2025 Regular Session

HOUSE BILL NO. 673   (Substitute for House Bill No. 101 by Representative Muscarello)

BY REPRESENTATIVE MUSCARELLO

CRIMINAL/PROCEDURE: Repeals provisions relative to compensation for wrongful conviction and imprisonment

1   AN ACT

2   To repeal R.S. 15:572.8, relative to compensation for wrongful conviction and

3   imprisonment; to repeal provisions relative to compensation for wrongful conviction

4   and imprisonment and the Innocence Compensation Fund; and to provide for related

5   matters.

6   Be it enacted by the Legislature of Louisiana:

7   Section 1. R.S. 15:572.8 is hereby repealed in its entirety.

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 673 Engrossed   2025 Regular Session   Muscarello

Abstract: Repeals provisions relative to compensation for wrongful conviction and imprisonment.

Present law provides that a person is entitled to compensation for wrongful conviction when his conviction has been reversed or vacated and he has proven his innocence through clear and convincing evidence.

Present law provides that during a contradictory hearing, the court may consider any relevant evidence, whether it was admissible in or excluded from the criminal trial.

Present law provides that the attorney general shall represent the state in such proceedings.

Present law requires that notice of the petition be sent to the attorney general's office.

Present law provides that compensation for a wrongful conviction shall be paid from the Innocence Compensation Fund.

Present law provides that petitions based on convictions involving willful misconduct by the state are not limited to the recovery provided in present law.

Proposed law repeals present law.

(Repeals R.S. 27:572.8)