 18 and Code
16 of Criminal Procedure Article 333.

17 * * *

18 §643. Registration of offenders who commit violent offenses against peace officers

19 A. Any adult residing in this state who has pled guilty to, has been convicted
20 of, or where adjudication has been deferred or withheld for the perpetration or
21 attempted perpetration of any offense against a peace officer as defined in R.S.
22 15:642 shall register within ten days of establishing residence in Louisiana, or if a
23 current resident, within ten days after release from confinement with the sheriff of
24 the parish of the person's residence and with the chief of police if the address of the
25 residence is located in an incorporated area which has a police department. If the
26 adult resides in a ~~parish~~ municipality with a population in excess of ~~four hundred~~
27 ~~fifty thousand according to the latest federal decennial census~~ three hundred
28 thousand persons, he shall register with the police department of his municipality of
29 residence.

30 * * *

1 §645. Central registry

2 * * *

3 B. Once each year, the bureau shall mail a non-forwardable verification
4 form, not less than five days prior to the anniversary of the date of the offender's
5 initial registration, to the last reported address of each person subject to the
6 provisions of this Section. The person subject to registration shall mail the
7 verification to the bureau within ten days of receipt of the verification form. If the
8 bureau does not receive the verification form within thirty days, the bureau shall
9 immediately notify the sheriff of the parish in which the person's last reported
10 address of residence is located, or in the case of a person residing in a ~~parish~~
11 municipality with a population in excess of ~~four hundred fifty thousand~~ according
12 ~~to the latest federal decennial census~~ three hundred thousand persons, the police
13 department of his municipality of residence.

14 * * *

15 Section 2. R.S. 15:804(C) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____