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## DIGEST

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HB 1 Engrossed

2020 Second Extraordinary Session

James

**Abstract:** Provides relative to the application of certain parole eligibility provisions to juvenile offenders serving a life sentence.

Present law provides parole eligibility for certain juvenile offenders as follows:

- (1) Any person serving a sentence of **life imprisonment for a non-homicide offense** who was under the age of 18 years at the time of the commission of the offense, shall be eligible for parole consideration upon serving **25 years** of the sentence imposed and meeting certain conditions set forth in present law. (R.S. 15:574.4(D))
- (2) Any person serving a sentence of **life imprisonment for a conviction of first degree murder** (R.S. 14:30) who was under the age of 18 years at the time of the commission of the offense and whose **indictment for the offense is on or after Aug. 1, 2017**, shall be eligible for parole consideration if a **judicial determination has been made** that the person is entitled to parole eligibility, the offender has served **25 years** of the sentence imposed, and the offender meets certain conditions set forth in present law. (R.S. 15:574.4(E))
- (3) Any person serving a sentence of **life imprisonment for a conviction of second degree murder** (R.S. 14:30.1) who was under the age of 18 years at the time of the commission of the offense and whose **indictment for the offense is on or after Aug. 1, 2017**, shall be eligible for parole consideration upon serving **25 years** of the sentence imposed and meeting certain conditions set forth in present law. (R.S. 15:574.4(F))
- (4) Any person serving a sentence of **life imprisonment for a conviction of first or second degree murder** (R.S. 14:30 or 30.1) who was under the age of 18 years at the time of the commission of the offense and whose **indictment for the offense was prior to Aug. 1, 2017**, shall be eligible for parole consideration if a **judicial determination has been made** that the person is entitled to parole eligibility, the offender has served **25 years** of the sentence imposed, and the offender meets certain conditions set forth in present law. (R.S. 15:574.4(G))

Proposed law retains these provisions of present law.

Present law (R.S. 15:574.4(J)) provides that any person serving a term or terms of imprisonment that result in a period of incarceration of 25 years or more and who was under the age of 18 years at the

time of the commission of the offense shall be eligible for parole consideration upon serving at least 25 years of the sentence imposed and upon meeting certain conditions set forth in present law.

Proposed law specifies that parole eligibility pursuant to this provision of present law (R.S. 15:574.4(J)) does not apply to a person serving a sentence of life imprisonment for a conviction of first degree murder (R.S. 14:30), second degree murder (R.S. 14:30.1), aggravated or first degree rape (R.S. 14:42), or aggravated kidnapping (R.S. 14:44).

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

(Amends R.S. 15:574.4(J)(1)(intro. para.); Adds R.S. 15:574.4(J)(4))

#### Summary of Amendments Adopted by House

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

1. Make effective upon signature of governor or lapse of time for gubernatorial action.