

ACT No. 122

2021 Regular Session

HOUSE BILL NO. 145

BY REPRESENTATIVE BRYANT AND SENATORS BOUDREAUX AND FRED MILLS

1 AN ACT

2 To amend and reenact R.S. 15:574.4(A)(2) and (B)(1) and to enact R.S. 15:574.4(A)(6),
3 relative to parole; to provide relative to parole eligibility; to provide relative to the
4 parole eligibility of persons convicted of certain crimes; to provide relative to the
5 parole eligibility of persons serving certain terms of imprisonment; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:574.4(A)(2) and (B)(1) are hereby amended and reenacted and
9 R.S. 15:574.4(A)(6) is hereby enacted to read as follows:

10 §574.4. Parole; eligibility; juvenile offenders

11 A.

12 * * *

13 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection or any
14 other law to the contrary, unless eligible for parole at an earlier date, a person
15 committed to the Department of Public Safety and Corrections for a term or terms
16 of imprisonment with or without benefit of parole for thirty years or more shall be
17 eligible for parole consideration upon serving at least twenty years of the term or
18 terms of imprisonment in actual custody and upon reaching the age of forty-five.
19 This provision shall not apply to a person serving a life sentence unless the sentence
20 has been commuted to a fixed term of years. The provisions of this Paragraph shall
21 not apply to any person who has been convicted ~~under the provisions of R.S. 14:64.~~
22 ~~The provisions of this Paragraph shall not apply to any person who has been~~
23 ~~convicted~~ of a crime of violence as defined in R.S. 14:2(B) or a sex offense as
24 defined in R.S. 15:541 when the offense was committed on or after August 1, 2014.

25 * * *

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

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

7 (ii) The person was sentenced to life imprisonment without parole,
 8 probation, or suspension of sentence after being convicted of a third or subsequent
 9 felony offense under R.S. 15:529.1 for the instant offense.

10 (b) The provisions of Subparagraph (a) of this Paragraph shall not apply to
 11 any person who meets any of the following criteria:

12 (i) The instant conviction is a crime of violence under R.S. 14:2(B).

13 (ii) The instant conviction or any prior conviction, whether or not that prior
 14 conviction was used in the habitual offender conviction under R.S. 15:529.1, is both
 15 a crime of violence under R.S. 14:2(B) and a sex offense under R.S. 15:541.

16 (iii) The person would still qualify for a sentence of life imprisonment
 17 without parole, probation, or suspension of sentence as a third or subsequent offense
 18 under R.S. 15:529.1, as it was amended by Act Nos. 257 and 282 of the 2017
 19 Regular Session of the Legislature.

20 ~~B.(1) No person shall be eligible for parole consideration who has been~~
 21 ~~convicted of armed robbery and denied parole eligibility under the provisions of R.S.~~
 22 ~~14:64. Except as provided in Paragraph (2) of this Subsection, and except as~~
 23 provided in Paragraph (A)(5) and Subsections D, E, and H of this Section, no
 24 prisoner serving a life sentence shall be eligible for parole consideration until his life
 25 sentence has been commuted to a fixed term of years. No prisoner sentenced as a
 26 serial sexual offender shall be eligible for parole. No prisoner may be paroled while
 27 there is pending against him any indictment or information for any crime suspected
 28 of having been committed by him while a prisoner. Notwithstanding any other
 29 provisions of law to the contrary, a person convicted of a crime of violence and not
 30 otherwise ineligible for parole shall serve at least sixty-five percent of the sentence

