

2025 Regular Session

HOUSE BILL NO. 208

BY REPRESENTATIVE VILLIO

1 AN ACT

2 To amend and reenact R.S. 15:529.2(B)(3), 571.3.1(F), 574.4(A)(4)(b), (B)(2)(a)(iii),
3 (b)(iii), (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b),
4 574.6(introductory paragraph), 574.9(section heading) and (H)(1)(a)(i)(introductory
5 paragraph), and 1199.24(A)(5), to enact R.S. 15:571.3(C), 571.3.1(I),
6 574.9(H)(1)(a)(i)(dd), and Subpart H of Part II of Chapter 5 of Title 15 of the
7 Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.71 and 574.72,
8 and to repeal R.S. 15:574.9(F), relative to the release eligibility of incarcerated
9 persons; to provide relative to parole eligibility requirements; to provide relative to
10 the automatic earning of good time credits by offenders for good behavior; to
11 provide for the elimination of earned compliance credits while on parole; to provide
12 for a statement of legislative intent; to provide for removal procedures and
13 conditions of certain offenders who are granted parole; to provide for duties of the
14 committee on parole; to provide for definitions; to provide for an effective date; and
15 to provide for related matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. R.S. 15:529.2(B)(3), 571.3.1(F), 574.4(A)(4)(b), (B)(2)(a)(iii), (b)(iii),
18 (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b),
19 574.6(introductory paragraph), 574.9(section heading) and (H)(1)(a)(i)(introductory
20 paragraph), and 1199.24(A)(5) are hereby amended and reenacted and R.S. 15:571.3(C),
21 571.3.1(I), 574.9(H)(1)(a)(i)(dd), and Subpart H of Part II of Chapter 5 of Title 15 of the

1 Louisiana Revised Statutes of 1950, comprised of R.S. 15:574.71 and 574.72, are hereby
2 enacted to read as follows:

3 §529.2. Intensive parole supervision for certain habitual offenders

4 * * *

5 B. The secretary may release offenders pursuant to the provisions of this
6 Section only if all of the following conditions exist:

7 * * *

8 (3) The offender has not committed any major disciplinary offenses in the
9 ~~twelve~~ thirty-six consecutive months prior to release.

10 * * *

11 §571.3. Diminution of sentence for good behavior

12 * * *

13 C. Diminution of sentence pursuant to this Section shall not be allowed to
14 be earned by an inmate in a parish prison or in the custody of the Department of
15 Public Safety and Corrections if any of the following apply:

16 (1) The inmate has been sentenced as a habitual offender under the Habitual
17 Offender Law as set forth in R.S. 15:529.1.

18 (2) The instant offense is a sex offense.

19 * * *

20 §571.3.1. Eligibility and applicability of diminution of sentence for crimes
21 committed on or after August 1, 2024

22 * * *

23 F.(1) Except as provided in Paragraph (2) of this Subsection, any ~~Any~~
24 offender released because of diminution of sentence earned pursuant to this Section
25 shall be released subject to the provisions of R.S. 15:571.5. The remainder of the
26 original full term of sentence shall be served as if on unsupervised parole for any
27 offender released pursuant to this Subsection unless his parole is revoked as provided
28 in R.S. 15:571.5(C).

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B.

* * *

(2) Except as provided in R.S. 15:574.22, any person serving a life sentence, with or without the benefit of parole, who has not been convicted of a crime of violence as defined by R.S. 14:2(B), a sex offense as defined by R.S. 15:541, or an offense, regardless of the date of conviction, which would constitute a crime of violence as defined by R.S. 14:2(B) or a sex offense as defined by R.S. 15:541, shall be eligible for parole consideration as follows:

(a) If the person was at least eighteen years of age and under the age of twenty-five years at the time he was sentenced to life imprisonment, he shall be eligible for parole consideration if all of the following conditions have been met:

* * *

(iii) The person has not committed any major disciplinary offenses in the ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

* * *

(b) If the person was at least twenty-five years of age and under the age of thirty-five years at the time he was sentenced to life imprisonment, he shall be eligible for parole consideration if all of the following conditions have been met:

* * *

(iii) The person has not committed any major disciplinary offenses in the ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

* * *

1 (c) If the person was at least thirty-five years of age and under the age of
2 fifty years at the time he was sentenced to life imprisonment, he shall be eligible for
3 parole consideration if all of the following conditions have been met:

4 * * *

5 (iii) The person has not committed any major disciplinary offenses in the
6 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major
7 disciplinary offense is an offense identified as a Schedule B offense by the
8 Department of Public Safety and Corrections in the Disciplinary Rules and
9 Procedures for Adult Offenders.

10 * * *

11 (d) If the person was at least fifty years of age at the time he was sentenced
12 to life imprisonment, he shall be eligible for parole consideration if all of the
13 following conditions have been met:

14 * * *

15 (iii) The person has not committed any major disciplinary offenses in the
16 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major
17 disciplinary offense is an offense identified as a Schedule B offense by the
18 Department of Public Safety and Corrections in the Disciplinary Rules and
19 Procedures for Adult Offenders.

20 * * *

21 D.(1) Notwithstanding any provision of law to the contrary, any person
22 serving a sentence of life imprisonment who was under the age of eighteen years at
23 the time of the commission of the offense, except for a person serving a life sentence
24 for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S.
25 14:30.1), shall be eligible for parole consideration pursuant to the provisions of this
26 Subsection if all of the following conditions have been met:

27 * * *

28 (b) The offender has not committed any major disciplinary offenses in the
29 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major
30 disciplinary offense is an offense identified as a Schedule B offense by the

1 Department of Public Safety and Corrections in the Disciplinary Rules and
2 Procedures for Adult Offenders.

3 * * *

4 E.(1) Notwithstanding any provision of law to the contrary and except as
5 provided in Subsection G of this Section, any person serving a sentence of life
6 imprisonment for a conviction of first degree murder (R.S. 14:30) who was under the
7 age of eighteen years at the time of the commission of the offense and whose
8 indictment for the offense is on or after August 1, 2017, shall be eligible for parole
9 consideration pursuant to the provisions of this Subsection if a judicial determination
10 has been made that the person is entitled to parole eligibility pursuant to Code of
11 Criminal Procedure Article 878.1(A) and all of the following conditions have been
12 met:

13 * * *

14 (b) The offender has not committed any major disciplinary offenses in the
15 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major
16 disciplinary offense is an offense identified as a Schedule B offense by the
17 Department of Public Safety and Corrections in the Disciplinary Rules and
18 Procedures for Adult Offenders.

19 * * *

20 F.(1) Notwithstanding any provision of law to the contrary and except as
21 provided in Subsection G of this Section, any person serving a sentence of life
22 imprisonment for a conviction of second degree murder (R.S. 14:30.1) who was
23 under the age of eighteen years at the time of the commission of the offense and
24 whose indictment for the offense is on or after August 1, 2017, shall be eligible for
25 parole consideration if all of the following conditions have been met:

26 * * *

27 (b) The offender has not committed any major disciplinary offenses in the
28 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major
29 disciplinary offense is an offense identified as a Schedule B offense by the

1 Department of Public Safety and Corrections in the Disciplinary Rules and
2 Procedures for Adult Offenders.

3 * * *

4 G.(1) Notwithstanding any provision of law to the contrary, any person
5 serving a sentence of life imprisonment for a conviction of first degree murder (R.S.
6 14:30) or second degree murder (R.S. 14:30.1) who was under the age of eighteen
7 years at the time of the commission of the offense and whose indictment for the
8 offense was prior to August 1, 2017, shall be eligible for parole consideration
9 pursuant to the provisions of this Subsection if a judicial determination has been
10 made that the person is entitled to parole eligibility pursuant to Code of Criminal
11 Procedure Article 878.1(B) and all of the following conditions have been met:

12 * * *

13 (b) The offender has not committed any major disciplinary offenses in the
14 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major
15 disciplinary offense is an offense identified as a Schedule B offense by the
16 Department of Public Safety and Corrections in the Disciplinary Rules and
17 Procedures for Adult Offenders.

18 * * *

19 J.(1) Notwithstanding any provision of law to the contrary, and except as
20 provided in Subsections D, E, F, G, and H of this Section, any person serving a term
21 or terms of imprisonment that result in a period of incarceration of twenty-five years
22 or more and who was under the age of eighteen years at the time of the commission
23 of the offense shall be eligible for parole consideration pursuant to the provisions of
24 this Subsection if all of the following conditions have been met:

25 * * *

26 (b) The offender has not committed any major disciplinary offenses in the
27 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major
28 disciplinary offense is an offense identified as a Schedule B offense by the
29 Department of Public Safety and Corrections in the Disciplinary Rules and
30 Procedures for Adult Offenders.

31 * * *

1 §574.6. Parole term; automatic discharge

2 The parole term, when the committee orders an offender released on parole,
3 shall be for the remainder of the offender's sentence, ~~with credits for compliance~~
4 ~~with the terms and conditions of parole supervision pursuant to R.S. 15:574.6.1.~~

5 When the parolee has completed his full parole term, he shall be discharged from
6 parole by the Department of Public Safety and Corrections without order by the
7 committee, provided that:

8 * * *

9 §574.9. Revocation of parole for violation of condition; committee panels; return
10 to custody hearing; duration of reimprisonment and reparole after revocation;
11 ~~credit for time served~~; revocation for a technical violation

12 * * *

13 H.(1)(a)(i) Except as provided in Subparagraph (b) of this Paragraph, any
14 offender who has been released on parole prior to, on, or after the effective date of
15 this Act and whose parole supervision is being revoked pursuant to the provisions
16 of this Section for a technical violation of the conditions of parole, as determined by
17 the committee on parole, shall be required to serve the following sentences:

18 * * *

19 (dd) If the offender is in a custodial substance abuse treatment program, the
20 offender shall serve not more than one hundred eighty days.

21 * * *

22 SUBPART H. ALIEN REMOVAL PROCESS

23 §574.71. Definitions

24 As used in this Subpart:

25 (1) "Alien" shall have the same meaning as defined in 8 U.S.C. 1101.

26 (2) "Committee" means the Deportation Eligibility Hearing Committee,
27 which shall be comprised of a three-member panel of the members of the committee
28 on parole, and which shall hear and decide deportation eligibility cases as provided
29 in this Subpart.

30 (3) "Department" means the Department of Public Safety and Corrections.

1 (4) "Removal" means the deportation of an alien from the United States to
 2 another country.

3 §574.72. Alien removal process; deportation eligibility hearing

4 A. Notwithstanding any other provision of law to the contrary, an offender
 5 shall be eligible for parole consideration and release for the purposes of deportation
 6 or removal pursuant to this Section if the following conditions have been met:

7 (1) The offender is an alien who has a final order of removal or a detainer
 8 issued by the Department of Homeland Security.

9 (2) The offender is not serving a sentence for either of the following:

10 (a) A sex offense as defined in R.S. 15:541.

11 (b) A crime of violence, as defined in R.S. 14:2(B), punishable by
 12 imprisonment for ten years or more, life imprisonment, or death.

13 (3) The offender has been approved for a deportation eligibility hearing by
 14 both the governor and the district attorney of the parish where the conviction was
 15 obtained.

16 B. For any offender who meets the criteria of Subsection A of this Section,
 17 the committee shall:

18 (1) Conduct an expedited pre-hearing investigation.

19 (2) Notify the district attorney and sheriff of the parish where the conviction
 20 was obtained and any registered victim at least thirty days prior to any deportation
 21 eligibility hearing.

22 (3) Conduct an expedited deportation eligibility hearing.

23 (4) Render its decision ordering or denying the release and transfer of the
 24 offender for the purpose of deportation or removal within seven days of the hearing.

25 C. Any decision by the committee to grant an offender release on parole for
 26 the purpose of deportation or removal shall include and recite the following
 27 conditions of release:

28 (1) The offender shall only be released from physical state custody directly
 29 to the custody of the Department of Homeland Security and shall be held in its
 30 custody until the offender is physically removed from the United States.

