

2024 Second Extraordinary Session

HOUSE BILL NO. 9

BY REPRESENTATIVE VILLIO AND SENATOR MORRIS AND REPRESENTATIVE
MIKE JOHNSON

PAROLE: Provides relative to parole (Item #1)

1 AN ACT

2 To amend and reenact R.S. 15:574.4(A)(1)(a), (2) through (4), (5)(a), and (6)(a) and (B)(1)
3 and (2)(introductory paragraph) and to enact R.S. 15:574.22, relative to parole; to
4 provide relative to parole eligibility; to provide for the restriction of parole
5 eligibility; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:574.4(A)(1)(a), (2) through (4), (5)(a), and (6)(a) and (B)(1) and
8 (2)(introductory paragraph) are hereby amended and reenacted and R.S. 15:574.22 is hereby
9 enacted to read as follows:

10 §574.4. Parole; eligibility; juvenile offenders

11 A.(1)(a) Unless eligible at an earlier date, a person otherwise eligible for
12 parole shall be eligible for parole consideration upon serving twenty-five percent of
13 the sentence imposed. The provisions of this Subparagraph shall not apply to any
14 person whose instant offense is a crime of violence as defined in R.S. 14:2(B), a sex
15 offense as defined in R.S. 15:541, or any offense which would constitute a crime of
16 violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or
17 whose instant offense is a fourth or subsequent conviction of a nonviolent felony
18 offense, regardless of the date of conviction. Notwithstanding any provisions of law
19 to the contrary, the provisions of this ~~Subparagraph~~ Subsection shall be applicable

1 to persons ~~convicted of~~ who have committed offenses prior to ~~and on or after~~
2 ~~November 1, 2017~~ August 1, 2024.

3 * * *

4 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection ~~or any~~
5 ~~other law to the contrary~~ and except as provided in R.S. 15:574.22, unless eligible
6 for parole at an earlier date, a person committed to the Department of Public Safety
7 and Corrections for a term or terms of imprisonment with or without benefit of
8 parole for thirty years or more shall be eligible for parole consideration upon serving
9 at least twenty years of the term or terms of imprisonment in actual custody and upon
10 reaching the age of forty-five. This provision shall not apply to a person serving a
11 life sentence unless the sentence has been commuted to a fixed term of years. The
12 provisions of this Paragraph shall not apply to any person who has been convicted
13 of an offense that is both a crime of violence as defined in R.S. 14:2(B) and a sex
14 offense as defined in R.S. 15:541 when the offense was committed on or after
15 January 1, 1997. The provisions of this Paragraph shall not apply to any person who
16 has been convicted of a crime of violence as defined in R.S. 14:2(B) or a sex offense
17 as defined in R.S. 15:541 when the offense was committed on or after August 1,
18 2014.

19 (3) Notwithstanding the provisions of Paragraph (A)(1) or (2) of this Section
20 ~~or any other provision of law to the contrary~~ and except as provided in R.S.
21 15:574.22, unless eligible for parole at an earlier date, a person committed to the
22 Department of Public Safety and Corrections serving a life sentence for the
23 production, manufacturing, distribution, or dispensing or possessing with intent to
24 produce, manufacture, or distribute heroin shall be eligible for parole consideration
25 upon serving at least fifteen years of imprisonment in actual custody.

26 (4) ~~Notwithstanding any other provision of law to the contrary~~ Except as
27 provided in R.S. 15:574.22, unless eligible for parole at an earlier date, a person
28 committed to the Department of Public Safety and Corrections for a term or terms
29 of imprisonment with or without benefit of parole who has served at least ten years

1 of the term or terms of imprisonment in actual custody shall be eligible for parole
2 consideration upon reaching the age of sixty years if all of the following conditions
3 have been met:

4 * * *

5 (5)(a) Notwithstanding the provisions of Paragraph (A)(1) or Subsection B
6 of this Section ~~or any other provision of law to the contrary~~ and except as provided
7 in R.S. 15:574.22, a person committed to the Department of Public Safety and
8 Corrections shall be eligible for parole consideration upon serving fifteen years in
9 actual custody if all of the following conditions are met:

10 * * *

11 (6)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection or
12 Subsection B of this Section ~~or of any provision of law to the contrary~~ and except as
13 provided in R.S. 15:574.22, a person committed to the Department of Public Safety
14 and Corrections shall be eligible for parole consideration upon serving fifteen years
15 in actual custody if all of the following conditions are met:

16 * * *

17 B.(1) Except as provided in Paragraph (2) of this Subsection, and except as
18 provided in Paragraph (A)(5) and Subsections D, E, and H of this Section, no
19 prisoner serving a life sentence shall be eligible for parole consideration until his life
20 sentence has been commuted to a fixed term of years. No prisoner sentenced as a
21 serial sexual offender shall be eligible for parole. No prisoner may be paroled while
22 there is pending against him any indictment or information for any crime suspected
23 of having been committed by him while a prisoner. ~~Notwithstanding any other~~
24 ~~provisions of law to the contrary~~ Except as provided in R.S. 15:574.22, a person
25 convicted of a crime of violence and not otherwise ineligible for parole shall serve
26 at least sixty-five percent of the sentence imposed, before being eligible for parole.
27 The victim or victim's family shall be notified whenever the offender is to be
28 released provided that the victim or victim's family has completed a Louisiana victim
29 notice and registration form as provided in R.S. 46:1841 et seq., or has otherwise

1 provided contact information and has indicated to the Department of Public Safety
2 and Corrections, Crime Victims Services Bureau, that they desire such notification.

3 (2) ~~Notwithstanding any provision of law to the contrary~~ Except as provided
4 in R.S. 15:574.22, any person serving a life sentence, with or without the benefit of
5 parole, who has not been convicted of a crime of violence as defined by R.S.
6 14:2(B), a sex offense as defined by R.S. 15:541, or an offense, regardless of the date
7 of conviction, which would constitute a crime of violence as defined by R.S. 14:2(B)
8 or a sex offense as defined by R.S. 15:541, shall be eligible for parole consideration
9 as follows:

10 * * *

11 §574.22. Parole ineligibility

12 No person committed to the Department of Public Safety and Corrections for
13 an offense committed on or after August 1, 2024, shall be eligible for parole under
14 this Part except a person who satisfies the provisions of R.S. 15:574.4(D), (E), (F),
15 (G), (H), (J), or (K).

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)]

HB 9 Engrossed 2024 Second Extraordinary Session Villio

Abstract: Provides relative to the parole eligibility of offenders.

Present law (R.S. 15:574.4) provides for parole eligibility for certain offenders who meet certain requirements.

Proposed law retains present law.

Proposed law (R.S. 15:574.22) provides that no person committed to the DPS&C for an offense committed on or after Aug. 1, 2024, shall be eligible for parole except a person who satisfies the provisions of present law (R.S. 15:574.4(D), (E), (F), (G), (H), or (K)).

(Amends R.S. 15:574.4(A)(1)(a), (2)-(4), (5)(a), and (6)(a) and (B)(1) and (2)(intro. para.); Adds R.S. 15:574.22)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Specify that present law (R.S. 15:574.4(A)) applies to offenses committed before Aug. 1, 2024, rather than convictions rendered before Aug. 1, 2024.