

SENATE BILL NO. 24

BY SENATOR MARTINY

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AN ACT

To amend and reenact R.S. 15:574.4(B)(1) and to enact R.S. 15:574.4(A)(5), relative to parole; to provide for parole consideration for certain persons; to provide for certain ameliorative penalty provisions; to provide for certain terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:574.4(B)(1) is hereby amended and reenacted and R.S. 15:574.4(A)(5) is hereby enacted to read as follows:

§574.4. Parole; eligibility

A. * * *

(5)(a) Notwithstanding the provisions of Paragraph (A)(1) or Subsection B of this Section or any other provision of law to the contrary, a person committed to the Department of Public Safety and Corrections shall be eligible for parole consideration upon serving fifteen years in actual custody if all of the following conditions are met:

(i) The person was not eligible for parole consideration at an earlier date.

(ii) The person was sentenced to life imprisonment without parole, probation, or suspension of sentence for the instant offense and the instant

1 offense was committed between June 29, 1995, and June 15, 2001.

2 (iii) The person is eligible for relief under R.S. 15:308, including a person
3 servng a life sentence with or without additional terms of years.

4 (b) The provisions of Subparagraph (a) of this Paragraph shall not apply
5 to any person who was sentenced for a third or subsequent felony when the
6 third or subsequent felony and two of the prior felonies are any of the following:

7 (i) A crime of violence pursuant to R.S. 14:2(B).

8 (ii) A sex offense as defined in R.S. 15:541 when the victim is under the
9 age of eighteen years at the time of the commission of the offense.

10 (iii) A violation of the Uniform Controlled Dangerous Substances Law
11 punishable by imprisonment for ten years or more.

12 (iv) Any other offense punishable by imprisonment for twelve years or
13 more.

14 (v) Any combination of the offenses listed in Items (i) through (iv) of this
15 Subparagraph.

16 B.(1) No person shall be eligible for parole consideration who has been
17 convicted of armed robbery and denied parole eligibility under the provisions of R.S.
18 14:64. Except as provided in Paragraph (2) of this Subsection, and except as
19 provided in **Paragraph (A)(5) and** Subsections D and E of this Section, no prisoner
20 serving a life sentence shall be eligible for parole consideration until his life sentence
21 has been commuted to a fixed term of years. No prisoner sentenced as a serial sexual
22 offender shall be eligible for parole. No prisoner may be paroled while there is
23 pending against him any indictment or information for any crime suspected of having
24 been committed by him while a prisoner. Notwithstanding any other provisions of
25 law to the contrary, a person convicted of a crime of violence and not otherwise
26 ineligible for parole shall serve at least eighty-five percent of the sentence imposed,
27 before being eligible for parole. The victim or victim's family shall be notified
28 whenever the offender is to be released provided that the victim or victim's family
29 has completed a Louisiana victim notice and registration form as provided in R.S.
30 46:1841 et seq., or has otherwise provided contact information and has indicated to

1 the Department of Public Safety and Corrections, Crime Victims Services Bureau,
2 that they desire such notification.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____