

2021 Regular Session

HOUSE BILL NO. 145

BY REPRESENTATIVE BRYANT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PARDON/PAROLE: Provides relative to parole

1 AN ACT

2 To amend and reenact R.S. 15:574.4(A)(2) and (B)(1), relative to parole; to provide relative  
3 to parole eligibility; to provide relative to the parole eligibility of persons convicted  
4 of certain crimes; to provide relative to the parole eligibility of persons serving  
5 certain terms of imprisonment; to provide for prospective and retroactive application;  
6 and to provide 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 to read  
9 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.~~



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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)]

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HB 145 Original

2021 Regular Session

Bryant

**Abstract:** Allows for parole eligibility of persons convicted of specific crimes under certain circumstances.

Present law provides that notwithstanding present law provisions, unless eligible for parole at an earlier date, a person committed to the Dept. of Public Safety and Corrections for a term or terms of imprisonment with or without benefit of parole for 30 years or more shall be eligible for parole consideration upon serving at least 20 years of the term or terms of imprisonment in actual custody and upon reaching the age of 45.

Present law further provides that parole eligibility is not applicable to any person who has been convicted of armed robbery under R.S. 14:64, a crime of violence as defined in R.S. 14:2(B), or a sex offense as defined in R.S. 15:541.

Proposed law amends present law to provide that persons who have been convicted of armed robbery under R.S. 14:64 shall be eligible for parole consideration upon serving at least 20 years of the term or terms of imprisonment in actual custody and upon reaching the age of 45.

Proposed law specifies that a person who has been convicted of a crime of violence or a sex offense shall not be eligible for parole when the offense was committed on or after July 1, 2008.

Present law provides that except as provided by present law, no prisoner serving a life sentence shall be eligible for parole consideration until his life sentence has been commuted to a fixed term of years and no prisoner sentenced as a serial sexual offender shall be eligible for parole. No prisoner may be paroled while there is pending against him any indictment or information for any crime suspected of having been committed by him while a prisoner.

Present law further provides that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least 65% of the sentence imposed, before being eligible for parole.

Present law also provides that the victim or victim's family shall be notified whenever the offender is to be released provided that the victim or victim's family has completed a Louisiana victim notice and registration form as provided in R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated to the Dept. of Public Safety and Corrections, Crime Victims Services Bureau, that they desire such notification.

Proposed law retains present law but removes the prohibition that no person shall be eligible for parole consideration who has been convicted of armed robbery and denied under the provisions of present law (R.S. 14:64).

Proposed law further amends present law to provide that notwithstanding any provision of present law, a person convicted of a crime of violence when the offense was committed after July 1, 2008, and not otherwise ineligible for parole shall serve at least 65% of the sentence imposed before being eligible for release on good time parole supervision.

Specifies that proposed law shall have retroactive and prospective application.

(Amends R.S. 15:574.4(A)(2) and (B)(1))