

2018 Regular Session

SENATE BILL NO. 495

BY SENATOR MARTINY

CRIMINAL PROCEDURE. Provides relative to parole eligibility. (11/1/18)

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S. 15:574.4(H) and 574.9(D)(1),
3 relative to parole; to provide for parole eligibility; to provide for revocation of
4 parole; to provide for requirements; to provide for an effective date; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. The introductory paragraph of R.S. 15:574.4(H) and 574.9(D)(1) are
8 hereby amended and reenacted to read as follows:

9 §574.4. Parole; eligibility; juvenile offenders

10 * * *

11 H.(1) Notwithstanding any provision of law to the contrary, an offender
12 serving a life sentence for second degree murder (R.S. 14:30.1), shall be eligible for
13 parole consideration pursuant to the provisions of this Subsection if all of the
14 following conditions are met:

15 ~~(1)~~(a) The offender committed the offense after July 2, 1973, and prior to
16 June 29, 1979.

17 ~~(2)~~(b) The offender has served at least forty years of the sentence imposed.

Present law provides that when a judge sets bond on allegations of a new felony offense for a parolee, the division of probation and parole and the committee on parole must be notified within three business days.

Proposed law provides that when a judge sets bond on allegations of any new offense for a parolee, the division of probation and parole and the committee on parole must be notified within three business days.

Present law provides that the parole detainer expires ten days after the bond has been set, unless the division of probation and parole seeks to maintain the detainer.

Proposed law retains present law.

Effective November 1, 2018.

(Amends R.S. 15:574.4(H) and 574.9(D)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Clarifies that an offender may only be released by unanimous vote of the committee.