

2025 Regular Session

HOUSE BILL NO. 208

BY REPRESENTATIVE VILLIO

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

CRIMINAL/SENTENCING: Provides relative to eligibility for parole or diminution of sentence

## 1 AN ACT

2 To amend and reenact R.S. 15:529.2(B)(3), 571.3.1(F), 574.4(A)(4)(b), (B)(2)(a)(iii),  
3 (b)(iii), (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b),  
4 574.6(introductory paragraph), 574.9(section heading) and (H)(1)(a)(i)(introductory  
5 paragraph), and 1199.24(A)(5), to enact R.S. 15:571.3(C), 571.3.1(I), and  
6 574.9(H)(1)(a)(i)(dd), and to repeal R.S. 15:574.9(F), relative to the release  
7 eligibility of incarcerated persons; to provide relative to parole eligibility  
8 requirements; to provide relative to the automatic earning of good time credits by  
9 offenders for good behavior; to provide for a definition; to provide for the  
10 elimination of earned compliance credits while on parole; to provide for a statement  
11 of legislative intent; to provide for an effective date; and to provide for related  
12 matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 15:529.2(B)(3), 571.3.1(F), 574.4(A)(4)(b), (B)(2)(a)(iii), (b)(iii),  
15 (c)(iii), and (d)(iii), (D)(1)(b), (E)(1)(b), (F)(1)(b), (G)(1)(b), and (J)(1)(b),  
16 574.6(introductory paragraph), 574.9(section heading) and (H)(1)(a)(i)(introductory  
17 paragraph), and 1199.24(A)(5) are hereby amended and reenacted and R.S. 15:571.3(C),  
18 571.3.1(I), and 574.9(H)(1)(a)(i)(dd) are hereby enacted to read as follows:

19 §529.2. Intensive parole supervision for certain habitual offenders

20 \* \* \*

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

3                               \*           \*           \*

4           (3) The offender has not committed any major disciplinary offenses in the  
5 ~~twelve~~ thirty-six consecutive months prior to release.

6                               \*           \*           \*

7 §571.3. Diminution of sentence for good behavior

8                               \*           \*           \*

9           C. Diminution of sentence pursuant to this Section shall not be allowed to  
10 be earned by an inmate in a parish prison or in the custody of the Department of  
11 Public Safety and Corrections if any of the following apply:

12           (1) The inmate has been sentenced as a habitual offender under the Habitual  
13 Offender Law as set forth in R.S. 15:529.1.

14           (2) The instant offense is a sex offense.

15                               \*           \*           \*

16 §571.3.1. Eligibility and applicability of diminution of sentence for crimes  
17 committed on or after August 1, 2024

18                               \*           \*           \*

19           F.(1) Except as provided in Paragraph (2) of this Subsection, any ~~Any~~  
20 offender released because of diminution of sentence earned pursuant to this Section  
21 shall be released subject to the provisions of R.S. 15:571.5. The remainder of the  
22 original full term of sentence shall be served as if on unsupervised parole for any  
23 offender released pursuant to this Subsection unless his parole is revoked as provided  
24 in R.S. 15:571.5(C).

25           (2) An offender who has received a split sentence shall, upon release from  
26 incarceration, immediately begin serving the probationary period imposed. Any term  
27 of unsupervised parole shall be served concurrently with the probationary period.

28           (3) If an offender is convicted for an offense that is committed while on  
29 unsupervised parole, the amount of good time earned or credits toward the reduction

1        of the projected good time parole supervision date earned on that portion of his  
2        sentence prior to the conviction shall be served consecutively with the sentence  
3        imposed for the offense.

4                                \*           \*           \*

5                I. For the purposes of this Section, "split sentence" shall mean an imposition  
6        of incarceration or commitment of an offender to a correctional facility of which a  
7        portion is suspended as allowed by law, inclusive of a period of probation.

8                                \*           \*           \*

9        §574.4. Parole; eligibility; juvenile offenders

10                A.

11                                \*           \*           \*

12                (4) Except as provided in R.S. 15:574.22, unless eligible for parole at an  
13        earlier date, a person committed to the Department of Public Safety and Corrections  
14        for a term or terms of imprisonment with or without benefit of parole who has served  
15        at least ten years of the term or terms of imprisonment in actual custody shall be  
16        eligible for parole consideration upon reaching the age of sixty years if all of the  
17        following conditions have been met:

18                                \*           \*           \*

19                (b) The offender has not committed any major disciplinary offenses in  
20        ~~twelve~~ thirty-six 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.

26                                \*           \*           \*

27                (2) Except as provided in R.S. 15:574.22, any person serving a life sentence,  
28        with or without the benefit of parole, who has not been convicted of a crime of  
29        violence as defined by R.S. 14:2(B), a sex offense as defined by R.S. 15:541, or an

1 offense, regardless of the date of conviction, which would constitute a crime of  
2 violence as defined by R.S. 14:2(B) or a sex offense as defined by R.S. 15:541, shall  
3 be eligible for parole consideration as follows:

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

7 \* \* \*

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

13 \* \* \*

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

17 \* \* \*

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

23 \* \* \*

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

27 \* \* \*

28 (iii) The person has not committed any major disciplinary offenses in the  
29 ~~twelve~~ thirty-six consecutive months prior to the parole hearing date. A major

1 disciplinary offense is an offense identified as a Schedule B offense by the  
2 Department of Public Safety and Corrections in the Disciplinary Rules and  
3 Procedures for Adult Offenders.

4 \* \* \*

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

8 \* \* \*

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

14 \* \* \*

15 D.(1) Notwithstanding any provision of law to the contrary, any person  
16 serving a sentence of life imprisonment who was under the age of eighteen years at  
17 the time of the commission of the offense, except for a person serving a life sentence  
18 for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S.  
19 14:30.1), shall be eligible for parole consideration pursuant to the provisions of this  
20 Subsection if all of the following conditions have been met:

21 \* \* \*

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

27 \* \* \*

28 E.(1) Notwithstanding any provision of law to the contrary and except as  
29 provided in Subsection G of this Section, any person serving a sentence of life

1 imprisonment for a conviction of first degree murder (R.S. 14:30) who was under the  
2 age of eighteen years at the time of the commission of the offense and whose  
3 indictment for the offense is on or after August 1, 2017, shall be eligible for parole  
4 consideration pursuant to the provisions of this Subsection if a judicial determination  
5 has been made that the person is entitled to parole eligibility pursuant to Code of  
6 Criminal Procedure Article 878.1(A) and all of the following conditions have been  
7 met:

8 \* \* \*

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

14 \* \* \*

15 F.(1) Notwithstanding any provision of law to the contrary and except as  
16 provided in Subsection G of this Section, any person serving a sentence of life  
17 imprisonment for a conviction of second degree murder (R.S. 14:30.1) who was  
18 under the age of eighteen years at the time of the commission of the offense and  
19 whose indictment for the offense is on or after August 1, 2017, shall be eligible for  
20 parole consideration if all of the following conditions have been met:

21 \* \* \*

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

27 \* \* \*

28 G.(1) Notwithstanding any provision of law to the contrary, any person  
29 serving a sentence of life imprisonment for a conviction of first degree murder (R.S.

1 14:30) or second degree murder (R.S. 14:30.1) who was under the age of eighteen  
2 years at the time of the commission of the offense and whose indictment for the  
3 offense was prior to August 1, 2017, shall be eligible for parole consideration  
4 pursuant to the provisions of this Subsection if a judicial determination has been  
5 made that the person is entitled to parole eligibility pursuant to Code of Criminal  
6 Procedure Article 878.1(B) and all of the following conditions have been met:

7 \* \* \*

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

13 \* \* \*

14 J.(1) Notwithstanding any provision of law to the contrary, and except as  
15 provided in Subsections D, E, F, G, and H of this Section, any person serving a term  
16 or terms of imprisonment that result in a period of incarceration of twenty-five years  
17 or more and who was under the age of eighteen years at the time of the commission  
18 of the offense shall be eligible for parole consideration pursuant to the provisions of  
19 this Subsection if all of the following conditions have been met:

20 \* \* \*

21 (b) The offender has not committed any major disciplinary offenses in the  
22 ~~twelve~~ thirty-six 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 §574.6. Parole term; automatic discharge

28 The parole term, when the committee orders an offender released on parole,  
29 shall be for the remainder of the offender's sentence, ~~with credits for compliance~~

1 ~~with the terms and conditions of parole supervision pursuant to R.S. 15:574.6.1.~~

2 When the parolee has completed his full parole term, he shall be discharged from  
3 parole by the Department of Public Safety and Corrections without order by the  
4 committee, provided that:

5 \* \* \*

6 §574.9. Revocation of parole for violation of condition; committee panels; return  
7 to custody hearing; duration of reimprisonment and reparole after revocation;  
8 ~~credit for time served~~; revocation for a technical violation

9 \* \* \*

10 H.(1)(a)(i) Except as provided in Subparagraph (b) of this Paragraph, any  
11 offender who has been released on parole prior to, on, or after the effective date of  
12 this Act and whose parole supervision is being revoked pursuant to the provisions  
13 of this Section for a technical violation of the conditions of parole, as determined by  
14 the committee on parole, shall be required to serve the following sentences:

15 \* \* \*

16 (dd) If the offender is in a custodial substance abuse treatment program, the  
17 offender shall serve not more than one hundred eighty days.

18 \* \* \*

19 §1199.24. Post-Conviction Veterans Mentor Program for incarcerated veterans;  
20 eligibility criteria

21 A. Notwithstanding any other provision of law to the contrary, an offender  
22 who is incarcerated shall be eligible for consideration to participate in the  
23 Post-Conviction Veterans Mentor Program if all of the following conditions are met:

24 \* \* \*

25 (5) The offender has not committed any major disciplinary offenses in  
26 ~~twelve~~ thirty-six consecutive months prior to the transfer. A major disciplinary  
27 offense is an offense identified as a Schedule B offense by the Department of Public  
28 Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

29 \* \* \*



1           Section 2. R.S. 15:574.9(F) is hereby repealed in its entirety.

2           Section 3. The legislature recognizes that certain offenses do not permit an offender  
3 the ability to be eligible for a diminution of his sentence, also known as "good time", by  
4 good behavior and performance of work or self-improvement activities, or both. The  
5 legislature hereby declares that the provisions of Section 2 of Act 7 of the 2024 Second  
6 Extraordinary Session of the Legislature that pertain to an offender's eligibility for  
7 diminution of sentence pursuant to R.S. 15:571.3 shall only be applicable to offenders who  
8 commit an offense on or after April 29, 2024, until the effective date of this Act.

9           Section 4. This Act shall become effective upon signature by the governor or, if not  
10 signed by the governor, upon expiration of the time for bills to become law without signature  
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
13 effective on the day following such approval.

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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 208 Engrossed

2025 Regular Session

Villio

**Abstract:** Provides relative to an offender's eligibility for release by means of diminution of sentence or parole.

Present law (R.S. 15:529.2) provides for intensive parole supervision for certain habitual offenders.

Present law (R.S. 15:529.2(B)) further provides that the secretary of the Dept. of Public Safety and Corrections (DPS&C) may release offenders pursuant to present law if certain conditions are met. Further provides that one of these conditions is that the offender has not committed any major disciplinary offenses in the 12 consecutive months prior to release.

Proposed law retains present law generally but changes the duration that an offender must not commit any major disciplinary offenses from 12 months to 36 months.

Present law (R.S. 15:571.3) provides for diminution of sentence for good behavior.

Proposed law retains present law.

Proposed law (R.S. 15:571.3(C)) provides that diminution of sentence pursuant to present law shall not be allowed to be earned by an inmate in a parish prison or in the custody of the DPS&C if any of the following apply:

- (1) The inmate has been sentenced as a habitual offender under the Habitual Offender Law as set forth in present law (R.S. 15:529.1).
- (2) The instant offense is a sex offense.

Present law (R.S. 15:571.3) provides for eligibility and applicability of diminution of sentence for crimes committed on or after Aug. 1, 2024.

Proposed law retains present law generally.

Present law (R.S. 15:571.3.1(F)) provides that any offender released because of diminution of sentence earned pursuant to present law shall be released subject to the provisions of present law (R.S. 15:571.5). Further provides that the remainder of the original full term of sentence shall be served as if on unsupervised parole for any offender released pursuant to present law unless his parole is revoked as provided in present law (R.S. 15:571.5(C)).

Proposed law provides that an offender who has received a split sentence shall, upon release from incarceration, immediately begin serving the probationary period imposed. Further provides that any term of unsupervised parole shall be served concurrently with the probationary period.

Proposed law provides that if an offender is convicted for an offense that is committed while on unsupervised parole, the amount of good time earned or credits toward the reduction of the projected good time parole supervision date earned on that portion of his sentence prior to the conviction shall be served consecutively with the sentence imposed for the offense.

Proposed law defines the term "split sentence".

Present law (R.S. 15:574.4) provides for parole eligibility for certain offenders.

Present law further provides the following groups of offenders with eligibility for parole consideration if certain conditions have been met:

- (1) Any person committed to the DPS&C for a term or terms of imprisonment with or without benefit of parole who has served at least 10 years of the term or terms of imprisonment in actual custody and who has reached the age of 60 years.
- (2) Any person who has not been convicted of a crime of violence as defined in present law (R.S. 14:2(B)), a sex offense as defined in present law (R.S. 15:541), or an offense, regardless of the date of conviction, which would constitute a crime of violence or a sex offense who, when sentenced to life imprisonment with or without the benefit of parole, was in any of the following age ranges:
  - (a) At least 18 years of age and under the age of 25.
  - (b) At least 25 years of age and under the age of 35.
  - (c) At least 35 years of age and under the age of 50.
  - (d) At least 50 years of age.
- (3) Any person serving a sentence of life imprisonment who was under the age of 18 years at the time of the commission of the offense, except for a person serving a life sentence for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S. 14:30.1).
- (4) Any person serving a sentence of life imprisonment for a conviction of first degree murder (R.S. 14:30) who was under the age of 18 years at the time of the

commission of the offense and whose indictment for the offense is on or after Aug. 1, 2017.

- (5) Any person serving a sentence of life imprisonment for a conviction of second degree murder (R.S. 14:30.1) who was under the age of 18 years at the time of the commission of the offense and whose indictment for the offense is on or after Aug. 1, 2017.
- (6) Any person serving a sentence of life imprisonment for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S. 14:30.1) who was under the age of 18 years at the time of the commission of the offense and whose indictment for the offense was prior to Aug. 1, 2017.
- (7) Any person serving a term or terms of imprisonment that resulted in a period of incarceration of 25 years or more and who was under the age of 18 years at the time of the commission of the offense.

Proposed law retains present law generally.

Proposed law retains present law generally but changes the duration that an offender must not commit any major disciplinary offenses from 12 months to 36 months.

Present law (R.S. 15:574.6) provides for the parole term when an offender is released on parole. Further provides that the term shall be for the remainder of the offender's sentence, with credits for compliance with the terms and conditions of parole supervision pursuant to prior law (R.S. 15:574.6.1), which was repealed by Act No. 7 of the 2024 2nd E.S.

Proposed law amends present law to remove the reference to compliance credits.

Present law (R.S. 15:574.9) provides for revocation of parole.

Proposed law retains present law.

Present law (R.S. 15:574.9(H)) provides for the sentences that an offender is required to serve when his parole supervision has been revoked for a technical violation.

Proposed law retains present law.

Proposed law provides that an offender in a custodial substance abuse treatment program shall serve not more than 180 days when his parole has been revoked for a technical violation.

Present law (R.S. 15:1199.24) provides for the Post-Conviction Veterans Mentor Program and eligibility requirements to be considered for the program.

Proposed law further provides that one of these conditions is that the offender has not committed any major disciplinary offenses in the 12 consecutive months prior to transfer.

Proposed law retains present law generally but changes the duration that an offender must not commit any major disciplinary offenses from 12 months to 36 months.

Present law (R.S. 15:574.9(F)) provides that when the parole of a parolee has been revoked by the committee for violation of the conditions of parole, the parolee shall be returned to the physical custody of the DPS&C, corrections services, and serve the remainder of his sentence as of the date of his release on parole, and any credit for time served for good behavior while on parole.

Present law further provides that the parolee shall be given credit for time served prior to the revocation hearing for time served in actual custody while being held for a parole violation in a local detention facility, state institution, or out-of-state institution pursuant to present law (C.Cr.P. Art. 880).

Proposed law repeals present law.

Proposed law provides for a statement of legislative intent.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:529.2(B)(3), 571.3.1(F), 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), 574.6(intro. para.), 574.9(section heading) and (H)(1)(a)(i)(intro. para.), and 1199.24(A)(5); Adds R.S. 15:571.3(C), 571.3.1(I), and 574.9(H)(1)(a)(i)(dd); Repeals R.S. 15:574.9(F))