

SENATE BILL NO. 304

BY SENATOR CATHEY AND REPRESENTATIVES CARRIER, ECHOLS, EDMONDS,
FIRMMENT, FONTENOT, GOUDEAU, HARRIS AND VILLIO

1 AN ACT

2 To amend and reenact R.S. 15:571.3(B)(1)(a), the introductory paragraph of (C), (D), and
3 (F) and to enact R.S. 15:571.3(G), relative to diminution of a sentence for good
4 behavior; to provide for reduction of good time credit for offenders convicted of
5 murder of first responders and peace officers; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:571.3(B)(1)(a), the introductory paragraph of (C), (D), and (F) are
8 hereby amended and reenacted and R.S. 15:571.3(G) is hereby enacted to read as follows:

9 §571.3. Diminution of sentence for good behavior

10 * * *

11 B.(1)(a) Unless otherwise prohibited, every offender in the custody of the
12 department who has been convicted of a felony, except an offender convicted a
13 second time of a crime of violence as defined by R.S. 14:2(B) **or as provided in**
14 **Subsection F of this Section**, and sentenced to imprisonment for a stated number of
15 years or months, may earn, in lieu of incentive wages, a diminution of sentence by
16 good behavior and performance of work or self-improvement activities, or both, to
17 be known as "good time". Those offenders serving life sentences will be credited
18 with good time earned which will be applied toward diminution of their sentences
19 at such time as the life sentences might be commuted to a specific number of years.
20 The secretary shall establish regulations for awarding and recording of good time and
21 shall determine when good time has been earned toward diminution of sentence. The
22 amount of diminution of sentence allowed under the provisions of this Section shall
23 be at the rate of thirteen days for every seven days in actual custody served on the
24 imposed sentence, including time spent in custody with good behavior prior to

1 sentencing for the particular sentence imposed as authorized by the provisions of
2 Code of Criminal Procedure Article 880.

3 * * *

4 C. Diminution of sentence shall not be allowed **to be earned by** an inmate
5 in the custody of the Department of Public Safety and Corrections if any of the
6 following apply:

7 * * *

8 D.(1) Diminution of sentence shall not be allowed **to be earned by** an
9 offender in the custody of the Department of Public Safety and Corrections if the
10 instant offense is a second offense crime of violence as defined by R.S. 14:2(B).

11 (2) Diminution of sentence shall not be allowed **to be earned by** an offender
12 in the custody of the Department of Public Safety and Corrections if the instant
13 offense is a sex offense as defined by R.S. 15:541.

14 * * *

15 F. **Notwithstanding any other provision of laws to the contrary, a person**
16 **convicted in the death of a victim killed in the line of duty as a peace officer or**
17 **first responder shall earn diminution of sentence at a rate of one day for every**
18 **thirty days in custody.**

19 **G.** No later than August first of each year, the Department of Public Safety
20 and Corrections shall submit an annual report to the legislature relative to offenders
21 released from custody during the preceding fiscal year pursuant to the provisions of
22 this Section. This report shall include the following information:

23 (1) The name and offender number of the released offender.

24 (2) The date on which the offender was released.

25 (3) The offense for which the offender was incarcerated at the time of his
26 release, including whether the offense was a crime of violence as defined in R.S.
27 14:2(B) or a sex offense as defined in R.S. 15:541.

28 (4) A grid which shows the earliest release date that offenders would have
29 been eligible for release notwithstanding the provisions of Section 3 of Act No. 280
30 of the 2017 Regular Session of the Legislature.

1 (5) Whether the offender obtained a GED certification or completed a literacy
 2 program, an adult basic education program, or a job skills training program before
 3 being released from custody.

4 (6) Any information relative to juvenile offenders that is exempt from release
 5 pursuant to a public records request or otherwise considered confidential by law shall
 6 be redacted from the report provided for by this Subsection.

7 Section 2. This Act shall become effective upon signature by the governor, or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

12 Section 3. This Act shall be known and may be cited as "David's Law" on behalf of
 13 David Elahi.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____