

HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 49 by Representative Melerine

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 15:572.4(B)(2), 573, and 574.2(D)(9)(a), R.S. 42:17(A)(10), and R.S. 44:4.1(B)(8) and to enact R.S. 14:81.5.1, R.S. 15:574.4.1(A)(3) and 574.12.1, and R.S. 42:17(A)(11)"

AMENDMENT NO. 2

On page 1, line 5, after "parole;" delete the remainder of the line and insert "to provide for"

AMENDMENT NO. 3

On page 1, delete line 7 in its entirety and insert "provide for"

AMENDMENT NO. 4

On page 1, line 8, after "order;" and before "and" insert "to provide relative to procedures and sessions before the Board of Pardons and committee on parole; to provide for an exception to open meetings;"

AMENDMENT NO. 5

On page 1, delete lines 15 through 17 in their entirety and at the beginning of line 18 delete "written transcript of the hearing" and insert "any audio, written, or visual recording of any testimony presented by a victim, or the spouse or next of kin of a deceased victim, during an executive session of the Board of Pardons and committee on parole and to transfer such recording"

AMENDMENT NO. 6

On page 2, delete lines 3 and 4 in their entirety

AMENDMENT NO. 7

On page 2, at the beginning of line 5, change "C." to "B."

AMENDMENT NO. 8

On page 2, line 6, after "the" and before the colon ":" change "hearing" to "recording"

AMENDMENT NO. 9

On page 2, at the beginning of line 13, change "D." to "C."

AMENDMENT NO. 10

On page 2, delete line 15 and insert the following:

"Section 2. R.S. 15:572.4(B)(2), 573, and 574.2(D)(9)(a) are hereby amended and reenacted and R.S. 15:574.4.1(A)(3) and 574.12.1 are hereby enacted to read as follows:

§572.4. Board of Pardons; rules, regulations, and procedures; notice; restrictions on applications; time periods for additional review

* * *

B.

* * *

(2) The victim, or the spouse or next of kin of a deceased victim, shall be allowed to testify at the hearing and shall be allowed to present such testimony in executive session at his request. The victim, or the spouse or next of kin of a deceased victim, shall be allowed to testify directly, ~~or and~~ in rebuttal to testimony or evidence offered by or on behalf of the offender, ~~or both~~ and shall be allowed to present such testimony in executive session at his request.

* * *

§573. Sessions of Board of Pardons open

A. All sessions of the Board of Pardons shall be public except as provided in Subsection B of this Section. No action shall be taken by the board on any pardon application at any time other than during a meeting that is open to the public. Any pardon or commutation of sentence granted outside of an open, public meeting of the board shall be null, void, and of no effect.

B. The victim, or the spouse or next of kin of a deceased victim, shall be allowed to present testimony in executive session at his request.

* * *

§574.2. Committee on parole, Board of Pardons; membership; qualifications; vacancies; compensation; domicile; venue; meetings; quorum; panels; powers and duties; transfer of property to committee; representation of applicants before the committee; prohibitions

* * *

D. In accordance with the provisions of this Part, the committee on parole shall have the following powers and duties:

* * *

(9)(a)(i) To notify the victim, or the spouse or next of kin of a deceased victim, when the offender is scheduled for a parole hearing. The notification shall be in writing and sent by mail or electronic communications no less than ninety days prior to the hearing date. The notice shall advise the victim, or the spouse or next of kin of a deceased victim, how to obtain information about their rights with regard to the hearing. The notice is not required when the victim, or the spouse or next of kin of a deceased victim, advises the committee in writing that such notification is not desired.

(ii) The victim, or the spouse or next of kin of a deceased victim, shall be allowed to testify at the hearing and shall be allowed to present such testimony in executive session at his request. The victim, or the spouse or next of kin of a deceased victim, shall be allowed to testify directly and in rebuttal to testimony or evidence offered by or on behalf of the offender and shall be allowed to present such testimony in executive session at his request.

(iii) Nothing in this Chapter or any other provision of law shall prevent either a victim from disclosing his identity or the spouse or next of kin of a deceased victim from disclosing the identity of the victim while testifying at any meeting or hearing of the Board of Pardons and Committee on Parole.

* * *

§574.4.1. Parole consideration and hearings

A.

* * *

(3) The victim, or the spouse or next of kin of a deceased victim, shall be allowed to present testimony in executive session at his request.

* * *

AMENDMENT NO. 11

On page 2, line 16, after "574.12.1" and before "before" change "Records of certain hearings" to "Testimony provided in executive session"

1 AMENDMENT NO. 12

2 On page 2, delete lines 18 through 20 in their entirety

3 AMENDMENT NO. 134 On page 2, at the beginning of line 21, change "B.(1)" to "A.(1)"5 AMENDMENT NO. 146 On page 2, line 21, after "Any" and before "hearing" change "documented" to testimony
7 presented at a meeting or"8 AMENDMENT NO. 159 On page 2, line 22, after "that" delete the remainder of the line and insert "has been
10 conducted in executive session is"11 AMENDMENT NO. 1612 On page 2, line 24, after "any" delete the remainder of the line and delete line 25 in its
13 entirety and insert "testimony presented in executive session may be made only by order of
14 the Nineteenth Judicial District Court pursuant to this Section."15 AMENDMENT NO. 1716 On page 2, delete line 26 in its entirety and insert "B. The court may"17 AMENDMENT NO. 1818 On page 2, line 27, after "copy of the" and before "if" change "documented hearing" to
19 "testimony presented in executive session"20 AMENDMENT NO. 1921 On page 3, line 1, after "the" and before "has" change "documented hearing" to "testimony"22 AMENDMENT NO. 2023 On page 3, line 2, after "court" and before the period ":" delete "or administrative law judge"24 AMENDMENT NO. 2125 On page 3, line 3, after "court" delete the remainder of the line and delete line 4 in its
26 entirety and insert "has determined that the testimony is relevant and necessary to the"27 AMENDMENT NO. 2228 On page 3, line 7, after "the" and before the period ":" change "documented hearing" to
29 "testimony"30 AMENDMENT NO. 2331 On page 3, at the beginning of line 8, change "D.(1)" to "C.(1)"32 AMENDMENT NO. 2433 On page 3, line 9, after "court" delete the remainder of the line and at the beginning of line
34 10 delete "hearing" and insert "may order in writing that a copy of the testimony"

1 AMENDMENT NO. 25

2 On page 3, at the end of line 14, delete "documented" and delete line 15 in its entirety and
 3 insert "testimony."

4 AMENDMENT NO. 26

5 On page 3, line 16, after "The" and before "is" change "documented hearing" to "testimony"

6 AMENDMENT NO. 27

7 On page 3, line 17, after "the" and before "shall" change "documented hearing" to
 8 "testimony"

9 AMENDMENT NO. 28

10 On page 3, line 21, after "the" and before "but" change "documented hearing" to "testimony"

11 AMENDMENT NO. 29

12 On page 3, delete line 22 in its entirety and insert "view the testimony by the custodian of
 13 the testimony."

14 AMENDMENT NO. 30

15 On page 3, line 23, after "the" and before "shall" change "documented hearing" to
 16 "testimony"

17 AMENDMENT NO. 31

18 On page 3, at the beginning of line 24, after "of the" delete the remainder of the line and
 19 insert "testimony with the clerk of court of the Nineteenth Judicial District under the seal of
 20 the court upon"

21 AMENDMENT NO. 32

22 On page 3, line 27, after "any" delete the remainder of the line and delete line 28 in its
 23 entirety and insert "testimony presented by a victim, or the spouse or next of kin of a
 24 deceased victim, during an executive session of the Board of Pardons and committee on
 25 parole is punishable"

26 AMENDMENT NO. 33

27 On page 4, at the beginning of line 1, change "E." to "D."

28 AMENDMENT NO. 34

29 On page 4, at the beginning of line 2, change "F." to "E."

30 AMENDMENT NO. 35

31 On page 4, line 3, after "the" and before the colon ":" change "documented hearing" to
 32 "testimony"

33 AMENDMENT NO. 36

34 On page 4, at the beginning of line 8, change "G." to "F."

1 AMENDMENT NO. 37

2 On page 4, between lines 10 and 11, insert the following:

3 "Section 3. R.S. 42:17(A)(10) is hereby amended and reenacted and R.S.
4 42:17(A)(11) is hereby enacted to read as follows:

5 §17. Exceptions to open meetings

6 A. A public body may hold an executive session pursuant to R.S. 42:16 for
7 one or more of the following reasons:

8 * * *

9 (10) The presentation of testimony from the victim, or the spouse or next of
10 kin of a deceased victim, during the portion of any meeting or hearing of the Board
11 of Pardons and Committee on Parole.

12 (11) Or Consideration of any other matters now provided for or as may be
13 provided for by the legislature.

14 * * *"

15 AMENDMENT NO. 38

16 On page 4, at the beginning of line 11, change "Section 3." to "Section 4."

17 AMENDMENT NO. 39

18 On page 4, at the beginning of line 23, change "Section 4." to "Section 5."