

2024 Regular Session

HOUSE BILL NO. 391

BY REPRESENTATIVES BOYD, CHASSION, AND KNOX

1 AN ACT

2 To enact R.S. 15:572.2, relative to pardons; to provide that persons convicted of certain
3 offenses of possession of marijuana shall be eligible for pardon by the governor
4 without the requirement of completion of sentence and without recommendation to
5 the Board of Pardons; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:572.2 is hereby enacted to read as follows:

8 §572.2. Pardon eligibility for offenders of certain convictions of possession of
9 marijuana

10 A. Notwithstanding any provision of law to the contrary, a person convicted
11 of possession of marijuana, tetrahydrocannabinol, or chemical derivatives thereof,
12 pursuant to R.S. 40:966(C)(2)(a) shall be eligible for a pardon by the governor
13 without the necessity of completion of sentence and without a recommendation of
14 the Board of Pardons.

15 B. Notwithstanding any provision of law to the contrary, no pardon shall be
16 issued unless the person has paid all of the court costs which were imposed in
17 connection with the conviction of the crime for which the pardon is to be issued.

18 C. The division of probation and parole of the Department of Public Safety
19 and Corrections, after confirming that the individual was convicted of a first offense
20 of possession of marijuana, tetrahydrocannabinol, or chemical derivatives thereof,
21 pursuant to R.S. 40:966(C)(2)(a) and received a pardon from the governor for that
22 conviction, shall issue a certificate recognizing and proclaiming that the petitioner

1 is fully pardoned for the offense and that he has all rights of citizenship and
 2 franchise, and the division shall transmit a copy of the certificate to the individual
 3 and to the clerk of court in and for the parish where the conviction occurred. This
 4 copy shall be filed in the record of the proceedings in which the conviction was
 5 obtained. However, once a pardon is granted under the provisions of this Section,
 6 the individual who received such pardon shall not be entitled to receive another
 7 pardon by the governor pursuant to this Section.

8 D. Notwithstanding any provision of law to the contrary, any person who
 9 receives a pardon under the provisions of Article IV, Section 5(E)(1) of the
 10 Constitution of Louisiana and this Section may be charged and punished as a second
 11 or multiple offender as provided in R.S. 15:529.1.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____