
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

SB 146 Engrossed

DIGEST
2019 Regular Session

Morrell

Present law provides that if the testimony of a witness is essential to the prosecution or the defense, and it may become impracticable to secure the presence of the person by subpoena, then upon motion of the district attorney or a defendant, a judge is to issue a warrant for the arrest of the witness. Present law further provides that the witness is to be arrested and held in the parish jail or other suitable place as designated by the court, until he gives an appearance bond as provided for defendants admitted to bail, or until his testimony has been given or dispensed with.

Proposed law provides that present law does not apply for the purpose of securing the witness's testimony in the prosecution or defense of any present law offense defined as a sex offense under present law, or the present law crimes of battery of a dating partner, domestic abuse battery, or domestic abuse aggravated assault, when the witness is also the victim of any of those offenses.

Proposed law otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 15:257)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Make proposed law applicable to both the prosecution and the defense instead of only applicable to the prosecution.