

Regular Session, 2012

HOUSE BILL NO. 519

BY REPRESENTATIVE LOPINTO

PARDON/PAROLE: (Constitutional Amendment) Merges the duties and functions of the Board of Parole into the Board of Pardons and creates the committee on parole of the Board of Pardons

1 A JOINT RESOLUTION

2 Proposing to amend Article IV, Section 5(E) of the Constitution of Louisiana, to merge the
3 duties and functions of the Board of Pardons into the Board of Parole; to create the
4 Board of Pardons, committee on parole; to provide relative to the membership of the
5 Board of Pardons; to provide for submission of the proposed amendment to the
6 electors; and to provide for related matters.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8 elected to each house concurring, that there shall be submitted to the electors of the state of
9 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
10 amend Article IV, Section 5(E) of the Constitution of Louisiana, to read as follows:

11 §5. Governor; Powers and Duties

12 Section 5.

13 * * *

14 (E) Pardon, Commutation, Reprieve, and Remission; Board of Pardons;
15 Committee on Parole.

16 (1) The governor may grant reprieves to persons convicted of offenses
17 against the state and, upon favorable recommendation of the Board of Pardons, may
18 commute sentences, pardon those convicted of offenses against the state, and remit
19 fines and forfeitures imposed for such offenses. However, a first offender convicted
20 of a ~~non-violent~~ nonviolent crime, or convicted of aggravated battery, second degree

1 battery, aggravated assault, mingling harmful substances, aggravated criminal
2 damage to property, purse snatching, extortion, or illegal use of weapons or
3 dangerous instrumentalities never previously convicted of a felony shall be pardoned
4 automatically upon completion of his sentence, without a recommendation of the
5 Board of Pardons and without action by the governor.

6 (2) The Board of Pardons shall consist of five ~~electors~~ members appointed
7 by the ~~governor~~, governor and subject to confirmation by the Senate, and two at-
8 large appointees, appointed by the governor, who shall only serve as members of the
9 committee on parole for the Board of Pardons. Each member of the board shall serve
10 a term concurrent with that of the governor appointing him.

11 * * *

12 Section 2. Be it further resolved that this proposed amendment shall be submitted
13 to the electors of the state of Louisiana at the statewide election to be held on November 6,
14 2012.

15 Section 3. Be it further resolved that on the official ballot to be used at the election,
16 there shall be printed a proposition, upon which the electors of the state shall be permitted
17 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
18 follows:

19 Do you support an amendment to merge the functions and duties of the
20 Board of Parole into the Board of Pardons and create a committee on parole
21 which shall be part of the Board of Pardons? (Amends Article IV, Section
22 5(E))

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)]

Lopinto

HB No. 519

Abstract: Merges the functions and duties of the Board of Parole into the Board of Pardons and creates a committee on parole which shall be part of the Board of Pardons.

Present constitution provides for a Board of Pardons consisting of five electors appointed by the governor.

Proposed constitutional amendment merges the functions and duties of the Board of Parole into the Board of Pardons and creates a committee on parole which shall be part of the Board of Pardons.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Amends Const. Art. IV, §5(E))