

DIGEST

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SB 304 Reengrossed

2022 Regular Session

Cathey

Present law provides that diminution of a sentence is not allowed to an inmate in the DPS&C if the offender has been sentenced as a habitual offender or when the trial court prohibits the earning to a person convicted of stalking. Present law further provides that diminution of a sentence is not allowed to an inmate convicted of a second offense which is a crime of violence, or a sex offense.

Proposed law retains present law.

Present law provides that every offender in the custody of the DPS&C who is convicted of a felony, except an offender convicted a second time of a crime of violence as defined in present law, for a specific amount of time, earns diminution of sentence. The "good time" is earned at a rate of 13 days for every seven days in actual custody, including time spent in custody prior to sentencing for the particular sentence imposed.

Proposed law retains present law but creates an exception when the offense for which the offender is serving is for the death of a peace officer or first responder killed in the line of duty. An offender for such offense shall earn good time at a rate of one day for every 30 days in actual custody.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:571.3(B)(1)(a), (C)(intro. para.), (D), and (F); Adds R.S. 15:571.3(G))

Summary of Amendments Adopted by SenateSenate Floor Amendments to engrossed bill

1. Makes effective date upon governor's signature.

Summary of Amendments Adopted by House

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

1. Clarify proposed law to provide that the victim was killed in the line of duty as a peace officer or first responder.
2. Remove proposed law which provided that diminution of sentence does not include time spent in custody prior to conviction.