

SENATE BILL NO. 10

BY SENATORS CATHEY AND SEABAUGH AND REPRESENTATIVE THOMPSON

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:571.3(B)(1)(a), the introductory paragraph of (C), (D), and (F) are
8 hereby amended and reenacted and R.S. 15:571.3(G) is hereby enacted to read as follows:

9 §571.3. Diminution of sentence for good behavior

10 * * *

11 B.(1)(a) Unless otherwise prohibited, every offender in the custody of the
12 department who has been convicted of a felony, except an offender convicted a
13 second **or subsequent** time of a crime of violence as defined by R.S. 14:2(B) **or as**
14 **provided in Subsection F of this Section,** or an offender convicted a fourth or
15 subsequent time of a nonviolent felony offense, and sentenced to imprisonment for
16 a stated number of years or months, may earn, in lieu of incentive wages, a
17 diminution of sentence by good behavior and performance of work or
18 self-improvement activities, or both, to be known as "good time". Those offenders
19 serving life sentences will be credited with good time earned which will be applied
20 toward diminution of their sentences at such time as the life sentences might be
21 commuted to a specific number of years. The secretary shall establish regulations for
22 awarding and recording of good time and shall determine when good time has been
23 earned toward diminution of sentence. The amount of diminution of sentence
24 allowed under the provisions of this Section shall be at the rate of thirteen days for
25 every seven days in actual custody served on the imposed sentence, including time
26 spent in custody with good behavior prior to sentencing for the particular sentence

1 imposed as authorized by the provisions of Code of Criminal Procedure Article 880.

2 * * *

3 C. Diminution of sentence shall not be allowed **to be earned by** an inmate
4 in the custody of the Department of Public Safety and Corrections if any of the
5 following apply:

6 * * *

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

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

14 * * *

15 F. **Notwithstanding any other provision of law to the contrary, a person**
16 **convicted in the death of a victim killed in the line of duty as a peace officer or**
17 **first responder shall earn diminution of sentence at a rate of one day for every**
18 **thirty days in custody.**

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

- 23 (1) The name and offender number of the released offender.
- 24 (2) The date on which the offender was released.
- 25 (3) The offense for which the offender was incarcerated at the time of his
26 release, including whether the offense was a crime of violence as defined in R.S.
27 14:2(B) or a sex offense as defined in R.S. 15:541.

28 (4) A grid which shows the earliest release date that offenders would have
29 been eligible for release notwithstanding the provisions of Section 3 of Act No. 280
30 of the 2017 Regular Session of the Legislature.

1 (5) Whether the offender obtained a GED certification or completed a literacy
2 program, an adult basic education program, or a job skills training program before
3 being released from custody.

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

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____