SENATE BILL NO. 10

BY SENATOR CATHEY AND REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 15:571.3(B)(1)(a), the introductory paragraph of (C), (D), and (F) and to enact R.S. 15:571.3(G), relative to diminution of a sentence for good behavior; to provide for reduction of good time credit for offenders convicted in the death of a peace officer or first responder; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:571.3(B)(1)(a), the introductory paragraph of (C), (D), and (F) are hereby amended and reenacted and R.S. 15:571.3(G) is 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 or subsequent time of a crime of violence as defined by R.S. 14:2(B) or as provided in Subsection F of this Section, 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 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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C. Diminution of sentence shall not be allowed to be earned by an inmate
in the custody of the Department of Public Safety and Corrections if any of the
following apply:

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D.(1) Diminution of sentence shall not be allowed for to be earned by 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 to be earned by 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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F. Notwithstanding any other provision of law to the contrary, a person
convicted in the death of a victim killed in the line of duty as a peace officer or
first responder shall earn diminution of sentence at a rate of one day for every
thirty days in custody.

G. No later than August first of each year, the Department of Public Safety
and Corrections shall submit an annual report to the legislature relative to offenders
released from custody during the preceding fiscal year pursuant to the provisions of
this Section. This report shall include the following information:

(1) The name and offender number of the released offender.

(2) The date on which the offender was released.

(3) The offense for which the offender was incarcerated at the time of his
release, including whether the offense was a crime of violence as defined in R.S.
14:2(B) or a sex offense as defined in R.S. 15:541.

(4) A grid which shows the earliest release date that offenders would have
been eligible for release notwithstanding the provisions of Section 3 of Act No. 280
of the 2017 Regular Session of the Legislature.
(5) Whether the offender obtained a GED certification or completed a literacy program, an adult basic education program, or a job skills training program before being released from custody.

(6) Any information relative to juvenile offenders that is exempt from release pursuant to a public records request or otherwise considered confidential by law shall be redacted from the report provided for by this Subsection.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________