

Regular Session, 2014

HOUSE BILL NO. 734

BY REPRESENTATIVE KATRINA JACKSON

CRIMINAL/SENTENCING: Provides relative to ameliorative penalty provisions

1 AN ACT

2 To enact R.S. 15:308(C) and 574.2(I), relative to ameliorative penalty provisions; to provide
3 relative to the procedure by which an authorized reduction in sentence may be
4 granted; to require the committee on parole to evaluate applications for such relief;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:308(C) and 574.2(I) are hereby enacted to read as follows:

8 §308. Ameliorative penalty provisions; retroactivity; amendment of sentence; time
9 limitations

10 * * *

11 C. Such persons shall be entitled to apply to the committee on parole
12 pursuant to R.S. 15:574.2.

13 * * *

14 §574.2. Committee on parole, Board of Pardons; membership; qualifications;
15 vacancies; compensation; domicile; venue; meetings; quorum; panels;
16 powers and duties; transfer of property to committee; representation of
17 applicants before the committee; prohibitions

18 * * *

19 I.(1) In addition to any duties set forth in the provisions of this Section, the
20 committee on parole shall evaluate any application filed pursuant to R.S. 15:308 and,

1 taking into consideration the risk of danger the applicant would pose to society if
2 released from confinement, shall make recommendations to the Board of Pardons as
3 to whether the applicant is eligible for a reduction in sentence pursuant to R.S.
4 15:308.

5 (2) The secretary of the Department of Public Safety and Corrections shall
6 adopt and promulgate rules, regulations, and procedures in compliance with the
7 Administrative Procedure Act to implement the provisions of this Subsection.

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)]

Katrina Jackson

HB No. 734

Abstract: Provides relative to the procedure by which an authorized reduction in sentence may be granted, and requires the committee on parole to evaluate applications for such relief.

Present law, relative to certain offenses, provided more lenient penalties for persons who committed, were convicted, or were sentenced for specified crimes on or after June 15, 2001.

Present law (R.S. 15:308) provides that the more lenient penalty provisions provided in Act 403 of the 2001 R.S. and Act 45 of the 2002 1st E.S. shall apply to those persons who committed, were convicted, or were sentenced prior to June 15, 2001.

Proposed law provides that persons who are eligible for consideration for such ameliorative relief pursuant to present law may apply to the committee on parole.

Proposed law amends present law duties of the committee on parole to include evaluation of these applications and requires the secretary of Dept. of Public Safety and Corrections to adopt and promulgate rules, regulations, and procedures to implement the provisions of proposed law.

(Adds R.S. 15:308(C) and 574.2(I))