

Regular Session, 2014

HOUSE BILL NO. 159

BY REPRESENTATIVE SMITH

PAROLE: Reduces length of time that must be served by certain offenders before becoming parole eligible

1 AN ACT

2 To amend and reenact R.S. 15:574.4(B)(1), relative to parole eligibility; to amend provisions
3 of law regarding parole eligibility for crimes of violence; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.4(B)(1) is hereby amended and reenacted to read as follows:

7 §574.4. Parole; eligibility

8 * * *

9 B.(1) No person shall be eligible for parole consideration who has been
10 convicted of armed robbery and denied parole eligibility under the provisions of R.S.
11 14:64. Except as provided in Paragraph (2) of this Subsection, and except as
12 provided in Subsections D and E of this Section, no prisoner serving a life sentence
13 shall be eligible for parole consideration until his life sentence has been commuted
14 to a fixed term of years. No prisoner sentenced as a serial sexual offender shall be
15 eligible for parole. No prisoner may be paroled while there is pending against him
16 any indictment or information for any crime suspected of having been committed by
17 him while a prisoner. Notwithstanding any other provisions of law to the contrary,
18 a person convicted of a crime of violence and not otherwise ineligible for parole shall
19 serve at least ~~eighty-five~~ seventy-five percent of the sentence imposed, before being
20 eligible for parole. The victim or victim's family shall be notified whenever the

1 offender is to be released provided that the victim or victim's family has completed
2 a Louisiana victim notice and registration form as provided in R.S. 46:1841 et seq.,
3 or has otherwise provided contact information and has indicated to the Department
4 of Public Safety and Corrections, Crime Victims Services Bureau, that they desire
5 such notification.

6 * * *

7 Section 2. The provisions of this Act shall have prospective application only and
8 shall only apply to persons convicted on or after the effective date of this Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Smith HB No. 159

Abstract: Amends parole eligibility provisions for crimes of violence, reducing the length of time certain offenders must serve before becoming parole eligible from 85% to 75%.

Present law provides for the following listing of crimes designated as crimes of violence: solicitation for murder, first degree murder, second degree murder, manslaughter, aggravated battery, second degree battery, aggravated assault, mingling harmful substances, aggravated rape, forcible rape, simple rape, sexual battery, second degree sexual battery, intentional exposure to AIDS virus, aggravated kidnapping, second degree kidnapping, simple kidnapping, aggravated arson, aggravated criminal damage to property, aggravated burglary, armed robbery, first degree robbery, simple robbery, purse snatching, extortion, assault by drive-by shooting, aggravated crime against nature, carjacking, illegal use of weapons or dangerous instrumentalities, terrorism, aggravated incest, aggravated second degree battery, aggravated assault upon a peace officer with a firearm, aggravated assault with a firearm, armed robbery, use of firearm, second degree robbery, disarming of a peace officer, stalking, second degree cruelty to juveniles, aggravated flight from an officer, battery of a police officer, trafficking of children for sexual purposes, human trafficking, and home invasion.

Proposed law retains present law.

Present law provides that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least 85% of the sentence imposed before being eligible for parole.

Proposed law changes present law to provide that a person convicted of a crime of violence not otherwise ineligible for parole shall serve 75% of the sentence imposed before being eligible for parole.

(Amends R.S. 15:574.4(B)(1))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Amended proposed law to provide that any person convicted of a crime of violence, regardless of whether it is a first or second felony offense, shall serve 75% of the sentence imposed before being parole eligible.
2. Provided for prospective application of proposed law.