

**CITY OF HAMMOND**  
**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance to Amend the Hammond Criminal Code (Chapter 21) of the  
Code of Ordinances Regarding Offenses and Miscellaneous Provisions**

**BE IT ORDAINED** by the City Council of Hammond, Louisiana, that:

1. Sections 21-98 and 21-98.5 of the Hammond Criminal Code of the Code of Ordinances are amended to read, in relevant part, as follows, where revisions to the existing ordinance are underlined below:

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**SECTION 21-98 – Operating a Vehicle While Intoxicated**

...

(b)(1) This Subsection shall be cited as the “Child Endangerment Law”.

(2) When the state proves, in addition to the elements of the crime as set forth in Subsection A of this Section, that a minor child twelve years of age or younger was a passenger in the motor vehicle, aircraft, watercraft, vessel, or other means of motorized conveyance at the time of the commission of the offense:

(A) Except as provided in Subparagraph (B) of this Paragraph, the execution of the minimum mandatory sentence provided by R.S. 14:98.1 or 98.2, as appropriate, shall not be suspended.

(B) Notwithstanding any provision of law to the contrary, if imprisonment is imposed pursuant to the provisions of R.S. 14:98.3, the execution of the minimum mandatory sentence shall not be suspended.

...

**SECTION 21-98.5 – Special Provisions and Definitions**

(a)(1) An offender ordered to participate in a substance abuse program, home incarceration, or a driver improvement program in accordance with the penalty provisions of R.S. 14:98, 98.1 shall pay the cost incurred in participating in the program. Failure to make such payment shall subject the offender to revocation of probation, unless the court determines that the offender is unable to pay.

(2) Except as provided by Paragraph (4) of this Subsection and unless otherwise authorized or prohibited, on a misdemeanor violation of R.S. 14:98 the court may sentence the offender to home incarceration.

(3) When the court sentences an offender to home incarceration, the offender shall be subject to special conditions to be determined by the court, which shall include but not be limited to the following:

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2. All Ordinances in conflict therewith are revised and amended to conform with the above.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on \_\_\_\_\_, 2016 of the Hammond City Council and discussed at a public meeting held on \_\_\_\_\_, 2016; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by \_\_\_\_\_ and a Second by \_\_\_\_\_, the foregoing ordinance was hereby declared adopted on \_\_\_\_\_, 2016, by the following roll call vote:

Votes: Johnny Blount ( ) Jason Hood ( ) Janice Beard ( ) Lemar Marshall ( ) Mike Williams ( ) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2016, at Hammond, Tangipahoa Parish, Louisiana.

\_\_\_\_\_  
Mike Williams  
President, Hammond City Council

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Honorable Pete Panepinto  
Mayor, City of Hammond

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Tonia Banks, Clerk  
Hammond City Council