

Regular Session, 2008

SENATE BILL NO. 515

BY SENATOR AMEDEE

CRIMINAL PROCEDURE. Increases the time a defendant may be held in custody without being charged with a felony. (8/15/08)

1 AN ACT

2 To amend and reenact C.Cr.P. Art. 701(B)(1), relative to the length of time a defendant may
3 be held in custody prior to being formally charged with a felony offense; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. C.Cr.P. Art. 701(B)(1) is amended and reenacted to read as follows:

7 Art. 701. Right to a speedy trial

8 * * *

9 B. The time period for filing a bill of information or indictment after arrest
10 shall be as follows:

11 (1)(a) When the defendant is continued in custody subsequent to an arrest,
12 an indictment or information shall be filed within forty-five days of the arrest if the
13 defendant is being held for a misdemeanor and within ~~sixty~~ **one hundred twenty**
14 days of the arrest if the defendant is being held for a felony.

15 ~~(b) When the defendant is continued in custody subsequent to an arrest, an~~
16 ~~indictment shall be filed within one hundred twenty days of the arrest if the~~
17 ~~defendant is being held for a felony for which the punishment may be death or life~~

