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 DIGEST

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SB 495 Reengrossed

2018 Regular Session

Martiny

Present law provides that an offender serving a life sentence for second degree murder shall be eligible for parole consideration if all of the following are met:

- (1) The offender committed the offense after July 2, 1973, and prior to June 29, 1979.
- (2) The offender has served at least forty years of the sentence imposed.
- (3) The committee on parole has granted parole with a unanimous vote of those present.

Proposed law amends present law to provide that an offender serving a life sentence for second degree murder who meets the requirements in Paragraph (1) and (2) above shall be released on parole only if the committee on parole votes unanimously for release.

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 expands the application of present law to any new offense of the parolee, instead of applying to only those offenses that are felonies.

Present law provides that each offender who commits an offense on or after Nov. 1, 2017, other than a crime of violence or a sex offense, and who is eligible for parole pursuant to present law, except those sentenced as a habitual offender under present law (R.S. 15:529.1) or who participate in a drug court program pursuant to present law (R.S. 13:5401), shall be released on administrative parole on the offender's parole eligibility date without a hearing before the committee if certain conditions are met.

Proposed law amends present law to apply only to those offenders who commit an offense on or after Nov. 1, 2020, instead of Nov. 1, 2017, but otherwise retains present law.

Effective Nov. 1, 2018.

(Amends R.S. 15:574.2(C)(4)(a)(intro. para.), 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.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill:

1. Change the applicability of present law provisions regarding administrative parole to offenders who commit an offense on or after Nov. 1, 2020, instead of Nov. 1, 2017.