

Regular Session, 2011

HOUSE BILL NO. 416

BY REPRESENTATIVE LOPINTO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 15:574.4(A)(1), relative to parole eligibility; to provide for  
3 parole eligibility for certain offenders after serving a certain portion of the criminal  
4 sentence; to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.4(A)(1) is hereby amended and reenacted to read as follows:

7 §574.4. Parole; eligibility

8 A.(1)(a) ~~Unless eligible at an earlier date and except~~ Except as provided for  
9 in Subparagraph (b) of this Paragraph and Subsection B of this Section, a person,  
10 otherwise eligible for parole, convicted of a first felony offense shall be eligible for  
11 parole consideration upon serving ~~one-third~~ thirty-three and one-third percent of the  
12 sentence imposed. Upon conviction of a second felony offense, such person shall  
13 be eligible for parole consideration upon serving ~~one-half~~ fifty percent of the  
14 sentence imposed. A person convicted of a third or subsequent felony offense shall  
15 not be eligible for parole.

16 (b)(i) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,  
17 a person, otherwise eligible for parole, convicted of a first felony offense shall be  
18 eligible for parole consideration upon serving twenty-five percent of the sentence  
19 imposed. The provisions of this Subparagraph shall not apply to any person who has  
20 been convicted of a crime of violence as defined in R.S. 14:2(B), has been convicted  
21 of a sex offense as defined in R.S. 15:541, has been sentenced as a habitual offender  
22 pursuant to R.S. 15:529.1, or is otherwise ineligible for parole.

1                   (ii) Any person eligible for parole pursuant to the provisions of this  
2                   Subparagraph shall not be eligible for parole pursuant to the provisions of  
3                   Subparagraph (a) of this Paragraph.

4                   (iii) Nothing in this Subparagraph shall prevent a person from reapplying for  
5                   parole as provided by rules adopted in accordance with the Administrative Procedure  
6                   Act.

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8                   Section 2. The provisions of this Act shall apply only to persons who are sentenced  
9                   on or after August 15, 2011.

10                  Section 3. The Department Public Safety and Corrections shall measure and  
11                  document cost savings from the implementation of this Act. The Department of Public  
12                  Safety and Corrections shall establish a baseline for measurement using the average number  
13                  of inmates incarcerated at each type of penal or correctional institution as defined in R.S.  
14                  15:824 and at local parish jails or institutions in Fiscal Year 2010-2011. The Department  
15                  of Public Safety and Corrections shall provide information regarding the estimated savings  
16                  to the legislature. The Louisiana Legislature shall appropriate the savings realized by the  
17                  provisions of this Act for reimbursements for the costs of incarceration of offenders awaiting  
18                  probation and parole revocation hearings, for other local corrections programs that reduce  
19                  recidivism, for expanded treatment programs, and for expanded probation and parole  
20                  services.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_