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

DIGEST

SB 51 Engrossed | 2018 Regular Session | Morrell

Present law provides that any person convicted of the crime of first degree murder is to be punished by either death or life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence.

Present law provides that any person convicted of the crime of first degree rape is to be punished by life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence. However, present law provides that if the victim of the first degree rape was under the age of 13 years, the district attorney may seek the death penalty.

Present law provides that any person convicted of the crime of treason is to be punished by death.

Proposed law eliminates the death penalty as a mandatory punishment for treason or a possible punishment for the crimes of first degree murder and first degree rape. Proposed law further provides for life imprisonment without benefit of parole, probation, or suspension of sentence for the crime of treason. Proposed law further provides that the elimination of the death penalty as provided for by proposed law relative to first degree murder and treason applies only to offenses committed on or after 8/1/18. For offenses committed prior to 8/1/18, proposed law retains present law.

Effective August 1, 2018.

(Amends R.S. 14:30(C), 42(D), and 113(C))