
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 541 Original

2020 Regular Session

Duplessis

Abstract: Allows for parole eligibility for certain persons who meet certain requirements.

Present law provides that a person, otherwise eligible for parole, whose instant offense is a second conviction of a crime of violence or a first or a second conviction of a sex offense shall be eligible for parole consideration upon serving 75% of the sentence imposed.

Present law further prohibits a person convicted a third or subsequent time of a crime of violence or a third or subsequent time of a sex offense from parole eligibility.

Proposed law removes the present law prohibition and provides that persons convicted of a sex offense or second or subsequent time for a crime of violence shall be eligible for parole consideration upon serving 75% of the sentence imposed.

Present law provides that unless eligible for parole at an earlier date, a person committed to the Dept. of Public Safety and Corrections for a term or terms of imprisonment with or without benefit of parole for 30 years or more shall be eligible for parole consideration upon serving at least 20 years of the term or terms of imprisonment in actual custody and upon reaching the age of 45.

Further provides that present law does not apply to a person serving a life sentence unless the sentence has been commuted to a fixed term of years. Provides that present law shall not apply to a person convicted of armed robbery, a crime of violence, or a sex offense.

Proposed law amends present law to remove the age 45 requirement and removes the prohibition on eligibility for parole considerations for persons convicted of armed robbery, a crime of violence, or a sex offense.

Present law prohibits eligibility for parole consideration for a person who has been convicted of armed robbery and denied parole eligibility. Further provides that no prisoner serving a life sentence shall be eligible for parole consideration until his life sentence has been commuted to a fixed term of years and no person sentenced as a serial sex offender shall be eligible for parole.

Proposed law deletes present law.

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 conditions 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 40 years of the sentence imposed.

Present law further requires a unanimous vote of the committee on parole.

Proposed law amends present law to provide that an offender serving a life sentence shall be eligible for parole consideration if the offender has served at least 30 years of the sentence imposed. Proposed law retains the present law requirement for a unanimous vote of the committee on parole.

(Amends R.S. 15:574.4(A)(1)(b)(i) and (2), (B)(1) and (2)(intro. para.), and (H)(1))