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**SENATE COMMITTEE AMENDMENTS**

2025 Regular Session

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 208 by Representative Villio

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AMENDMENT NO. 1

On page 1, at the end of line 5, delete "and"

AMENDMENT NO. 2

On page 1, line 6, after "574.9(H)(1)(a)(i)(dd)," insert:

"and Subpart H of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.71 and 574.72,"

AMENDMENT NO. 3

On page 1, line 9, after "behavior;" delete "to provide for a definition;"

AMENDMENT NO. 4

On page 1, line 11, after "intent;" insert:

"to provide for removal procedures and conditions of certain offenders who are granted parole; to provide for duties of the committee on parole; to provide for definitions; "

AMENDMENT NO. 5

On page 1, line 18, after "571.3.1(I)," delete "and 574.9(H)(1)(a)(i)(dd)" and insert:

"574.9(H)(1)(a)(i)(dd), and Subpart H of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:574.71 and 574.72,"

AMENDMENT NO. 6

On page 8, between lines 18 and 19, insert:

"SUBPART H. ALIEN REMOVAL PROCESS

§574.71. Definitions

As used in this Subpart:

(1) "Alien" shall have the same meaning as defined in 8 U.S.C. 1101.

(2) "Committee" means the Deportation Eligibility Hearing Committee, which shall be comprised of a three-member panel of the members of the committee on parole, and which shall hear and decide deportation eligibility cases as provided in this Subpart.

(3) "Department" means the Department of Public Safety and Corrections.

(4) "Removal" means the deportation of an alien from the United States to another country.

§574.72. Alien removal process; deportation eligibility hearing

A. Notwithstanding any other provision of law to the contrary, an offender shall be eligible for parole consideration and release for the purposes of deportation or removal pursuant to this Section if the following conditions have been met:

(1) The offender is an alien who has a final order of removal or a detainer issued by the Department of Homeland Security.

(2) The offender is not serving a sentence for either of the following:

(a) A sex offense as defined in R.S. 15:541.

(b) A crime of violence, as defined in R.S. 14:2(B), punishable by imprisonment for ten years or more, life imprisonment, or death.

1           (3) The offender has been approved for a deportation eligibility hearing by  
 2 both the governor and the district attorney of the parish where the conviction was  
 3 obtained.

4           B. For any offender who meets the criteria of Subsection A of this Section,  
 5 the committee shall:

6               (1) Conduct an expedited pre-hearing investigation.

7               (2) Notify the district attorney and sheriff of the parish where the conviction  
 8 was obtained and any registered victim at least thirty days prior to any deportation  
 9 eligibility hearing.

10           (3) Conduct an expedited deportation eligibility hearing.

11           (4) Render its decision ordering or denying the release and transfer of the  
 12 offender for the purpose of deportation or removal within seven days of the hearing.

13           C. Any decision by the committee to grant an offender release on parole for  
 14 the purpose of deportation or removal shall include and recite the following  
 15 conditions of release:

16               (1) The offender shall only be released from physical state custody directly  
 17 to the custody of the Department of Homeland Security and shall be held in its  
 18 custody until the offender is physically removed from the United States.

19               (2) The remainder of the offender's sentence shall be suspended upon the  
 20 date the offender is transferred out of state custody.

21               (3) If the offender is deemed to be ineligible for deportation or removal for  
 22 any reason, the offender shall be transferred back to state custody to serve the  
 23 remainder of his current sentence.

24               (4) If deported or removed from the United States, the offender shall remain  
 25 outside of the United States and the state of Louisiana and shall not attempt to  
 26 reenter the country unless such reentry is in compliance with Title 8 of the United  
 27 States Code.

28               (5) If the offender is discovered or detained within the United States after  
 29 deportation or removal, the parole of the offender shall be automatically revoked by  
 30 the committee on parole and the offender shall be remanded to state custody to serve  
 31 out the balance of the suspended sentence.

32           D.(1) If the committee grants a release on parole for the purposes of  
 33 deportation or removal pursuant to this Section, the committee shall issue all orders  
 34 and paperwork necessary to transfer or deliver the offender to the custody of the  
 35 Department of Homeland Security.

36               (2) Upon release of the offender to the Department of Homeland Security,  
 37 the committee shall issue a warrant for the return of the offender to the custody of  
 38 the department to be executed if the offender is released from the custody of the  
 39 Department of Homeland Security for any reason other than deportation or removal.

40           E. The committee shall have sole discretion as provided by R.S. 15:574.11  
 41 regarding its decision to release the offender pursuant to this Section, and no person  
 42 shall have a right of appeal from any such decision.

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