

2022 Regular Session

HOUSE BILL NO. 102

BY REPRESENTATIVE MUSCARELLO

PAROLE: Provides relative to parole hearings

1 AN ACT

2 To amend and reenact R.S. 15:574.4.1(A)(1), relative to parole consideration and hearings;  
3 to provide relative to the time period for parole rehearings for certain prisoners; to  
4 provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.4.1(A)(1) is hereby amended and reenacted to read as  
7 follows:

8 §574.4.1. Parole consideration and hearings

9 A.(1)(a) The parole hearings shall be conducted in a formal manner in  
10 accordance with the rules formulated by the committee and with the provisions of  
11 this Part. Before the parole of any prisoner is ordered, such prisoner shall appear  
12 before and be interviewed by the committee, except those incarcerated in parish  
13 prisons or parish correctional centers, in which case one committee member may  
14 conduct the interview. The committee may order a reconsideration of the case or a  
15 rehearing at any time.

16 (b) Notwithstanding any other provision of law to the contrary, the  
17 committee shall not consider a parole rehearing of any prisoner who is serving a  
18 sentence for any of the following offenses until at least four years after the denial of  
19 parole:

20 (i) Any crime of violence as defined in R.S. 14:2(B) or sex offense as  
21 defined in R.S. 15:541, for which the prisoner is serving a life sentence and for

1        which the prisoner is eligible for parole pursuant to any of the provisions of R.S.  
2        15:574.4.

3                (ii) Any crime that is both a crime of violence as defined in R.S. 14:2(B) and  
4        a sex offense as defined in R.S. 15:541, for which the prisoner is serving a fixed term  
5        of years and for which the prisoner is eligible for parole pursuant to any of the  
6        provisions of R.S. 15:574.4.

7                (iii) Manslaughter (R.S. 14:31), for which the prisoner is eligible for parole  
8        pursuant to any of the provisions of R.S. 15:574.4.

9    \*        \*        \*

10        Section 2. This Act shall become effective on August 1, 2024.

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 102 Reengrossed

2022 Regular Session

Muscarello

**Abstract:** Provides relative to the time period for parole rehearings for certain prisoners.

Present law requires parole hearings to be conducted in a formal manner and in accordance with the rules formulated by the committee on parole and with provisions of present law. Further requires prisoners to appear before and be interviewed by the committee on parole before parole is considered.

Proposed law provides that the committee on parole shall not consider a parole rehearing of any prisoner who is serving a sentence for any of the following offenses until at least four years after the denial of parole:

- (1) Any crime of violence or sex offense, for which the prisoner is serving a life sentence and for which the prisoner is eligible for parole.
- (2) Any crime that is both a crime of violence and a sex offense, for which the prisoner is serving a fixed term of years and for which the prisoner is eligible for parole.
- (3) Manslaughter, for which the prisoner is eligible for parole.

Effective Aug. 1, 2024.

(Amends R.S. 15:574.4.1(A)(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Provide that the committee on parole shall not consider a parole rehearing of any prisoner serving a sentence for the following offenses until at least four years after the denial of parole:
  - (a) Any crime of violence or sex offense, for which the prisoner is serving a life sentence and for which the prisoner is eligible for parole.
  - (b) Any crime that is both a crime of violence and a sex offense, for which the prisoner is serving a fixed term of years and for which the prisoner is eligible for parole.
  - (c) Manslaughter, for which the prisoner is eligible for parole.

The House Floor Amendments to the engrossed bill:

1. Provide that proposed law shall become effective Aug. 1, 2024.