AN ACT

To amend and reenact R.S. 15:571.3(B)(1)(a) and (D) and 574.4(A)(1)(a) and to enact R.S. 15:571.3(B)(3) and 574.4(A)(1)(c), relative to criminal sentencing; to provide relative to diminution of sentence; to provide for the rate of diminution of sentence for certain circumstances; to provide for parole eligibility; to provide relative to parole eligibility for certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:571.3 (B)(1)(a) and (D) and 574.4(A)(1)(a) are hereby amended and reenacted and R.S. 15:571.3(B)(3) and 574.4(A)(1)(c) are hereby enacted to read as follows:

§571.3. Diminution of sentence for good behavior

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B.(1)(a) Unless otherwise prohibited, every offender in the custody of the department who has been convicted of a felony, except an offender convicted a second time of a crime of violence as defined by R.S. 14:2(B) or an offender convicted a fourth or subsequent time of a nonviolent felony offense, and sentenced to imprisonment for a stated number of years or months, may earn, in lieu of incentive wages, a diminution of sentence by good behavior and performance of work or self-improvement activities, or both, to be known as "good time". Those offenders serving life sentences will be credited with good time earned which will be applied toward diminution of their sentences at such time as the life sentences might be commuted to a specific number of years. The secretary shall establish

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
regulations for awarding and recording of good time and shall determine when good
time has been earned toward diminution of sentence. The amount of diminution of
sentence allowed under the provisions of this Section shall be at the rate of thirteen
days for every seven days in actual custody served on the imposed sentence,
including time spent in custody with good behavior prior to sentencing for the
particular sentence imposed as authorized by the provisions of Code of Criminal
Procedure Article 880.

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(3) An offender convicted of a fourth or subsequent nonviolent felony
offense shall earn a diminution of sentence at a rate of one day for every two days in
actual custody held on the imposed sentence, including time spent in custody with
good behavior prior to sentencing for the particular sentence imposed as authorized
by Code of Criminal Procedure Article 880. The provisions of this Paragraph shall
not apply to any person who has been convicted of a sex offense as defined in R.S.
15:541.

* * *

D.(1) Diminution of sentence shall not be allowed for an offender in a parish
prison or in the custody of the Department of Public Safety and Corrections if the
instant offense is a second offense crime of violence as defined by R.S. 14:2(B).

(2) Diminution of sentence shall not be allowed for an offender in a parish
prison or in the custody of the Department of Public Safety and Corrections if the
instant offense is a sex offense as defined by R.S. 15:541.

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§574.4. Parole; eligibility; juvenile offenders

A.(1)(a) Unless eligible at an earlier date, a person otherwise eligible for
parole shall be eligible for parole consideration upon serving twenty-five percent of
the sentence imposed. The provisions of this Subparagraph shall not apply to any
person whose instant offense is a crime of violence as defined in R.S. 14:2(B), a sex
offense as defined in R.S. 15:541, or any offense which would constitute a crime of
violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or
whose instant offense is a fourth or subsequent conviction of a nonviolent felony offense, regardless of the date of conviction. Notwithstanding any provisions of law to the contrary, the provisions of this Subparagraph shall be applicable to persons convicted of offenses prior to and on or after November 1, 2017.

* * *

(c) A person, otherwise eligible for parole, whose instant offense is a fourth or subsequent conviction of a nonviolent felony offense, shall be eligible for parole consideration upon serving sixty-five percent of the sentence imposed. The provisions of this Subparagraph shall not apply to any person who has been convicted of a sex offense as defined in R.S. 15:541.

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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: _____________________