SLS 16RS-11 **ENGROSSED**

2016 Regular Session

SENATE BILL NO. 24

BY SENATOR MARTINY

CRIMINAL PROCEDURE. Provides relative to parole eligibility. (8/1/16)

1	AN ACT
2	To amend and reenact R.S. 15:574.4(B)(1) and to enact R.S. 15:574.4(A)(5), relative to
3	parole; to provide for parole consideration for certain persons; to provide for certain
4	ameliorative penalty provisions; to provide for certain terms and conditions; and to
5	provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 15:574.4(B)(1) is hereby amended and reenacted and R.S.
8	15:574.4(A)(5) is hereby enacted to read as follows:
9	§574.4. Parole; eligibility
10	A. * * *
11	(5) Notwithstanding Paragraph (A)(1) or Subsection (B) of this Section
12	or any other provision of law to the contrary, a person committed to the
13	Department of Public Safety and Corrections shall be eligible for parole
14	consideration upon serving fifteen years in actual custody, if all of the following
15	are applicable:
16	(a) The person was not otherwise eligible for parole consideration at an
17	earlier date.

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1 (b) The person was sentenced for an offense committed between June 29, 2 1995, and June 15, 2001. 3 (c) The person is eligible for relief under R.S. 15:308. This provision 4 includes those persons serving a life sentence with or without additional terms 5 of years. B.(1) No person shall be eligible for parole consideration who has been 6 convicted of armed robbery and denied parole eligibility under the provisions of R.S. 7 8 14:64. Except as provided in Paragraph (2) of this Subsection, and except as 9 provided in Paragraph (A)(5) and Subsections D and E of this Section, no prisoner 10 serving a life sentence shall be eligible for parole consideration until his life sentence 11 has been commuted to a fixed term of years. No prisoner sentenced as a serial sexual offender shall be eligible for parole. No prisoner may be paroled while there is 12 13 pending against him any indictment or information for any crime suspected of having been committed by him while a prisoner. Notwithstanding any other provisions of 14 law to the contrary, a person convicted of a crime of violence and not otherwise 15 16 ineligible for parole shall serve at least eighty-five percent of the sentence imposed, before being eligible for parole. The victim or victim's family shall be notified 17 whenever the offender is to be released provided that the victim or victim's family 18 19 has completed a Louisiana victim notice and registration form as provided in R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated to 20 the Department of Public Safety and Corrections, Crime Victims Services Bureau, 21 that they desire such notification. 22 23

The original instrument was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alden A. Clement, Jr.

DIGEST

SB 24 Engrossed 2016 Regular Session

Martiny

<u>Present law</u> provides for ameliorative penalty provisions and parole eligibility.

<u>Proposed law</u> retains <u>present law</u> and provides that a person committed to the Dept. of Public Safety and Corrections is eligible for parole consideration upon serving 15 years in actual

custody if all of the following are applicable:

- (1) The person was not otherwise eligible for parole consideration at an earlier date.
- (2) The person was sentenced for an offense committed between 6/29/95 and 6/15/01.
- (3) The person is eligible for relief under <u>present law</u> relative to certain ameliorative penalty provisions, which includes those persons serving a life sentence with or without additional terms of years.

Effective August 1, 2016.

(Amends R.S. 15:574.4(B)(1); adds R.S. 15:574.4(A)(5))

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill</u>

1. Add conditions relative to parole eligibility under proposed law.