

2020 Regular Session

HOUSE BILL NO. 189

BY REPRESENTATIVE WILFORD CARTER

CRIMINAL/PROCEDURE: Provides relative to the time for filing pretrial motions

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 521(A), relative to pretrial
3 motions; to provide relative to the time period within which pretrial motions are
4 required to be filed; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 521(A) is hereby amended and
7 reenacted to read as follows:

8 Art. 521. Time for filing of pretrial motions

9 A. Pretrial motions shall be made or filed within ~~fifteen~~ thirty days after
10 ~~arraignment~~ receipt of discovery, unless a different time is provided by law or fixed
11 by the court at ~~arraignment~~ upon a showing of good cause why ~~fifteen~~ thirty days is
12 inadequate.

13 * * *

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 189 Original

2020 Regular Session

Wilford Carter

Abstract: Provides that pretrial motions shall be made or filed within 30 days after receipt of discovery instead of within 15 days after arraignment, unless good cause is shown that 30 days is inadequate.

Present law provides that pretrial motions shall be made or filed within 15 days after arraignment, unless a different time is provided by law or fixed by the court at arraignment upon a showing of good cause why 15 days is inadequate.

Proposed law amends present law to provide that all pretrial motions shall be made within 30 days after the receipt of discovery, unless a different time is provided by law or fixed by the court upon a showing of good cause why 30 days is inadequate.

(Amends C.Cr.P. Art. 521(A))