

Regular Session, 1999

HOUSE BILL NO. 424

BY REPRESENTATIVES WINDHORST AND JENKINS

A JOINT RESOLUTION

Proposing to amend Article IV, Section 5(E)(1) of the Constitution of Louisiana, to require a favorable recommendation by the Board of Pardons before certain gubernatorial actions may be taken; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article IV, Section 5(E)(1) of the Constitution of Louisiana, to read as follows:

§5. Governor; Powers and Duties

Section 5.

* * *

(E) Pardon, Commutation, Reprieve, and Remission; Board of Pardons.

(1) The governor may grant reprieves to persons convicted of offenses against the state and, upon favorable recommendation of the Board of Pardons, may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. However, a first offender never previously convicted of

a felony shall be pardoned automatically upon completion of his sentence, without a recommendation of the Board of Pardons and without action by the governor.

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Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the gubernatorial general election to be held in 1999.

Section 3. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

To provide that the governor may not commute sentences, pardon persons convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses without a favorable recommendation by the board of pardons. (Amends Article IV, Section 5(E)(1))

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE