

Regular Session, 2010

HOUSE BILL NO. 418

BY REPRESENTATIVE GARY SMITH

PAROLE: Provides relative to the membership of the Board of Parole

1 AN ACT

2 To amend and reenact R.S. 15:574.2(A), relative to the Board of Parole; to provide relative
3 to the membership of the board; to provide for an ex officio, nonvoting member; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.2(A) is hereby amended and reenacted to read as follows:

7 §574.2. Board of Parole; membership; qualifications; vacancies; compensation;
8 domicile; venue; meetings; quorum; panels; powers and duties; transfer of
9 property to board; representation of applicants before the board; prohibitions

10 A.(1) A board of parole, hereinafter referred to as "the board", is hereby
11 created in the Department of Public Safety and Corrections. The board shall consist
12 of seven members who shall be appointed by the governor and one ex officio
13 member. ~~It shall consist of~~ Of the seven members appointed by the governor, one
14 ~~of whom~~ shall be the chairman of the board, and all ~~of whom~~ shall serve at the
15 pleasure of the governor. One of the seven members shall be appointed from a list
16 of at least three names submitted by Victims and Citizens Against Crime, Inc. Each
17 appointment by the governor shall be submitted to the Senate for confirmation.

18 (2) Each member, ~~except for the ex officio member,~~ shall devote full time
19 to the duties of his office and shall not engage in any other business or profession or
20 hold any other public office.

1 (3) The chairman of the board shall receive an annual salary not to exceed
 2 fifty thousand dollars, the vice chairman shall receive an annual salary not to exceed
 3 forty-seven thousand dollars, and each of the other members of the board, except for
 4 the ex officio member, shall receive an annual salary not to exceed forty-four
 5 thousand dollars payable on his own warrant, and shall be reimbursed for necessary
 6 travel and other expenses actually incurred in the discharge of his duties. The actual
 7 salaries, subject to the limits provided for in this Paragraph, shall be authorized by
 8 executive order of the governor.

9 (4) The warden, or in his absence the deputy warden, of the correctional
 10 facility in which the offender is incarcerated shall be an ex officio member of the
 11 board. When the offender is housed in a local correctional facility and the warden,
 12 or deputy warden, of that facility is not able to attend the offender's parole hearing,
 13 the warden, or in his absence the deputy warden, of the facility where the offender's
 14 parole hearing is held may serve as an ex officio member. The ex officio member
 15 shall not be a voting member nor shall he be counted or permitted to be counted for
 16 purposes of the number of members necessary to take board action or the number of
 17 members necessary to establish quorum. In all other respects, the ex officio member
 18 shall have all the duties, authority, requirements, and benefits of any other board
 19 member.

20 * * *

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)]

Gary Smith

HB No. 418

Abstract: Provides for the addition of an ex officio, nonvoting member of the Board of Parole.

Present law provides that the parole board shall consist of seven members appointed by the governor, one of whom shall be the chairman of the board, and all of whom shall serve at the pleasure of the governor.

Present law provides that each member of the parole board shall devote full time to the duties of his office and shall not engage in any other business or profession or hold any other public office.

Proposed law retains present law but allows the ex officio member of the board to engage in any other business or profession and hold any other public office.

Present law provides that each member shall receive an annual salary and shall be reimbursed for necessary travel and other expenses actually incurred in the discharge of his duties.

Proposed law retains present law but provides that the ex officio member of the board shall not receive an annual salary and shall not be reimbursed for necessary travel and other expenses incurred in the discharge of his duties as an ex officio member.

Proposed law retains present law and requires the addition of the warden, or in his absence the deputy warden, of the institution in which the inmate is housed as an ex officio, nonvoting member of the Board of Parole.

Proposed law further provides that in situations where the offender is housed in a local jail facility and the warden, or deputy warden, of that facility is not able to attend the offender's parole hearing, the warden, or in his absence the deputy warden, of the facility where the offender's parole hearing is held may serve as an ex officio member.

(Amends R.S. 15:574.2(A))