The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jonathon Wagner.

DIGEST

SB 150 Original | 2024 Regular Session | Duplessis

Proposed law provides that any person convicted of a crime against nature by solicitation prior to August 15, 2010, or the district attorney in the parish where the offender was convicted, may file a motion to vacate the conviction. Proposed law does not apply to convictions where the solicited person was under the age of 17 years.

Proposed law provides that the motion to vacate must be accompanied by supporting documentation establishing that the person was convicted prior to August 15, 2010, and that the solicited person was not under the age of 17 years. Proposed law provides that a motion to vacate filed by the district attorney must include an affidavit establishing that the conviction meets the provisions of proposed law relative to the date of conviction and the victim's age and is sufficient for the court to grant the motion.

Proposed law provides that the district attorney is permitted to request an evidentiary hearing to challenge any evidence submitted with the motion to vacate.

Proposed law provides that a certified copy of the order granting a motion filed pursuant to proposed law will be served on the office of state police, the district attorney, and the La. Department of Justice.

Effective August 1, 2024.

(Adds C.Cr.P. Art. 930.11)