
DIGEST

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HB 90 Original

2016 Regular Session

Hall

Abstract: Amends parole eligibility provisions for certain crimes of violence, requiring certain violent offenders to serve 85% of their sentences and others to serve 75%.

Present law provides for the following listing of crimes designated as crimes of violence: solicitation for murder, first degree murder, second degree murder, manslaughter, aggravated battery, second degree battery, aggravated assault, mingling harmful substances, first degree rape, second degree rape, third degree rape, sexual battery, second degree sexual battery, intentional exposure to AIDS virus, aggravated kidnapping, second degree kidnapping, simple kidnapping, aggravated arson, aggravated criminal damage to property, aggravated burglary, armed robbery, first degree robbery, simple robbery, purse snatching, extortion, assault by drive-by shooting, aggravated crime against nature, carjacking, illegal use of weapons or dangerous instrumentalities, aggravated second degree battery, aggravated assault upon a peace officer with a firearm, aggravated assault with a firearm, armed robbery with the use of a firearm, second degree robbery, disarming of a peace officer, stalking, second degree cruelty to juveniles, aggravated flight from an officer, terrorism, battery of a police officer, aggravated incest, trafficking of children for sexual purposes, human trafficking, home invasion, domestic abuse aggravated assault, and vehicular homicide when the operator's BAC exceeds .20%.

Present law provides that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least 85% of the sentence imposed before being eligible for parole.

Proposed law retains that provision of present law with respect to first degree murder, second degree murder, first degree rape, second degree rape, third degree rape, sexual battery, second degree sexual battery, intentional exposure to AIDS virus, aggravated kidnapping, second degree kidnapping, aggravated arson, armed robbery, carjacking, armed robbery with the use of a firearm, second degree robbery, disarming a peace officer, trafficking of children for sexual purposes, human trafficking, and home invasion.

Proposed law provides that a person convicted of all other crimes of violence and not otherwise ineligible for parole shall serve at least 75% of the sentence imposed before being eligible for parole.

(Amends 15:574.4(B)(1))