

**ACT No. 538**

2026 Regular Session

HOUSE BILL NO. 251

BY REPRESENTATIVES MANDIE LANDRY, AMEDEE, BILLINGS, BOUDREAUX, BOYD, CHASSION, FREEMAN, LAFLEUR, TERRY LANDRY, LYONS, MARTINEZ, AND TAYLOR

1 AN ACT

2 To enact R.S. 46:1844(K)(4), relative to victim rights; to provide for a contradictory hearing  
3 pursuant to a motion to vacate or resentence; to provide for victim impact statements;  
4 to provide for prospective application; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:1844(K)(4) is hereby enacted to read as follows:

7 §1844. Basic rights for victim and witness

8 \* \* \*

9 K.

10 \* \* \*

11 (4) No trial court shall grant a motion that would effectuate vacating an  
12 otherwise final conviction or resentencing an imprisoned person to a lesser sentence  
13 without a hearing where the victim shall have the right to make a statement pursuant  
14 to this Subsection. The clerk of court shall provide written notice of the pending  
15 motion and its impact to the victim pursuant to R.S. 46:1844(B). Any motion  
16 granted without compliance with this Paragraph shall be voidable as a patent error  
17 pursuant to Code of Criminal Procedure Article 920(2). Any motion granted that is  
18 subject to the provisions of this Paragraph and pending appellate review may, sua  
19 sponte, be remanded for consideration of the victim's statement. When the victim  
20 is deceased or unable to appear due to disability, every reference in this Paragraph  
21 to the victim shall instead apply to the victim's designated family member as defined

