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HOUSE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Representative Marcelle to Engrossed House Bill No. 554 by Representative Marcelle

AMENDMENT NO. 1

On page 1, delete lines 2 through 11 in their entirety and insert the following:

"To enact R.S. 15:574.4(F), relative to juvenile parole eligibility; to provide for parole eligibility for juveniles sentenced to life imprisonment without the possibility of parole for certain homicide offenses; to provide for conditions; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 13, after "Section 1." delete the remainder of the line, delete line 14 in its entirety, and insert "R.S. 15:574.4(F) is hereby enacted to read"

AMENDMENT NO. 3

On page 1, delete lines 18 and 19 in their entirety

AMENDMENT NO. 4

Delete page 2 in its entirety and insert the following:

"F.(1) Notwithstanding any provision of law to the contrary, any person serving a sentence of life imprisonment for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S. 14:30.1) who was under the age of eighteen years at the time of the commission of the offense and whose conviction became final prior to June 25, 2012, shall be eligible for parole consideration pursuant to the provisions of this Subsection if all of the following conditions have been met:

(a) The offender has served thirty-five years of the sentence imposed.

(b) The offender has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole hearing date. For purposes of this Subsection, a major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

(c) The offender has completed the mandatory minimum of one hundred hours of prerelease programming in accordance with the provisions of R.S. 15:827.1.

(d) The offender has completed substance abuse treatment as applicable.

(e) The offender has obtained a GED certification, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a GED certification due to a learning disability. If the offender is deemed incapable of obtaining a GED certification, the offender shall complete at least one of the following:

(i) A literacy program.

(ii) An adult basic education program.

1 (iii) A job skills training program.

2 (f) The offender has obtained a low-risk level designation determined
3 by a validated risk assessment instrument approved by the secretary of the
4 Department of Public Safety and Corrections.

5 (g) The offender has completed a reentry program to be determined
6 by the Department of Public Safety and Corrections.

7 (2) For each offender eligible for parole consideration pursuant to the
8 provisions of this Subsection, the committee on parole shall meet in a
9 three-member panel, and each member of the panel shall be provided with
10 and shall consider a written evaluation of the offender by a person who has
11 expertise in adolescent brain development and behavior and any other
12 relevant evidence pertaining to the offender.

13 (3) The panel shall render specific findings of fact in support of its
14 decision.

15 Section 2. This Act shall become effective upon signature by the
16 governor or, if not signed by the governor, upon expiration of the time for
17 bills to become law without signature by the governor, as provided by Article
18 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor
19 and subsequently approved by the legislature, this Act shall become effective
20 on the day following such approval."