HLS 14RS-514 ORIGINAL

Regular Session, 2014

HOUSE BILL NO. 159

BY REPRESENTATIVE SMITH

PAROLE: Reduces length of time that must be served by certain offenders before becoming parole eligible

1 AN ACT

To amend and reenact R.S. 15:574.4(B)(1), relative to parole eligibility; to amend provisions

3 of law regarding parole eligibility for crimes of violence; and to provide for related

4 matters.

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Be it enacted by the Legislature of Louisiana:

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

7 §574.4. Parole; eligibility

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B.(1) No person shall be eligible for parole consideration who has been convicted of armed robbery and denied parole eligibility under the provisions of R.S. 14:64. Except as provided in Paragraph (2) of this Subsection, and except as provided in Subsections D and E of this Section, 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. No prisoner sentenced as a serial sexual offender shall be eligible for parole. No prisoner may be paroled while there is pending against him any indictment or information for any crime suspected of having been committed by him while a prisoner. Notwithstanding any other provisions of law to the contrary, a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least eighty-five sixty-five percent of the sentence imposed for a second or

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

subsequent felony conviction, before being eligible for parole. The victim or victim's family shall be notified whenever the offender is to be released provided that the victim or victim's family has completed a Louisiana victim notice and registration form as provided in R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated to the Department of Public Safety and Corrections, Crime Victims Services Bureau, that they desire such notification.

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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)]

Smith HB No. 159

Abstract: Amends parole eligibility provisions for crimes of violence, reducing the length of time certain offenders must serve before becoming parole eligible.

<u>Present law</u> provides for the following listing of crimes designated as crimes of violence: solicitation for murder, first degree murder, second degree murder, manslaughter, aggravated battery, second degree battery, aggravated assault, mingling harmful substances, aggravated rape, forcible rape, simple rape, sexual battery, second degree sexual battery, intentional exposure to AIDS virus, aggravated kidnapping, second degree kidnapping, simple kidnapping, aggravated arson, aggravated criminal damage to property, aggravated burglary, armed robbery, first degree robbery, simple robbery, purse snatching, extortion, assault by drive-by shooting, aggravated crime against nature, carjacking, illegal use of weapons or dangerous instrumentalities, terrorism, aggravated incest, aggravated second degree battery, aggravated assault upon a peace officer with a firearm, aggravated assault with a firearm, armed robbery, use of firearm, second degree robbery, disarming of a peace officer, stalking, second degree cruelty to juveniles, aggravated flight from an officer, battery of a police officer, trafficking of children for sexual purposes, human trafficking, and home invasion.

Proposed law retains present law.

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<u>Present law</u> provides that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least 85% of the sentence imposed before being eligible for parole.

<u>Proposed law</u> changes <u>present law</u> to provide that a person convicted of a crime of violence not otherwise ineligible for parole shall serve 65% of the sentence imposed for a first felony conviction and 75% of the sentence imposed for a second or subsequent felony conviction before being eligible for parole.

(Amends R.S. 15:574.4(B)(1))