

RÉSUMÉ DIGEST

ACT 54 (HB 131)

2026 Regular Session

Bacala

Existing law (C.Cr.P. Art. 930.4) provides relative to jurisdictional bars to post-conviction relief and repetitive applications.

Prior law required the court to deny relief if the application alleged a claim of which the petitioner had knowledge and inexcusably failed to raise in the proceedings leading to conviction.

New law repeals prior law and requires the court to deny relief if the petitioner failed, rather than inexcusably failed, to raise the claim in the proceedings leading to conviction.

Prior law required the court to deny relief if the application alleged a claim which the petitioner raised in the trial court and inexcusably failed to pursue on appeal.

New law repeals prior law and requires the court to deny relief if the petitioner failed, rather than inexcusably failed, to pursue a claim on appeal that the petitioner raised in the trial court.

Existing law (C.Cr.P. Art. 930.5) provides for custody pending retrial and an opportunity for bail.

New law provides that existing law relative to bail does not apply until a judgment granting post-conviction relief becomes final.

New law provides that, if relief is granted, the effect of that judgment is stayed until either of the following occurs:

- (1) The time period to invoke the supervisory jurisdiction of the La. Supreme Court has expired.
- (2) The La. Supreme Court, after receipt of a timely application, has taken final action on the matter.

Effective August 1, 2026.

(Amends C.Cr.P. Art. 930.4(B) and (C); Adds C.Cr.P. Art. 930.5(C))