2022 Regular Session

HOUSE BILL NO. 964

BY REPRESENTATIVE PIERRE

PAROLE: Provides relative to parole violations

1	AN ACT
2	To amend and reenact R.S. 15:574.9(F) and 574.10, relative to parole violations; to provide
3	relative to the credit a person receives for time served while on parole when parole
4	is revoked; to provide relative to the serving of a concurrent or consecutive sentence;
5	and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 15:574.9(F) and 574.10 are hereby amended and reenacted to read
8	as follows:
9	§574.9. Revocation of parole for violation of condition; committee panels; return
10	to custody hearing; duration of reimprisonment and reparole after revocation;
11	credit for time served; revocation for a technical violation
12	* * *
13	F. When the parole of a parolee has been revoked by the committee for
14	violation of the conditions of parole, the parolee shall be returned to the physical
15	custody of the Department of Public Safety and Corrections, corrections services,
16	and serve the remainder of his sentence as of the date of his release on parole, and
17	any with credit for time served for good behavior while on parole. The parolee shall
18	be given credit for time served prior to the revocation hearing for time served in
19	actual custody while being held for a parole violation in a local detention facility,

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	state institution, or out-of-state institution pursuant to Code of Criminal Procedure
2	Article 880.

* 3 4 §574.10. Conviction of a felony while on parole 5 When a person is convicted in this state of a felony committed while on parole or is convicted under the laws of any other state or of the United States or any 6 7 foreign government or country of an offense committed while on parole, and which if committed in this state would be a felony, his parole shall be deemed revoked as 8 9 of the date of the commission of the felony or such offense under the laws of the 10 other jurisdiction. His parole officer shall inform the sentencing judge of the fact 11 that the convicted defendant is a parole violator. The term for which the defendant 12 shall be imprisoned as a parole violator shall be the same as that provided in cases of revocation of parole for violation of the conditions of parole. The new sentence 13 14 of imprisonment shall be served consecutively to concurrently with the term of 15 imprisonment for violation of parole unless a concurrent consecutive term of 16 imprisonment is directed by the court. An appeal by the defendant on the new 17 conviction or sentence shall not suspend the revocation provisions of this Section, 18 unless the defendant has been admitted to post-conviction bail on the new sentence 19 of imprisonment. In the event of a successful appeal of the new conviction or 20 sentence, the state shall be liable for any loss of income sustained by the defendant 21 due to such revocation of parole.

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)]

HB 964 Original

2022 Regular Session

Pierre

Abstract: Provides relative to the credit received for time served while on parole when parole is revoked, and provides for the concurrent serving of the sentence imposed for the parole violation and the sentence imposed for a new offense.

<u>Present law</u> provides that when a person's parole has been revoked, the person shall be returned to the physical custody of the Dept. of Public Safety and Corrections to serve the

remainder of his sentence as of the date of his release on parole, and any credit for time served for good behavior while on parole.

<u>Proposed law</u> retains <u>present law</u> but specifies that the person shall receive credit for time served for good behavior while on parole.

<u>Present law</u> provides that when a person is convicted of a felony that was committed while on parole, parole shall be deemed revoked as of the date of the commission of the felony. Further provides that the new sentence of imprisonment shall be served consecutively to the term of imprisonment for violation of parole unless a concurrent term of imprisonment is directed by the court.

<u>Proposed law</u> amends <u>present law</u> to provide that the new sentence of imprisonment shall be served concurrently with the term of imprisonment for the violation of parole unless a consecutive term of imprisonment is directed by the court.

(Amends R.S. 15:574.9(F) and 574.10)