

# ACT No. 99

2020 Regular Session

HOUSE BILL NO. 173

BY REPRESENTATIVES JAMES, BRYANT, GARY CARTER, WILFORD CARTER, CORMIER, DUPLESSIS, GREEN, HUGHES, TRAVIS JOHNSON, LARVADAIN, LYONS, NEWELL, PHELPS, PIERRE, SELDERS, WILLARD, AND JONES

1 AN ACT

2 To enact R.S. 15:574.4(J), relative to parole; to provide parole eligibility for certain juvenile  
3 offenders; to provide eligibility requirements; to provide relative to certain duties of  
4 the committee on parole; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.4(J) is hereby enacted to read as follows:

7 §574.4. Parole; eligibility; juvenile offenders

8 \* \* \*

9 J.(1) Notwithstanding any provision of law to the contrary, any person  
10 -serving a term or terms of imprisonment that result in a period of incarceration of  
11 twenty-five years or more and who was under the age of eighteen years at the time  
12 of the commission of the offense shall be eligible for parole consideration pursuant  
13 to the provisions of this Subsection if all of the following conditions have been met:

14 (a) The offender has served at least twenty-five years of the sentence  
15 imposed.

16 (b) The offender has not committed any major disciplinary offenses in the  
17 twelve consecutive months prior to the parole hearing date. A major disciplinary  
18 offense is an offense identified as a Schedule B offense by the Department of Public  
19 Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

20 (c) The offender has completed the mandatory minimum of one hundred  
21 hours of prerelease programming in accordance with R.S. 15:827.1.

1                   (d) The offender has completed substance abuse treatment as applicable.

2                   (e) The offender has obtained a GED certification, unless the offender has  
3                   previously obtained a high school diploma or is deemed by a certified educator as  
4                   being incapable of obtaining a GED certification due to a learning disability. If the  
5                   offender is deemed incapable of obtaining a GED certification, the offender shall  
6                   complete at least one of the following:

7                   (i) A literacy program.

8                   (ii) An adult basic education program.

9                   (iii) A job skills training program.

10                  (f) The offender has obtained a low-risk level designation determined by a  
11                  validated risk assessment instrument approved by the secretary of the Department  
12                  of Public Safety and Corrections.

13                  (g) The offender has completed a reentry program to be determined by the  
14                  Department of Public Safety and Corrections.

15                  (2) For each offender eligible for parole consideration pursuant to the  
16                  provisions of this Subsection, the committee on parole shall meet in a three-member  
17                  panel, shall consider the impact that the lack of brain development in adolescence  
18                  has on culpability and behavior, a juvenile offender's unique ability to mature and  
19                  grow, and any other relevant evidence or testimony pertaining to the offender.

20                  (3) The panel shall render specific findings of fact in support of its decision.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_