

2023 Regular Session

HOUSE BILL NO. 147

BY REPRESENTATIVES WRIGHT AND VILLIO

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

PAROLE: Provides relative to the time period for disciplinary offenses prior to an offender being considered for parole

1 AN ACT

2 To amend and reenact R.S. 15:592.2(B)(3), 574.2(C)(2)(b), and 574.4(A)(4)(b),  
3 (B)(2)(a)(iii), (b)(iii), (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b),  
4 and (J)(1)(b), relative to parole; to provide relative to parole eligibility; to provide  
5 relative to the time period for disciplinary offenses prior to parole eligibility and  
6 hearing date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:592.2(B)(3), 574.2(C)(2)(b), and 574.4(A)(4)(b), (B)(2)(a)(iii),  
9 (b)(iii), (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b) are hereby  
10 amended and reenacted to read as follows:

11 §529.2. Intensive parole supervision for certain habitual offenders

12 \* \* \*

13 B. The secretary may release offenders pursuant to the provisions of this  
14 Section only if all of the following conditions exist:

15 \* \* \*

16 (3) The offender has not committed any major disciplinary offenses in the  
17 ~~twelve~~ twenty-four consecutive months prior to release.

18 \* \* \*

1 §574.2. Committee on parole, Board of Pardons; membership; qualifications;  
2 vacancies; compensation; domicile; venue; meetings; quorum; panels;  
3 powers and duties; transfer of property to committee; representation of  
4 applicants before the committee; prohibitions

5 \* \* \*

6 C.

7 \* \* \*

8 (2) Except in cases where the offender is released pursuant to Paragraph (4)  
9 of this Subsection, the committee may grant parole with two votes of a three-member  
10 panel, or, if the number exceeds a three-member panel, a majority vote of those  
11 present if all of the following conditions are met:

12 \* \* \*

13 (b) The offender has not committed any major disciplinary offenses in the  
14 ~~twelve~~ twenty-four consecutive months prior to the parole eligibility date. A major  
15 disciplinary offense is an offense identified as a Schedule B offense by the  
16 Department of Public Safety and Corrections in the Disciplinary Rules and  
17 Procedures of Adult Offenders.

18 \* \* \*

19 §574.4. Parole; eligibility; juvenile offenders

20 A.

21 \* \* \*

22 (4) Notwithstanding any other provision of law to the contrary, unless  
23 eligible for parole at an earlier date, a person committed to the Department of Public  
24 Safety and Corrections for a term or terms of imprisonment with or without benefit  
25 of parole who has served at least ten years of the term or terms of imprisonment in  
26 actual custody shall be eligible for parole consideration upon reaching the age of  
27 sixty years if all of the following conditions are met:

28 \* \* \*

1 (b) The offender has not committed any major disciplinary offenses in  
2 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
3 disciplinary offense is an offense identified as a Schedule B offense by the  
4 Department of Public Safety and Corrections in the Disciplinary Rules and  
5 Procedures for Adult Offenders.

6 \* \* \*

7 B.

8 \* \* \*

9 (2) Notwithstanding any provision of law to the contrary, any person serving  
10 a life sentence, with or without the benefit of parole, who has not been convicted of  
11 a crime of violence as defined by R.S. 14:2(B), a sex offense as defined by R.S.  
12 15:541, or an offense, regardless of the date of conviction, which would constitute  
13 a crime of violence as defined by R.S. 14:2(B) or a sex offense as defined by R.S.  
14 15:541, shall be eligible for parole consideration as follows:

15 (a) If the person was at least eighteen years of age and under the age of  
16 twenty-five years at the time he was sentenced to life imprisonment, he shall be  
17 eligible for parole consideration if all of the following conditions have been met:

18 \* \* \*

19 (iii) The person has not committed any major disciplinary offenses in the  
20 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
21 disciplinary offense is an offense identified as a Schedule B offense by the  
22 Department of Public Safety and Corrections in the Disciplinary Rules and  
23 Procedures for Adult Offenders.

24 \* \* \*

25 (b) If the person was at least twenty-five years of age and under the age of  
26 thirty-five years at the time he was sentenced to life imprisonment, he shall be  
27 eligible for parole consideration if all of the following conditions have been met:

28 \* \* \*

1 (iii) The person has not committed any major disciplinary offenses in the  
2 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
3 disciplinary offense is an offense identified as a Schedule B offense by the  
4 Department of Public Safety and Corrections in the Disciplinary Rules and  
5 Procedures for Adult Offenders.

6 \* \* \*

7 (c) If the person was at least thirty-five years of age and under the age of  
8 fifty years at the time he was sentenced to life imprisonment, he shall be eligible for  
9 parole consideration if all of the following conditions have been met:

10 \* \* \*

11 (iii) The person has not committed any major disciplinary offenses in the  
12 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
13 disciplinary offense is an offense identified as a Schedule B offense by the  
14 Department of Public Safety and Corrections in the Disciplinary Rules and  
15 Procedures for Adult Offenders.

16 \* \* \*

17 (d) If the person was at least fifty years of age at the time he was sentenced  
18 to life imprisonment, he shall be eligible for parole consideration if all of the  
19 following conditions have been met:

20 \* \* \*

21 (iii) The person has not committed any major disciplinary offenses in the  
22 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
23 disciplinary offense is an offense identified as a Schedule B offense by the  
24 Department of Public Safety and Corrections in the Disciplinary Rules and  
25 Procedures for Adult Offenders.

26 \* \* \*

27 D.(1) Notwithstanding any provision of law to the contrary, any person  
28 serving a sentence of life imprisonment who was under the age of eighteen years at  
29 the time of the commission of the offense, except for a person serving a life sentence

1 for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S.  
2 14:30.1), shall be eligible for parole consideration pursuant to the provisions of this  
3 Subsection if all of the following conditions have been met:

4 \* \* \*

5 (b) The offender has not committed any major disciplinary offenses in the  
6 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
7 disciplinary offense is an offense identified as a Schedule B offense by the  
8 Department of Public Safety and Corrections in the Disciplinary Rules and  
9 Procedures for Adult Offenders.

10 \* \* \*

11 E.(1) Notwithstanding any provision of law to the contrary and except as  
12 provided in Subsection G of this Section, any person serving a sentence of life  
13 imprisonment for a conviction of first degree murder (R.S. 14:30) who was under the  
14 age of eighteen years at the time of the commission of the offense and whose  
15 indictment for the offense is on or after August 1, 2017, shall be eligible for parole  
16 consideration pursuant to the provisions of this Subsection if a judicial determination  
17 has been made that the person is entitled to parole eligibility pursuant to Code of  
18 Criminal Procedure Article 878.1(A) and all of the following conditions have been  
19 met:

20 \* \* \*

21 (b) The offender has not committed any major disciplinary offenses in the  
22 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
23 disciplinary offense is an offense identified as a Schedule B offense by the  
24 Department of Public Safety and Corrections in the Disciplinary Rules and  
25 Procedures for Adult Offenders.

26 \* \* \*

27 F.(1) Notwithstanding any provision of law to the contrary and except as  
28 provided in Subsection G of this Section, any person serving a sentence of life  
29 imprisonment for a conviction of second degree murder (R.S. 14:30.1) who was

1 under the age of eighteen years at the time of the commission of the offense and  
2 whose indictment for the offense is on or after August 1, 2017, shall be eligible for  
3 parole consideration if all of the following conditions have been met:

4 \* \* \*

5 (b) The offender has not committed any major disciplinary offenses in the  
6 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
7 disciplinary offense is an offense identified as a Schedule B offense by the  
8 Department of Public Safety and Corrections in the Disciplinary Rules and  
9 Procedures for Adult Offenders.

10 \* \* \*

11 G.(1) Notwithstanding any provision of law to the contrary, any person  
12 serving a sentence of life imprisonment for a conviction of first degree murder (R.S.  
13 14:30) or second degree murder (R.S. 14:30.1) who was under the age of eighteen  
14 years at the time of the commission of the offense and whose indictment for the  
15 offense was prior to August 1, 2017, shall be eligible for parole consideration  
16 pursuant to the provisions of this Subsection if a judicial determination has been  
17 made that the person is entitled to parole eligibility pursuant to Code of Criminal  
18 Procedure Article 878.1(B) and all of the following conditions have been met:

19 \* \* \*

20 (b) The offender has not committed any major disciplinary offenses in the  
21 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
22 disciplinary offense is an offense identified as a Schedule B offense by the  
23 Department of Public Safety and Corrections in the Disciplinary Rules and  
24 Procedures for Adult Offenders.

25 \* \* \*

26 J.(1) Notwithstanding any provision of law to the contrary, and except as  
27 provided in Subsections D, E, F, G, and H of this Section, any person serving a term  
28 or terms of imprisonment that result in a period of incarceration of twenty-five years  
29 or more and who was under the age of eighteen years at the time of the commission

1 of the offense shall be eligible for parole consideration pursuant to the provisions of  
2 this Subsection if all of the following conditions have been met:

3 \* \* \*

4 (b) The offender has not committed any major disciplinary offenses in the  
5 ~~twelve~~ twenty-four consecutive months prior to the parole hearing date. A major  
6 disciplinary offense is an offense identified as a Schedule B offense by the  
7 Department of Public Safety and Corrections in the Disciplinary Rules and  
8 Procedures for Adult Offenders.

9 \* \* \*

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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 147 Original

2023 Regular Session

Wright

**Abstract:** As a condition for parole eligibility, provides that offenders shall not have any disciplinary offenses within 24 consecutive months prior to their parole eligibility and hearing date.

Present law (R.S. 15:529.2) authorizes the secretary of the Dept. of Public Safety and Corrections to release to intensive parole supervision any person sentenced pursuant to present law (R.S. 15:529.1) and denied eligibility for diminution of sentence when the offender meets certain requirements and of any rules or regulations adopted by the secretary.

Present law further requires that the offender not commit any major disciplinary offenses in the 12 consecutive months prior to release.

Proposed law changes the time period for disciplinary offenses from 12 consecutive months prior to release to 24 consecutive months prior to release.

Present law (R.S. 15:574.2) authorizes the committee on parole to grant parole to an offender if certain conditions are met, including the offender has not committed any major disciplinary offenses in the 12 consecutive months prior to the parole eligibility date.

Proposed law changes the time period for disciplinary offenses from 12 consecutive months prior to the parole eligibility date to 24 consecutive months prior to the parole eligibility date.

Present law (R.S. 15:574.4) relative to parole eligibility for offenders, generally provides that a person shall be eligible for parole if certain conditions are met, including the offender has not committed any major disciplinary offenses in 12 consecutive months prior to the parole hearing date.

Proposed law changes the time period for disciplinary offenses from 12 consecutive months prior to the parole hearing date to 24 consecutive months prior to the parole hearing date.

(Amends R.S. 15:592.2(B)(3), 574.2(C)(2)(b), and 574.4(A)(4)(b), (B)(2)(a)(iii), (b)(iii), (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b))