

Regular Session, 2014

HOUSE BILL NO. 8

BY REPRESENTATIVE HONORE

PARDON: Reduces the length of time certain applicants are required to wait before filing a subsequent application with the Board of Pardons

1 AN ACT

2 To amend and reenact R.S. 15:572.4(D), relative to pardons; to provide relative to
3 applications for pardons by persons serving a life sentence; to reduce the length of
4 time the applicant is required to wait before filing a subsequent application after a
5 denial; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:572.4(D) is hereby amended and reenacted to read as follows:

8 §572.4. Board of Pardons; rules, regulations, and procedures; notice; restrictions on
9 applications; time periods for additional review

10 * * *

11 D. Notwithstanding any provisions of law to the contrary, any applicant who
12 has been sentenced to life imprisonment shall not be eligible to apply to the board
13 for a pardon or commutation of sentence for a period of fifteen years after being
14 sentenced by the trial court. If the application is denied, the applicant shall be
15 notified in writing of the reason for the denial and thereafter may file a new
16 application to the board no earlier than ~~seven~~ five years from the date of action by
17 the board. ~~A third application shall not be filed earlier than five years from the date~~
18 ~~of action taken by the board on the second application.~~ Any subsequent applications
19 shall not be filed earlier than five years after the immediately preceding action taken
20 by the board. However, the provisions of this Subsection shall not apply when the

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1 board determines that new and material evidence that, notwithstanding the exercise
2 of reasonable diligence by the applicant, was not discovered before or during his
3 trial, is available, and if it had been introduced at the trial, it would probably have
4 changed the verdict or judgment of guilty.

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)]

Honore

HB No. 8

Abstract: Reduces the length of time that certain applicants are required to wait before filing a subsequent application for a pardon after a prior application has been denied.

Present law provides that persons sentenced to life imprisonment are ineligible to apply to the Board of Pardons for a pardon or commutation of sentence for 15 years after being sentenced by the trial court.

Present law further provides that if the initial application is denied, the applicant may file a new application to the board no earlier than seven years from the date of the action of the board.

Proposed law amends present law to reduce the amount of time an applicant is required to wait before filing a new application, after a prior application has been denied, from seven years to five years.

(Amends R.S. 15:572.4(D))