

RÉSUMÉ DIGEST

ACT 290 (SB 91)

2024 Regular Session

Duplessis

Existing 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 existing law relative to post-conviction applications for DNA testing.

New law changes the date prior to which existing law applies from August 31, 2024 to August 31, 2030, and otherwise retains existing law.

Existing 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 provided in existing law.

New law changes the date after which existing law applies from August 31, 2024 to August 31, 2030, and otherwise retains existing law.

Existing 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 known to contain biological material that can be subjected to DNA testing, in all cases that, as of August 15, 2001, were concluded by a verdict of guilty or a plea of guilty.

Existing law extends the date until which DNA evidence must be preserved to August 31, 2030, and otherwise retains existing law.

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

New law retains existing law but changes the reference to 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))