

2018 Regular Session

HOUSE BILL NO. 761

BY REPRESENTATIVES PIERRE AND HUNTER

CRIME/FELONIES: Amends criminal penalties for the crime of armed robbery

1 AN ACT

2 To amend and reenact R.S. 14:64(B) and R.S. 15:574.4(B)(1), relative to the crime of armed
3 robbery; to amend the criminal penalties for the crime of armed robbery; to provide
4 relative to probation, parole, or suspension of sentence for armed robbery; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:64(B) is hereby amended and reenacted to read as follows:

8 §64. Armed robbery

9 * * *

10 B. Whoever commits the crime of armed robbery shall be imprisoned at hard
11 labor for not less than ten years and for not more than ~~ninety-nine~~ forty years;
12 ~~without benefit of parole, probation, or suspension of sentence.~~

13 Section 2. R.S. 15:574.4(B)(1) is hereby amended and reenacted to read as follows:

14 §574.4. Parole; eligibility; juvenile offenders

15 * * *

16 B.(1) ~~No person shall be eligible for parole consideration who has been~~
17 ~~convicted of armed robbery and denied parole eligibility under the provisions of R.S.~~
18 ~~14:64.~~ Except as provided in Paragraph (2) of this Subsection, and except as
19 provided in Paragraph (A)(5) and Subsections D, E, and H of this Section, no
20 prisoner serving a life sentence shall be eligible for parole consideration until his life

1 sentence has been commuted to a fixed term of years. No prisoner sentenced as a
2 serial sexual offender shall be eligible for parole. No prisoner may be paroled while
3 there is pending against him any indictment or information for any crime suspected
4 of having been committed by him while a prisoner. Notwithstanding any other
5 provisions of law to the contrary, a person convicted of a crime of violence and not
6 otherwise ineligible for parole shall serve at least sixty-five percent of the sentence
7 imposed, before being eligible for parole. The victim or victim's family shall be
8 notified whenever the offender is to be released provided that the victim or victim's
9 family has completed a Louisiana victim notice and registration form as provided in
10 R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated
11 to the Department of Public Safety and Corrections, Crime Victims Services Bureau,
12 that they desire such notification.

13 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 761 Original 2018 Regular Session Pierre

Abstract: Reduces the maximum term of imprisonment for armed robbery from 99 years to 40 years, and removes the provision requiring the sentence to be served without benefit of probation, parole, or suspension of sentence.

Present law defines armed robbery as the taking of anything of value belonging to another from the person of another or that is in the immediate control of another, by use of force or intimidation, while armed with a dangerous weapon. Provides for criminal penalties of imprisonment at hard labor for not less than ten years and for not more than 99 years, without benefit of parole, probation, or suspension of sentence.

Proposed law reduces the maximum term of imprisonment for armed robbery from 99 years to 40 years, and removes the requirement that the sentence be served without benefit of probation, parole, or suspension of sentence.

Present law prohibits persons convicted of armed robbery from being considered for parole.

Proposed law deletes present law.

(Amends R.S. 14:64(B) and R.S. 15:574.4(B)(1))