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 DIGEST

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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, 2030, 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, 2030, 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 shall 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 shall be preserved to August 31, 2030, and otherwise retains present law.

Present law provides for the DNA Testing Post-Conviction Relief for Indigents Fund and provides that the fund shall be administered by the La. Public Defender Board.

Proposed law retains present law and changes the reference of the administering entity from the La. Public Defender Board to the office of the state public defender.

Effective August 1, 2024.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the engrossed bill:

1. Make technical changes.
2. Change the date that a person convicted of a felony may file an application for post-conviction to request DNA testing under the specific provisions of present law from August 31, 2029 to August 31, 2030.
3. Change a present law reference within the DNA Testing Post-Conviction Relief for Indigents Fund from the La. Public Defender Board to the office of the state public defender.