

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 495

2018 Regular Session

Martiny

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

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

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Change the applicability of present law provisions regarding administrative parole to offenders who commit an offense on or after November 1, 2020, instead of November 1, 2017.
2. Requires that all members of the committee on parole vote unanimously in the committee vote in favor of the offender.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 495 Reengrossed

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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 all members of the committee on parole vote unanimously in the vote of the committee 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 November 1, 2020, instead of November 1, 2017, but otherwise retains present law.

Effective November 1, 2018.

(Amends R.S. 15:574.2(C)(4)(a)(intro. para.), 574.4(H) and 574.9(D)(1))

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