

2024 Second Extraordinary Session

HOUSE BILL NO. 13

BY REPRESENTATIVE WRIGHT

CORRECTIONS/PRISONERS: Provides relative to forfeiture of diminution of sentence
(Item #2)

1 AN ACT

2 To amend and reenact R.S. 15:571.4(B)(1), relative to forfeiture of diminution of sentence;
3 to provide for forfeiture of diminution of sentence based on certain offenses; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:571.4(B)(1) is hereby amended and reenacted to read as follows:

7 §571.4. Forfeiture of diminution of sentence

8 * * *

9 B.(1) An inmate who is sentenced to the custody of the Department of Public
10 Safety and Corrections ~~and who commits~~ shall forfeit all good time and credits
11 earned toward the reduction of the projected good time parole supervision date
12 earned on the portion of his sentence if he is convicted of any of the following
13 offenses, including attempt or conspiracy:

14 (a) Any crime of violence, as defined in R.S. 14:2(B), that is punishable by
15 imprisonment of more than ten years.

16 (b) Second degree battery, as defined in R.S. 14:34.1.

17 (c) Battery of a police officer, as defined in R.S. 14:34.2.

18 (d) Battery of a correctional facility employee, as defined in R.S. 14:34.5.

19 (e) Disarming of a peace officer, as defined in R.S. 14:34.6.

- 1 (f) Battery of emergency room personnel, emergency services personnel, or
- 2 a healthcare professional, as defined in R.S. 14:34.8.
- 3 (g) Aggravated assault, as defined in R.S. 14:37.
- 4 (h) Second degree sexual battery, as defined in R.S. 14:43.2.
- 5 (i) Oral sexual battery, as defined in R.S. 14:43.3.
- 6 (j) Simple kidnapping, as defined in R.S. 14:45.
- 7 (k) Simple robbery, as defined in R.S. 14:65.
- 8 (l) ~~a simple~~ Simple or aggravated escape, as defined in R.S. 14:110, from
- 9 any correctional facility, work-release facility or from the lawful custody of any law
- 10 enforcement officer or officer of the department, or, in the case of an inmate serving
- 11 a sentence and participating in a work-release program authorized by law, fails to
- 12 report to or return from his planned employment or other activity under the program;
- 13 ~~may forfeit all good time and credits toward the reduction of the projected good time~~
- 14 ~~parole supervision date earned on that portion of his sentence served prior to his~~
- 15 ~~escape.~~
- 16 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 13 Original	2024 Second Extraordinary Session	Wright
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Abstract: Provides for forfeiture of good time and credits earned toward diminution of sentence in certain circumstances.

Present law (R.S. 15:571.4(B)) provides for circumstances that can result in the forfeiture of an inmate's good time or credits toward the reduction of the projected good time parole supervision date.

Present law (R.S. 15:571.4(B)(1)) provides that an inmate who commits a simple or aggravated escape, as defined in present law (R.S. 14:110), from any correctional facility, work-release facility, or from the lawful custody of any law enforcement officer or officer of the department may forfeit all good time and credits earned on that portion of his sentence.

Present law (R.S. 15:571.4(B)(1)) further provides that an inmate who fails to report to or return from his planned employment or other activity under a work-release program may forfeit all good time and credits earned on that portion of his sentence.

Proposed law retains present law, but changes the forfeiture of good time and credits from permissive to mandatory for an inmate who commits, attempts to commit, or conspires to commit a simple or aggravated escape.

Proposed law further amends present law to provide for a mandatory forfeiture of all good time and credits earned on that portion of an inmate's sentence if he is convicted of any of the following offenses, including attempt or conspiracy:

- (1) Any crime of violence, as defined in present law (R.S. 14:2(B)), that is punishable by imprisonment of more than 10 years.
- (2) Second degree battery (R.S. 14:34.1).
- (3) Battery of a police officer (R.S. 14:34.2).
- (4) Battery of a correctional facility employee (R.S. 14:34.5).
- (5) Disarming of a peace officer (R.S. 14:34.6).
- (6) Battery of emergency room personnel, emergency services personnel, or a healthcare professional (R.S. 14:34.8).
- (7) Aggravated assault (R.S. 14:37).
- (8) Second degree sexual battery (R.S. 14:43.2).
- (9) Oral sexual battery (R.S. 14:43.3).
- (10) Simple kidnapping (R.S. 14:45).
- (11) Simple robbery (R.S. 14:65).

(Amends R.S. 15:571.4(B)(1))