

2018 Regular Session

SENATE BILL NO. 495

BY SENATOR MARTINY

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

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§574.4. Parole; eligibility; juvenile offenders

* * *

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

* * *

§574.9. Revocation of parole for violation of condition; committee panels; return to custody hearing; duration of reimprisonment and reparole after

1 revocation; credit for time served; revocation for a technical violation

2 * * *

3 D.(1) When a judge sets bond on allegations of a new ~~felony~~ offense for a
4 parolee, the Department of Public Safety and Corrections, division of probation and
5 parole and the committee on parole must be notified within three business days.

6 * * *

7 Section 2. This Act shall become effective on November 1, 2018.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Ashley Menou.

DIGEST

SB 495 Original 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 provides that an offender serving a life sentence for second degree murder shall be released on parole if all of the conditions of present law are met.

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)(intro para) and 574.9(D)(1))