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## DIGEST

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HB 12 Original

2020 Second Extraordinary Session

Marino

**Abstract:** Provides relative to the appearance of certain persons before the Board of Pardons and committee on parole by teleconference and provides relative to the authority of the Board of Pardons and committee on parole to conduct meetings and hearings via teleconference.

Present law authorizes a crime victim or the victim's family, a victim advocacy group, and the district attorney or his representative to appear before the Board of Pardons (board) by means of telephone communication from the office of the local district attorney.

Proposed law amends present law to authorize any person providing testimony to appear before the board by means of teleconference or telephone communication and removes the provision which requires the person to be at the office of the local district attorney.

Present law provides that the crime victim or the victim's family, a victim advocacy group, and the district attorney or his representatives, may appear before the committee on parole (committee) by means of telephone communication from the office of the local district attorney.

Proposed law amends present law to require any person providing testimony to appear before the committee by means of teleconference or telephone communication and removes the provision which requires the person to be at the office of the local district attorney.

Proposed law authorizes the board and the committee to hold their meetings or hearings by teleconference if the meeting or hearing complies with certain requirements including:

- (1) A physical anchor location is established from which the meeting or hearing shall originate and at which the recording secretary of the meeting or hearing is present and conducts the meeting or hearing. Proposed law provides that any member of the board or the committee and any member of the public may participate in person at the anchor location.
- (2) The meeting or hearing complies with the requirements of the Open Meetings Law (R.S. 42:14, 16, 17, 19, 20, 23, and 24).
- (3) The board or committee publishes notice of the meeting or hearing and the procedures for conducting the meeting or hearing by teleconference prior to the meeting or hearing.
- (4) All comments received in writing or by email are made available to members of the board or committee for their consideration and retained on file as part of the record of the

proceedings.

- (5) All votes taken in the teleconference meeting or hearing are by roll call vote.
- (6) The entirety of the meeting or hearing, except for a duly called executive session, is audible to the public and broadcasted over the internet.
- (7) The teleconference meeting or hearing is recorded and made available to the public upon request.
- (8) If a problem occurs that causes the meeting or hearing to no longer be visible or audible to the public, the meeting or hearing is recessed until the problem is resolved. If the problem is not resolved in two hours or less, the meeting or hearing shall be adjourned.

Proposed law requires any changes to the rules, policies, or directives of the board or committee to be done at a regularly scheduled meeting with a quorum present physically at the anchor location.

Proposed law provides that a meeting or hearing conducted by teleconference shall not require a quorum to be present physically at the anchor location of the meeting or hearing.

Proposed law requires the board and committee to adopt rules pursuant to the Administrative Procedure Act to implement the provisions of proposed law.

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

(Amends R.S. 15:573.2 and 574.4.1(A)(2); Adds R.S. 15:573.3 and 574.4.1(E))