

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 304

2022 Regular Session

Cathey

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

CRIME/PUNISHMENT. Provides relative to commutation of a prison sentence for good behavior. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Clarify proposed law to provide that the victim was killed in the line of duty as a peace officer or first responder.
2. Remove proposed law that provided that diminution of sentence does not include time spent in custody prior to conviction.
3. Provide that proposed law shall be known and cited as David's Law.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 304 Reengrossed

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Present law provides that diminution of a sentence is not allowed to an inmate in the DPS&C if the offender has been sentenced as a habitual offender or when the trial court prohibits the earning to a person convicted of stalking. Present law further provides that diminution of a sentence is not allowed to an inmate convicted of a second offense which is a crime of violence, or a sex offense.

Proposed law retains present law.

Present law provides that every offender in the custody of the DPS&C who is convicted of a felony, except an offender convicted a second time of a crime of violence as defined in present law, for a specific amount of time, earns diminution of sentence. The "good time" is earned at a rate of 13 days for every seven days in actual custody, including time spent in custody prior to sentencing for the particular sentence imposed.

Proposed law retains present law but creates an exception when the offense for which the offender is serving is for the death of a peace officer or first responder killed in the line of duty. An offender for such offense shall earn good time at a rate of one day for every 30 days in actual custody.

Provides that proposed law shall be known and may be cited as "David's Law" on behalf of David Elahi.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:571.3(B)(1)(a), (C)(intro. para.), (D), and (F); Adds R.S. 15:571.3(G))

Dawn Romero Watson
Executive Director