

2024 Regular Session

HOUSE BILL NO. 207

BY REPRESENTATIVES VILLIO AND SCHLEGEL

PARDON: Provides relative to clemency procedures

1 AN ACT

2 To amend and reenact R.S. 15:572(A) and 572.4(E), relative to clemency procedures; to  
3 provide for notification of certain individuals before commutation of a criminal  
4 sentence; to provide for a period of time to approve or reject a favorable  
5 recommendation for commutation from the Board of Pardons; to provide relative to  
6 application procedures to the Board of Pardons; to provide for the adoption of  
7 administrative rules; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:572(A) and 572.4(E) are hereby amended and reenacted to read  
10 as follows:

11 §572. Powers of governor to grant reprieves and pardons; automatic pardon for first  
12 offender; payment of court costs required

13 A.(1) The governor may grant reprieves to persons convicted of offenses  
14 against the state and, upon recommendation of the Board of Pardons as hereinafter  
15 provided for by this Part, may commute sentences, pardon those convicted of  
16 offenses against the state, and remit fines and forfeitures imposed for such offenses.  
17 Notwithstanding any provision of law to the contrary, the governor shall not grant  
18 any pardon to any person unless that person has paid all of the court costs which  
19 were imposed in connection with the conviction of the crime for which the pardon  
20 is to be issued.



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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 207 Original

2024 Regular Session

Villio

**Abstract:** Provides relative to clemency procedures.

Present law (R.S. 15:572(A)) provides for the governor's power to grant reprieves, pardons, commutations, and remit fines and forfeitures.

Proposed law retains present law.

Proposed law provides that within 90 days of receiving the Board of Pardons' favorable recommendation for commutation of a criminal sentence, the governor shall notify the following individuals before commuting a criminal sentence:

- (1) The district attorney, the sheriff of the parish in which the applicant was convicted, and in Orleans Parish, the superintendent of police.
- (2) The victim or the spouse or next of kin of a deceased victim.

Proposed law provides that the governor shall approve or reject a favorable recommendation for commutation within 180 days of receipt of the recommendation from the Board of Pardons.

Present law (R.S. 15:572.4(E)(1)) provides that when the governor takes no action on a recommendation for clemency issued by the board, the person seeking clemency shall not be required to reapply to the board and the recommendation shall not expire upon the expiration of the governor's term in office and may be reviewed by the next governor to take office.

Proposed law retains present law.

Proposed law provides that when the governor takes no action on a recommendation for clemency issued by the board that involves commutation of a criminal sentence, the person seeking clemency shall be required to reapply to the board and the recommendation shall expire upon the expiration of the 180 days provided in proposed law.

Present law provides that the board shall adopt rules pursuant to the Administrative Procedure Act to provide for the provisions of present law, but the rules shall not require the person seeking clemency to reapply when no action is taken by the governor on the board's recommendation that the person receive clemency.

Proposed law amends present law to add an exception for proposed law as it relates to when no action is taken by the governor within 180 days of receipt of the board's recommendation that the person receive clemency.

(Amends R.S. 15:572(A) and 572.4(E))