
SENATE COMMITTEE AMENDMENTS

2017 Regular Session

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 139
by Senator Martiny

1 AMENDMENT NO. 1

2 On page 1, line 4, after "13:5304(B)(10)(b)," delete "and (c),"

3 AMENDMENT NO. 2

4 On page 1, line 5, after "574.4(A)(1)" delete "and (2)"

5 AMENDMENT NO. 3

6 On page 1, line 6, delete "574.4.2(B),"

7 AMENDMENT NO. 4

8 On page 2, line 15, after "medical" and before "furloughs" insert "treatment" and change
9 "term" to "terms"

10 AMENDMENT NO. 5

11 On page 2, line 16, after "and" and before "furlough" insert "medical treatment" and after
12 "or" and before "furlough" insert "medical treatment"

13 AMENDMENT NO. 6

14 On page 3, line 6, after "Article 890.3," delete the remainder of the line and delete lines 7
15 and 8 and insert the following:

16 **"except a first conviction for an offense with a maximum prison sentence of ten years**
17 **or less that was not committed against a family member, household member, or dating**
18 **partner, or of a second or third conviction if the second or third conviction is for a**
19 **violation of R.S."**

20 AMENDMENT NO. 7

21 On page 5, delete line 21 and insert **"felony conviction, to enter and complete a"**

22 AMENDMENT NO. 8

23 On page 6, line 4, after "A." insert "**(1)**"

24 AMENDMENT NO. 9

25 On page 6, line 8, after "**probation.**" delete the remainder of the line and delete line 9 in its
26 entirety.

27 AMENDMENT NO. 10

28 On page 6, between lines 11 and 12, insert the following:

29 **"(2) Notwithstanding Subparagraph (1) of this Paragraph and any other**
30 **law to the contrary, discharge credits may not be earned in conjunction with**
31 **any other credits received toward a defendant's term of probation. If a**
32 **defendant receives credit toward his term of probation for any other reason, he**
33 **shall not receive discharge credits for that period of time."**

1 AMENDMENT NO. 11

2 On page 7, line 15, delete "**calendar month**" and insert "**one of the twelve periods of time**
3 **in which the calendar is divided**"

4 AMENDMENT NO. 12

5 On page 7, delete lines 21 through 24 and insert "**(b) Fails to report, as ordered by the**
6 **court or directed by the probation officer, for a scheduled meeting with a probation**
7 **officer, and fails to make contact with a probation officer within thirty days of the**
8 **missed meeting.**"

9 AMENDMENT NO. 13

10 On page 7, line 25, change "**(d)**" to "**(c)**"

11 AMENDMENT NO. 14

12 On page 7, line 28, after "**A.**" insert "**(1)**"

13 AMENDMENT NO. 15

14 On page 8, line 3, after "**supervision.**" delete the remainder of the line and delete line 4 in
15 its entirety.

16 AMENDMENT NO. 16

17 On page 8, between lines 5 and 6 insert the following:

18 **"(2) Notwithstanding Subparagraph (1) of this Paragraph and any**
19 **provision of law to the contrary, discharge credits may not be earned in**
20 **conjunction with any other credits toward a defendant's term of parole. If a**
21 **defendant receives credit toward his term of parole for any other reason, he**
22 **shall not receive discharge credits for that period of time.**"

23 AMENDMENT NO. 17

24 On page 9, line 8, delete "**calendar month**" and insert "**one of the twelve periods of time**
25 **in which the calendar is divided**"

26 AMENDMENT NO. 18

27 On page 9, delete lines 14 through 17 and insert "**(b) Fails to report, as ordered by the**
28 **court or directed by the parole officer, for a scheduled meeting with a parole officer,**
29 **and fails to make contact with a parole officer within thirty days of the missed**
30 **meeting.**"

31 AMENDMENT NO. 19

32 On page 9, line 18, change "**(d)**" to "**(c)**"

33 AMENDMENT NO. 20

34 On page 10, line 19, delete "**known felons or persons**" and insert "**people known to be**"

35 AMENDMENT NO. 21

36 On page 11, delete lines 18 and 19 in their entirety.

1 AMENDMENT NO. 22

2 On page 14, line 4, after "**(d)**" delete the remainder of the line and insert "**If a**"

3 AMENDMENT NO. 23

4 On page 15, at the end of line 21 and the beginning of line 22, delete "**, except for Class D**
5 **and E felonies,**" and insert "**, except for a first conviction of an offense with a maximum**
6 **prison sentence of ten years or less that was not committed against a family member,**
7 **household member, or dating partner,**"

8 AMENDMENT NO. 24

9 On page 15, line 25, after "R.S. 13:5304(B)(10)(b)" delete "and (c) are" and insert "is"

10 AMENDMENT NO. 25

11 On page 16, line 7, delete "**, except for Class D and E felonies,**" and insert "**, except a first**
12 **conviction of an offense with a maximum prison sentence of ten years or less that was**
13 **not committed against a family member, household member, or dating partner,**"

14 AMENDMENT NO. 26

15 On page 16, delete lines 10 through 12

16 AMENDMENT NO. 27

17 On page 16, line 15, after "574.4(A)(1)" delete "and (2)"

18 AMENDMENT NO. 28

19 On page 16, line 16, delete "574.4.2(B),"

20 AMENDMENT NO. 29

21 On page 17, delete lines 4 and 5 and insert the following:

22 "rate of ~~one and one half day for every one day~~ **thirteen days for every seven days** in actual
23 custody served on the imposed sentence, including time spent in custody with good"

24 AMENDMENT NO. 30

25 On page 17, at the end of line 7, change "∴" to ".", and delete lines 8 through 11

26 AMENDMENT NO. 31

27 On page 17, line 24, after "rate of" delete the remainder of the line and insert "**one day for**
28 **every three**"

29 AMENDMENT NO. 32

30 On page 18, line 3, delete "**July**" and insert "**November**"

31 AMENDMENT NO. 33

32 On page 20, line 27, after "**offender**" insert "**convicted after November 1, 2017, and**" and
33 change "**R.S. 15:574.4(A)**" to "**R.S. 15:574.4(A)(1)**"

34 AMENDMENT NO. 34

35 On page 22, line 5, delete "thirty" and insert "**sixty**"

1 AMENDMENT NO. 35

2 On page 22, line 8, delete "forty-five" and insert "ninety"

3 AMENDMENT NO. 36

4 On page 22, line 18, delete "thirty" and insert "sixty"

5 AMENDMENT NO. 37

6 On page 23, line 1, delete "forty-five" and insert "ninety"

7 AMENDMENT NO. 38

8 On page 23, line 15, change "July" to "November"

9 AMENDMENT NO. 39

10 On page 24, line 1, after "imposed." insert "The offense shall not be counted as a second
11 or subsequent offense if more than ten years have lapsed between the date of the
12 commission of the instant offense and the expiration of the offender's maximum
13 sentence of the previous conviction, or between the expiration of the offender's
14 maximum sentence of each preceding conviction and the date of the commission of the
15 following offense."

16 AMENDMENT NO. 40

17 On page 24, line 10, delete "fifty-five" and insert "sixty-five"

18 AMENDMENT NO. 41

19 On page 25, delete lines 10 through 23

20 AMENDMENT NO. 42

21 On page 25, line 25, after "B.(1)" delete the remainder of the line and insert "No"

22 AMENDMENT NO. 43

23 On page 26, line 7, delete "fifty" and insert "sixty"

24 AMENDMENT NO. 44

25 On page 27, delete lines 3 through 29 and insert the following:

26 "F. Notwithstanding any provision of law to the contrary, an offender
27 servng a life sentence for second degree murder (R.S. 14:30.1), shall be eligible
28 for parole consideration pursuant to the provisions of this Subsection if all of
29 the following conditions are met:

30 (1) The offender committed the offense after August 1, 1973, and prior
31 to June 29, 1979.

32 (2) The offender has served at least thirty years of the sentence imposed.

33 (3) The offender has reached the age of fifty."

34 AMENDMENT NO. 45

35 On page 28, delete lines 10 through 21

1 AMENDMENT NO. 46

2 On page 32, line 18, after "**for**" delete the remainder of the line and delete line 19 and insert
3 "**an allegation of the commission of another crime, it is enforceable until bond is set by**
4 "**the judge for the new crime. When**"

5 AMENDMENT NO. 47

6 On page 33, line 26, after "**(iii)**" delete the remainder of the line and insert "**If the**"

7 AMENDMENT NO. 48

8 On page 35, line 28, after "**Medical**" insert "**Treatment**"

9 AMENDMENT NO. 49

10 On page 35 delete line 29 and on page 36 delete lines 1 through 20 in their entirety and insert
11 the following:

12 **"(1) The committee on parole shall establish the medical treatment**
13 **furlough program to be administered by the department for the purpose of**
14 **utilizing off site medical facilities for an eligible offender's medical treatment.**
15 **Medical treatment furlough shall not be available to any offender who is**
16 **awaiting execution.**

17 **(2)(a) An offender eligible for consideration for release under the**
18 **medical treatment furlough program shall be any offender who is ineligible for**
19 **release on medical parole pursuant to Subsection B of this Section and is**
20 **determined by the department to be to a limited mobility offender.**

21 **(b) For the purposes of this Section, "limited mobility offender" means**
22 **any offender who is unable to perform activities of daily living without help or**
23 **is confined to a bed or chair, including but not limited to prolonged coma and**
24 **medical ventilation.**

25 **(3) Notwithstanding any provision of law to the contrary, the committee**
26 **on parole may authorize the release of an eligible offender on medical treatment**
27 **furlough when all of the following conditions are met:**

28 **(a) Placement in an acute care hospital, nursing home, or other**
29 **appropriate medical facility able to meet the offender's medical and treatment**
30 **needs is secured.**

31 **(b) All confinement and level of supervision requirements that the**
32 **committee deems necessary are secured.**

33 **(c) The committee determines that the offender does not present a**
34 **substantial flight risk."**

35 AMENDMENT NO. 50

36 On page 36, at the beginning of line 22, insert "**medical treatment**"

37 AMENDMENT NO. 51

38 On page 36, line 29, after "**or**" and before "**furlough**" insert "**medical treatment**"

39 AMENDMENT NO. 52

40 On page 37, line 2, after "**or**" and before "**furlough**" insert "**medical treatment**"

41 AMENDMENT NO. 53

42 On page 37, at the end of line 4, insert "**treatment**"

1 AMENDMENT NO. 54

2 On page 37, line 6, after "**medical**" and before "**furlough**" insert "**treatment**"

3 AMENDMENT NO. 55

4 On page 37, line 9, after "**medical**" and before "**furlough**" insert "**treatment**"

5 AMENDMENT NO. 56

6 On page 37, line 12, after "**medical**" and before "**furlough**" insert "**treatment**"

7 AMENDMENT NO. 57

8 On page 37, at the beginning of line 17, insert "**medical treatment**"

9 AMENDMENT NO. 58

10 On page 37, line 18, after "**medical**" and before "**furlough**" insert "**treatment**"

11 AMENDMENT NO. 59

12 On page 37, line 21, after "**or**" and before "**furlough**" insert "**medical treatment**"

13 AMENDMENT NO. 60

14 On page 37, line 22, after "**medical**" and before "**furlough**" insert "**treatment**"

15 AMENDMENT NO. 61

16 On page 37, at the beginning of line 24 after "**parole or**" insert "**medical treatment**" and at
17 the end of the line after "**or medical**" insert "**treatment**"

18 AMENDMENT NO. 62

19 On page 37, line 27, after "**medical**" and before "**furlough**" insert "**treatment**"

20 AMENDMENT NO. 63

21 On page 38, at the beginning of line 2, after "**and medical**" insert "**treatment**"

22 AMENDMENT NO. 64

23 On page 38, at the beginning of line 3, insert "**treatment**"

24 AMENDMENT NO. 65

25 On page 38, line 17, after "**implemented**" and before "**only**" insert "**beginning on**
26 **November 1, 2017, and**"

27 AMENDMENT NO. 66

28 On page 39, delete lines 25 through 29 and delete page 40 in its entirety and insert the
29 following:

30 "Section 4. This Act shall become effective on November 1, 2017; if vetoed by the governor
31 and subsequently approved by the legislature, this Act shall become effective on November
32 1, 2017, or on the day following such approval by the legislature, whichever is later."