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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

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DIGEST

SB 91 Engrossed

2024 Regular Session

Duplessis

Present law provides that prior to August 31, 2024, a person convicted of a felony may file an application for post-conviction relief requesting DNA testing under the specific provisions of present law relative to post-conviction applications for DNA testing.

Proposed law changes the date prior to which present law applies from August 31, 2024 to August 31, 2029, and otherwise retains present law.

Present law provides that on or after August 31, 2024, a petitioner may request DNA testing under the general rules for filing an application for post-conviction relief as provided in present law.

Proposed law changes the date after which present law applies from August 31, 2024 to August 31, 2029, and otherwise retains present law.

Present law provides that after service of the application for DNA testing on the district attorney and the law enforcement agency in possession of the evidence, the clerks of court of each parish and all law enforcement agencies must preserve, until August 31, 2024, all items of evidence in their possession which are known to contain biological material that can be subjected to DNA testing, in all cases that, as of August 15, 2001, have been concluded by a verdict of guilty or a plea of guilty.

Proposed law extends the date until which DNA evidence must be preserved to August 31, 2029, and otherwise retains present law.

Effective August 1, 2024.

(Amends C.Cr.P. Art. 926.1(A)(1) and (H)(3))