

2017 Regular Session

HOUSE BILL NO. 205

BY REPRESENTATIVES BOUIE AND SMITH

1 AN ACT

2 To amend and reenact R.S. 15:572.4(D), relative to pardons; to provide relative to the time
3 periods in which persons serving a life sentence may apply for a pardon or
4 commutation of sentence; to provide relative to the time periods prior to an
5 imposition of a life sentence; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:572.4(D) is hereby amended and reenacted to read as follows:

8 §572.4. Board of Pardons; rules, regulations, and procedures; notice; restrictions on
9 applications; time periods for additional review

10 * * *

11 D. Notwithstanding any provisions of law to the contrary, any applicant who
12 has been sentenced to life imprisonment shall not be eligible to apply to the board
13 for a pardon or commutation of sentence for a period of fifteen years after being
14 sentenced by the trial court, except that periods of time prior to the imposition of the
15 sentence in which the defendant was in actual custody for the offense for which he
16 was sentenced to life imprisonment shall be included in computing the fifteen-year
17 period. If the application is denied, the applicant shall be notified in writing of the
18 reason for the denial and thereafter may file a new application to the board no earlier
19 than five years from the date of action by the board. Any subsequent applications
20 shall not be filed earlier than five years after the immediately preceding action taken
21 by the board. However, the provisions of this Subsection shall not apply when the
22 board determines that new and material evidence that, notwithstanding the exercise
23 of reasonable diligence by the applicant, was not discovered before or during his

1 trial, is available, and if it had been introduced at the trial, it would probably have
2 changed the verdict or judgment of guilty.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____