The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 523 Original | 2026 Regular Session | Mizell

Present law provides that any offender sentenced to life imprisonment is not eligible to apply to the Board of Pardons for a pardon or commutation of sentence for a period of 15 years after being sentenced. Present law also provides that any offender sentenced for a present law crime of violence or sex offense is not eligible to apply for a pardon or commutation of sentence for a period of 25 years after sentencing.

Proposed law provides an exception to present law allowing an offender who was a documented victim of domestic abuse, human trafficking, or sexual assault when he committed the offense for which he was convicted, to immediately apply for a pardon or commutation of sentence unless:

(1) He was sentenced to life imprisonment for a crime of violence, in which case he will be eligible to apply five years after sentencing.

(2) He was convicted of any of the following, for which application is prohibited:

(a) An offense that requires registration as a sex offender.

(b) An offense resulting in a sentence of death.

(c) Certain offenses relating to terrorism.

Proposed law otherwise retains present law.

Present law provides grounds the court will consider when exercising its discretion pertaining to suspension of sentence or probation.

Proposed law retains present law and adds that the court will consider the defendant's status as a victim of domestic abuse, human trafficking, trafficking of children for sexual purposes, or sexual assault and whether there was a rational, causal, and temporally proximate connection between the defendant's victimization and his committing the instant offence. Proposed law also provides that, if the court determines that there is a temporally proximate connection, it will order a presentence investigation pursuant to present law.

Proposed law directs the Board of Pardons to review its existing rules, regulations, and procedures for consideration of clemency applications submitted in accordance with proposed law and to adopt rules, regulations, or procedures as necessary to implement proposed law.

Effective August 1, 2026.

(Amends R.S. 15:572.4(D) and C.Cr.P. Art. 894.1(B)(33); adds C.Cr.P. Art. 894.1(34))