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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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DIGEST

SB 481 Original

2026 Regular Session

Morris

Present law provides that the supreme court cannot use its appellate or supervisory jurisdiction to either grant or refuse to grant a new trial unless an error of law was committed.

Proposed law applies present law to all appellate courts. Proposed law also provides that the showing of injustice that is required before granting any motion for a new trial pursuant to present law is a question of law and any motion for a new trial granted requires proving either an error of law or the insufficiency of the evidence as a matter of law and will be reviewable under proposed law.

Proposed law provides that a mover is required to establish that, after viewing the evidence in a light most favorable to the prosecution, no rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.

Proposed law otherwise retains present law.

Effective August 1, 2026.

(Amends C.Cr.P. Art. 858)