

RÉSUMÉ DIGEST

ACT 122 (HB 145)

2021 Regular Session

Bryant

Existing law provides that 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.

Prior law provided that parole eligibility was not applicable to any person who had been convicted of armed robbery under R.S. 14:64, a crime of violence as defined in R.S. 14:2(B), or a sex offense as defined in R.S. 15:541.

New law specifies that a person who has been convicted of a crime of violence or a sex offense shall not be eligible for parole when the offense was committed on or after Aug. 1, 2014.

New law provides that a person committed to the Dept. of Public Safety and Corrections shall be eligible for parole consideration upon serving 15 years in actual custody if the two following conditions are met:

- (1) The person was not eligible for parole consideration at an earlier date.
- (2) The person was sentenced to life imprisonment without parole, probation, or suspension of sentence after being convicted of a third or subsequent felony offense under R.S. 15:529.1 for the instant offense.

New law further provides that new law is not applicable to those who meet any of the following criteria:

- (1) The instant conviction is a crime of violence under R.S. 14:2(B).
- (2) The instant conviction or any prior conviction, whether or not that prior conviction was used in the habitual offender conviction under R.S. 15:529.1, is both a crime of violence under R.S. 14:2(B) and a sex offense under R.S. 15:541.
- (3) The person would still qualify for a sentence of life imprisonment without parole, probation, or suspension of sentence as a third or subsequent offense under R.S. 15:529.1 as it was amended in Acts No. 257 and 282 of the 2017 R.S.

Existing law provides that, except as provided by existing law, 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 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.

Existing law further provides that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least 65% of the sentence imposed before being eligible for parole.

Existing law also provides relative to notification when the offender is released from custody.

New law removes the prohibition that no person shall be eligible for parole consideration who has been convicted of armed robbery and denied under the provisions of existing law (R.S. 14:64).

Effective August 1, 2021.

(Amends R.S. 15:574.4(A)(2) and (B)(1); Adds R.S. 15:574.4(A)(6))