

Regular Session, 2013

SENATE BILL NO. 108

BY SENATOR PERRY

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

CRIME/PUNISHMENT. Provides relative to an offender convicted of first degree murder with life sentence. (gov sig)

1 AN ACT

2 To enact R.S. 15:571.1, relative to incarceration of offenders in capital cases; to provide

3 relative to the conditions of confinement of offenders convicted of first degree

4 murder with life sentence; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:571.1 is hereby enacted to read as follows:

7 **§571.1. First degree murder with life sentence; conditions of confinement**

8 **A. Whenever an offender is convicted of first degree murder under R.S.**

9 **14:30 and has been sentenced to life in prison without benefit of parole,**

10 **probation or suspension of sentence, either in accordance with the**

11 **determination of the jury or under Code of Criminal Procedure Article 557, the**

12 **Department of Public Safety and Corrections shall classify and incarcerate the**

13 **offender in a manner affording maximum protection to the general public, the**

14 **employees of the department, and the security of the institution for the complete**

15 **duration of the offender's sentence.**

16 **B. An offender incarcerated under the provisions of this Section shall not**

17 **be permitted visitation rights or privileges except for legal counsel, medical,**

1 **dental, and mental healthcare examinations and treatment, and a chaplain,**
2 **priest or other spiritual director approved by the warden.**

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

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Proposed law provides that whenever an offender is convicted of first degree murder under present law and has been sentenced to life in prison without benefit of parole, probation or suspension of sentence, either in accordance with the determination of the jury or under present law relative to a plea of guilty in a capital case, the Dept. of Public Safety and Corrections is to classify and incarcerate the offender in a manner affording maximum protection to the general public, the employees of the department, and the security of the institution for the complete duration of the offender's sentence.

Proposed law provides that an offender incarcerated under the provisions of proposed law will not be permitted visitation rights or privileges except for legal counsel, medical, dental, and mental healthcare examinations and treatment, and a chaplain, priest or other spiritual director approved by the warden.

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

(Adds R.S. 15:571.1)